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THE HONOURABLE BILL BARISOFF, SPEAKER

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LIEUTENANT-GOVERNOR
His Honour the Honourable Steven L. Point, OBC

FIRST SESSION, 39TH PARLIAMENT

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Honourable Bill Barisoff

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Victoria-Swan Lake..... Rob Fleming
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West Vancouver-Sea to Sky..... Joan McIntyre
Westside-Kelowna..... Hon. Ben Stewart

CONTENTS

Friday, November 6, 2009
Morning Sitting

Page

Routine Business

Speaker's Statement 2185
Visit by Prince Charles and the Duchess of Cornwall

Orders of the Day

Second Reading of Bills 2185

Bill 21 — Ambulance Services Collective Agreement Act (*continued*)

- A. Dix
- Hon. B. Lekstrom
- M. Farnworth
- On the amendment
- M. Farnworth
- R. Chouhan
- L. Krog
- D. Routley
- S. Simpson
- D. Black
- R. Austin
- D. Thorne
- S. Herbert

On the Motion to Recess 2220
M. Farnworth

Second Reading of Bills 2220

Bill 21 — Ambulance Services Collective Agreement Act (*continued*)

On the amendment (*continued*)

- B. Routley
- N. Simons
- G. Coons
- S. Fraser
- M. Mungall
- M. Elmore
- B. Simpson
- J. Horgan
- N. Macdonald
- J. Brar
- G. Gentner
- R. Fleming
- M. Karagianis
- L. Popham
- D. Donaldson
- B. Ralston
- S. Hammell
- A. Dix
- On the main motion
- J. Brar
- Hon. K. Falcon

Committee of the Whole House.....	2299
Bill 21 — Ambulance Services Collective Agreement Act	
R. Chouhan	
Hon. K. Falcon	
S. Simpson	
A. Dix	
Report and Third Reading of Bills.....	2316
Bill 21 — Ambulance Services Collective Agreement Act	
Royal Assent to Bills.....	2316
Bill 21 — Ambulance Services Collective Agreement Act	

FRIDAY, NOVEMBER 6, 2009

The House met at 9:02 a.m.

[Mr. Speaker in the chair.]

Routine Business

Prayers.

Speaker's Statement

VISIT BY PRINCE CHARLES AND THE DUCHESS OF CORNWALL

Mr. Speaker: Hon. Members, today is a special day in the province and in the Legislative Assembly of British Columbia. Later today we will have a visit to the precinct by His Royal Highness Prince Charles and Her Royal Highness the Duchess of Cornwall. I know that all members of this House welcome the visit, and we are hoping that the threatened rain will hold off between four and 4:30 this afternoon. I know the House joins me in extending a warm welcome to the royal couple.

Orders of the Day

Hon. M. de Jong: Good morning. I call continued second reading on Bill 21.

Second Reading of Bills

BILL 21 — AMBULANCE SERVICES COLLECTIVE AGREEMENT ACT (continued)

A. Dix: I understand that I have but five minutes left in my time, which seems hardly enough to summarize the dozens of reasons why members on all sides of this House should oppose this piece of irresponsible legislation. But let me offer ten. Let me offer ten reasons in four minutes and 30 seconds.

(1) The government has failed to bargain in good faith. Very specific offers made at the bargaining table have been withdrawn. Four years of effort by the union to deal with fundamental problems in the Ambulance Service have been thrown away. It is wrong, and it's wrong to impose a contract after you've failed to bargain in good faith.

(2) The government has misled people, frankly, about the reason for this legislation. Before the Labour Relations Board officials of the B.C. Ambulance Service have been clear that this is about the Olympics, and the government has failed to talk about that. I think that when you're bringing in draconian legislation to affect a particular group in society, you have the obligation to be straightforward and honest.

(3) The ambulance paramedics have worked for years to deal with issues of response times. They have worked on joint management committees. The results of those committees, the reports of those committees, have been rejected by the government. They have not been implemented.

When you repeatedly ask a group of employees to work on joint labour-management committees and then you repeatedly ignore the results of that committee's work, it is institutional contempt on the part of the government.

(4) They haven't been allowed to vote on the last contract offer of the government. It is unprecedented labour history. It is contempt for the democratic process, and we in this Legislature have a duty to uphold the democratic process.

[0905]

(5) The contract being imposed here does nothing to deal with the disastrous issues of gaps in service in rural and remote areas in British Columbia. In fact, it will make things worse, and \$2 standby is not enough to deal with those problems. There will continue to be gaps, and if this legislation is imposed — and the government took away the provisions that might improve that situation during these negotiations, in bad faith — things will get worse there.

(6) Ambulance paramedics, all of them, have shown immense commitment to become full-time paramedics. They've shown that they deserve more respect than this.

(7) The public is on the side of the ambulance paramedics. They're on the side of the ambulance paramedics. All summer.... They know the contribution ambulance paramedics make, and they want ambulance paramedics to be there when their families and their friends need help.

(8) By imposing a contract in this way, the government has put at risk the workplace. A workplace like this has had esprit de corps for years. This is a group of workers, the ambulance paramedics, who believe in the B.C. Ambulance Service. The government is working right now, is moving right now to damage and to rip up 35 years of history of that workplace.

(9) The president of the B.C. Ambulance Service last night asked the government to come back to the bargaining table. We should not be proceeding with this legislation when there is an opportunity to go back and find a collective agreement.

(10) Thirty-five years of history. This ambulance service is very much part of making our province one province, of delivering services and health care services no matter where you live in the province.

That was not the case before the B.C. Ambulance Service. That was the dream of the legislators who sat in this place on all sides of the House — NDP, Social Credit, Liberal, Conservative — at the time and who supported an ambulance service for British Columbia, supported nationalizing private services and bringing them together under one ambulance service.

That was a dream that has lived through 35 years. It is not politicians who have made that dream real, but

it is politicians on that side of the House who are going to wreck that dream with this piece of legislation.

It is ambulance paramedics, dispatchers, managers, British Columbians who made that dream real, who have given British Columbia an ambulance service over a period of time that has saved lives, that has delivered health care everywhere in our province, that has made our province a better and more livable place to be.

That is the tenth reason, but that's the number one reason why members of the government's side should think again about imposing a piece of legislation that will damage a service that is fundamental to public health care in British Columbia.

Hon. B. Lekstrom: I rise today to join in the discussion around Bill 21. I will be speaking to it on a number of fronts.

This is not a bill, I think, that people are happy about. It is an issue that has been brought upon us after seven months of this labour dispute carrying on. It is a significant amount of time. Certainly, I rise to speak on this knowing very well how the workers must feel, how the people of British Columbia feel, how the members of this House feel, on both sides, in having to deal with the bill that's before us today.

There has been, I think, a great deal of effort over the last seven months, and even prior to that, in trying to find a negotiated settlement. I believe that both CUPE 873 and the Emergency and Health Services Commission would have hoped to reach a negotiated settlement. Unfortunately, we are at an impasse. It's clear.

I think that for people that have been involved in the labour movement, when seven months pass, and even longer, reality does set in that the possibility of getting to a negotiated settlement is waning. We've reached that.

The actual issue on this is not something that hasn't been through a great deal of effort to try and reach. I'm going to point out that CUPE 873 has tabled four proposals — five, actually, I believe; the fifth was a mirror of their fourth that they tabled — in making an effort. The EHSC has tabled six proposals, as well as one cooling-off period proposal that was put forward.

So there has been effort from both sides, but the reality is that that effort has not led to a resolve. That's why we're in this House today, tomorrow and the next day — whatever time it takes to have the discussion to deal with this.

[0910]

I hear a lot of discussion about how there's no respect for ambulance paramedics from this side of the House, and it's sad. I have heard members say from the other side that there is respect, but this is not about one side or the other side not respecting a group of people.

I'll tell you that I fully respect the ambulance paramedics of this province. It was probably less than two months ago that they saved my brother's life, so I have a great deal of respect for them. The work they do is

incredible. It's difficult work. Without question I think the people of British Columbia, the people on this side of the House and the people on the opposition side of the House fully respect the work they do. I think I can speak for all.

I don't know of a single individual that would go into negotiations wishing they couldn't reach a negotiated settlement, only to end up in mediation, arbitration or a legislated settlement. That's the last place people want to end up. These are professionals, and imposing a settlement is one of the most difficult things, I think, that anybody could ever have to deal with. I know that the other side of the House must know that very well, after listening to them talking about how this could be the end of collective bargaining as we know it. We know that isn't true. I think it is an incredible right in this country, and one I fully support and respect.

I do want to point out that much of what I've heard would lead the public to believe that this has never happened before. It has. Legislated settlements, unfortunately, sometimes are a fact of life and not only in this province, but we're speaking to British Columbia. There were four legislated settlements during the term of the opposition when they were in office. I didn't sit at that table, so I don't know the discussion that took place, but I have to believe they were difficult decisions for the opposition at the time that they were in power in this province. May 30, 1993; April 28, 1996; July 30, 1998; April 2, 2000 — all legislated settlements.

I'm sure those were difficult times. There may be members on the other side in opposition that weren't aware that took place, I'm not saying it was right or wrong. I'm saying it was probably difficult. But there are members on the other side of the House that were here during this time, so they were heavily involved in that discussion, and I'm sure it weighed heavy on them when they had to bring in the legislation to discuss those options to put a settlement in place.

What we're talking about is a difficult situation. It is something that is not about, you know, right or wrong. It's about an impasse that's been reached, an unfortunate impasse and obviously, a significant difference as to what was on the table. This settlement puts a 3 percent general wage increase in place until March 31, 2010. It's a one-year settlement. I'm hoping that what that will allow is actually for some work to be done between now and then.

The system is broken. I've heard that from the members. Do I think there are challenges in rural British Columbia, in urban British Columbia? Yes, I do. I think we all have an obligation to try and work towards resolving those.

I heard a great deal about the \$2 on-call rate. That was something that.... People don't take their profession on as a paramedic, I can tell you — and I've said this before, whether it's a teacher or a paramedic — to get rich.

They do it because it's their calling. They do it because they want to help people in whatever field they choose. I'm sure that's why people make the decision to run for office. It's because they believe they have something to offer.

Whether you're an elected politician, a paramedic or a teacher or you're in any profession, you do it because you're trying to make the world in which you live a better place and, in the case that we're speaking about, to create a safer environment for the people which you serve.

The \$2 an hour on call. Again, \$2 an hour is not what this is about. Actually, it was zero before we brought that in, and that's an issue I want to point out. This is not about \$2 an hour on call. This is about a group of people who provide an invaluable service to all of us.

We're talking about a piece of legislation that is going to impose a settlement. My hope, as I said, as we move forward in this is that we can actually find a resolve to the broader issue, which is a broken system — not a broken system in what the men and women do but in how it's delivered. Are there better ways? Are there ways that we can improve? The system needs improvement, and both sides recognize that.

[0915]

The issue in rural B.C., as I said, is distinctly different than what is faced in the larger centres. That's not to diminish the challenges that our larger centres face, because they do face these challenges. These are difficult jobs. These are jobs, as I've heard many times, with challenges that the members face out there in their day-to-day lives. They face challenges. They take this tragedy that they see each and every day, and the tragedy that they see is in the way of helping you and me and our families and all British Columbians, and they have to live with that in their day-to-day lives. It's a difficult situation.

We are appointing an industrial inquiry commissioner, and I think that is one of the most important things that we can recognize here. This commissioner is something that, as I understand it, the union leadership had stated was probably the most important initiative to improve the Ambulance Service.

I'm an optimist. I'm hoping that the industrial inquiry commissioner will be able to do his work or her work in a way that actually will address the issue of the challenges not only in the collective bargaining but in how we deliver this service, for the betterment of British Columbians.

We have to repair a broken labour relations system. That's fair to say. I have heard members of the opposition speak about this. This isn't a system that began to be broken in 2001 or 1991. It's been flawed, and each and every one of us, hopefully, is in this House today to try and improve on what we've done yesterday. If we do that, I think we'll build a better province. We'll build,

certainly, a better country. And with what we're talking about today, I think that we can build a better ambulance service.

I'm not going to take a great deal of time on this bill, other than to say that I will support it, not with a great deal of joy but a reality. Seven months into a labour dispute — I'm a realist. I don't think there is the ability for a negotiated settlement. I think that both sides, with the effort they've put in to date, would have reached that settlement.

As I've said, this goes back to the first proposal that was tabled by CUPE 873. It was a two-part proposal that began in December 2008 and followed through with the second phase of that in January 2009 — a long time ago.

I'm going to close with this. The paramedics that are in Dawson Creek, Chetwynd, Tumbler Ridge, in the riding that I represent.... Certainly, most of them, we know each other. Does it create challenges when your friends are on one side, being a paramedic, and the government is dealing with a bill that will legislate them back to work and impose a collective agreement? Yes, it does. I've always said that I'll never let politics come between a friendship. My paramedics know that, and we'll deal with this professionally.

Do I understand their frustration? I do. Would I be...? I try to put myself in their position, as we sit here today and discuss this bill. Do I recognize the e-mails they send? They say: "Blair, I'm frustrated. You know, we've reached this point, and it's sad." I fully accept that, because I think that I would probably be writing the same e-mail if I was in their position. But the commitment I'm here to talk about is our commitment to try and improve a system that I think is broken. We're going to deal with this piece of legislation that gives a reasonable wage increase.

I understand the equity that they're looking for, and one that may take many years to get to that point, because I'm a realist. It didn't take one or two or five or ten years to get to the point we're at today.

Probably from the beginning of the B.C. Ambulance Service there were things that could have been looked at each and every year, from its inception, to say: "We've learned from something last year, and we should improve upon it." Unfortunately, that hasn't carried true.

Our commitment today, as we discuss this bill.... I know that there will be future discussion saying, "I support it" or "I don't support it," and the reasons why, and I fully respect that in the democracy in which we live. We're going to respect that next Wednesday as we pay our remembrance on Remembrance Day, to the people that allow us to have this discussion in this building today and across this country, which is our free and democratic right. But to the members of the paramedics union, to CUPE 873, this is not something that comes lightly. This is something that is a difficult decision for all in this House.

This is not the first time a legislated settlement has occurred for our government, for the opposition, when they were in government, or for governments before. But I think it's fair to say that I don't know an individual, when they have to present a bill like this, in whichever government they're part of, that is happy about having to do it. As I said, for members on the other side, I'm sure that it weighed heavy on their minds as they did that.

[0920]

I'm optimistic that our industrial inquiry commissioner will find resolve and present solutions that I'm sure both sides of this House will support, as we move forward.

In closing I will say this: to the men and women who provide this service in the B.C. Ambulance Service, thank you. Thank you for what you do. Thank you for your commitment to a better British Columbia and for saving the lives of all of us — and most particularly my brother, less than two months ago.

M. Farnworth: I rise to take my place in the debate around Bill 21, a piece of back-to-work legislation that will impose a contract on the paramedics of British Columbia.

We've just heard from the government that, you know, they respect the work that paramedics do, that they believe that these issues are not easy to resolve, that legislated contracts have taken place in the past. That's true; legislated contracts have taken place in the past. But this one is different. This one is different, I think, on a very fundamental basis, and that is that there's a vote going on.

That's never happened before. A bill that cuts off the vote of an offer of a potential contract, prejudging the outcome: that's just wrong. Paramedics have been trying to negotiate a contract with this government for, well, four years. There have been huge issues around the work and improvements in the contract, not just financial but improvements in working conditions and improvements in training conditions. And for some reason, there has been an inability by this government to recognize that changes have to be made and that that means the government has to take those steps in order to reach an agreement.

If we go back and look at what some of the key issues are — recruitment and retention, issues in rural and remote communities in British Columbia about the ability to deliver service, the training that's required — we've been able to deal with those issues in a whole host of professions. We've been able to deal with it with fire-fighters, we've been able to deal with it with police, and we've been able to deal with it with sheriffs.

Now it's the turn of paramedics. Yet for some reason, there seems an inability by this government to recognize that if you can make changes and you can put in place

policies with other professions that deal with working conditions around recruitment and retention, for example, and training, why can they not do the same thing with the ambulance paramedics?

The minister who spoke before us said that one of the things that he'd like to put in place or one of the things that he's looking forward to see happen is the industrial inquiry commission. Well, hon. Speaker, for the last four years paramedics have been working with joint union-management committees to deal with a lot of these issues and come up with recommendations.

The people involved on the front line of the delivery of the service and exactly what's taking place are working to try to say: "These are things that we can do that can improve things. These are things that we can do that can make our working conditions better." Yet when those reports just sit and gather dust, what faith does anybody have that any recommendations that an industrial inquiry commissioner brings forth would even be implemented or carried out?

[0925]

This government, for whatever reason, seems to have taken an approach that can best be described as one of wilful neglect and disinterest, just straight shameful in its dealings with paramedics in British Columbia. Hon. Speaker, you have a situation of frustration at a lack of willingness by the government to even put on the table in its legislation an offer that was there in the spring — to give them less. It's what we have in this bill that's before us today.

The minister who spoke before talked about respect. That's not respect. To the paramedics and the public out there it looks more like punishment, instead of taking an approach that says: "Look, we're prepared to take that extra step. We're prepared to go to that extra effort to achieve a settlement. We're prepared to recognize that there's a vote taking place."

There's no need for this legislation at this particular point. What there is, is a need for a government to recognize that the best way to achieve a settlement is to send a message that we want a settlement and to recognize that it's not just a wage offer that's on the table. It's recognizing, for example, that the signing bonus that every other area of the public sector got would, no doubt, have certainly been a strong message of an olive branch or a step to say: "Yeah, we want to achieve a settlement."

But no, we don't have any of that. We have, in the middle of a vote, a piece of legislation imposing a contract, and that's unprecedented in British Columbia. We've never seen that before under any government, whether it's been NDP or Social Credit.

Paramedics, as many have spoken in this House, have a really unique challenge when it comes to their training. They take in-depth, complicated, comprehensive courses that require effort, training, skill, dedication. They often have to move away from the community where they're

living to get into the profession. They work long hours on call, on standby, at a very low rate of pay, an on-call rate of \$2 an hour. They work long years to work their way up into part-time positions or full-time positions to pursue the career that they believe is what they're meant to do.

It takes a great deal of commitment. It takes a great deal of dedication. It takes a great deal of sacrifice. That's something that should not only be respected but also be admired. That's something that's not unique just to paramedics but to lots of professions — in our police, fire and health care professionals right across the province. Yet for some reason the government does not either want to or is failing somehow to recognize that these workers deserve to be treated with the same respect, with the same consideration, as the rest of the health care system, as the rest of the health care professionals.

[0930]

We heard that the government values the work they do. Well, if that's the case, then the best way to show that is to say, "Withdraw this bill," and to go back to the bargaining table and recognize that a serious effort to address those issues — a serious effort — will no doubt pay dividends, because that's what people expect. That's what the public expects.

It's not the first time an impasse has been reached in a collective bargaining process, and it won't be the last time an impasse is reached, but when those impasses are reached, particularly when it involves government negotiation and government is one of the parties, when the government takes that first step to try and break that impasse, that usually goes a long way. It sends a positive message. We've not seen that.

We dealt with sheriffs last year. A similar profession, in many ways, where people... They study. They work hard. It takes a long time to get to full-time work. There had been significant imbalances in relation to other workers performing the same type of work or comparable work, and the government was able to reach adjustments, not only in pay but also around working conditions.

They were able to do that, but we're not seeing that here. There were work disruptions with the sheriffs, but the government came forward and said: "You know what? We're going to resolve this."

Well, there's no reason why you can't be doing the same thing here. There's no reason why you can't be saying: "You know what? We're going to take another crack at this. We're going to be realistic, and we're going to be fair. We're going to treat paramedics the same way that we've treated other workers in the public sector. We're not going to do the mistake of saying..."

"Okay, we had a settlement back earlier this year. Let's go back and look at that. Let's make that a benchmark, for example, and not say: "Okay, here's what we're going to do. You don't like it? Too bad. Take it or leave it. This is a contract. We're imposing it, and it's less than what was

on the table last year, and by the way, you're not getting the signing bonus that everybody else got." That does not send a message that we value the work that you do. That does not send a message that we respect the work that you do. All that does is send a message of: "We're government, and we'll do what we want when we like. If you don't like it, too bad. Because your vote doesn't fit in with our timetable. Your vote on an agreement doesn't fit in with what our schedule, what our agenda, is."

Well, that's just wrong. That is not right. That's why we are going to be voting against this particular piece of legislation. We're going to do so because we know there is a better way.

[0935]

We know if government steps back and recognizes that there is an opportunity here to continue the bargaining process.... There is an opportunity here. If you start looking at the work that the joint management and union committees have done on a lot of the issues and you start taking those reports and recommendations seriously, you can resolve a lot of the issues. You can deal with some of those concerns in rural areas around recruitment and retention and training.

You don't have to have legislation in place like this, which is why I think it's important that we give the government an opportunity to do that. They seem determined that they somehow have to have this in place, that they're not prepared, that a week isn't long enough to do something.

Well, maybe a longer period of time is called for. Maybe a longer period of time is called for — a set time frame for the government to work within, to step back from the brink with a piece of legislation that will not accomplish what they think it will, that will create bitterness and ill feeling, that will take a long time, if ever, to resolve.

There's another way, and that is to say: "Okay, let's step back. Let's take the time that's required." It may be a month; it may be two months. But there's a window.

To facilitate that work that needs to be done, to facilitate that opportunity, to encourage the government to step back, we're going to offer them that opportunity. We're going to offer them that opportunity to save face. We're going to offer them that opportunity to recognize that — you know what? — we do need to reconsider, to take that second look at this piece of legislation.

Hon. Speaker:

[I move that the motion for second reading of the *'Ambulance Services Collective Agreement Act'* (Bill 21) be amended by deleting the word "now" and substituting the words "six months hence."]

On the amendment.

M. Farnworth: This amendment is an amendment that will pull this bill back for six months. It's referred to as a hoist motion. Well, it's a bit more than that.

It's an opportunity for the government to recognize that there needs to be a more reasoned approach, another different approach than a dramatic jamming of a piece of legislation that will force paramedics back to work with a contract before they've even voted on an offer on the table that puts less on the table than what was in place earlier this year. That avoids, I think, the government making a serious mistake.

To let the government know just how strongly people feel on this, I'm going to read some remarks from individuals in the paramedic service about how they feel about this issue. I'm reminded of some of the arguments that the government has put forward in the course of this debate around why we're taking now to do this.

[0940]

Last night we talked about the extending of the hours. One of the justifications for the need to have this piece of legislation in place right now is the H1N1 virus — that there is a pandemic, and we need our paramedics out there to help deal with it.

[C. Trevena in the chair.]

Yet at the same time, this is the same government that does not have a plan in place to get paramedics vaccinated. You've had paramedics who have been out there trying to do their job, and yet they haven't been able to get the vaccine.

They are front-line workers, dealing with people on a day-to-day basis who are injured, who are sick, who are ill, who have a range of conditions that cover the entire spectrum imaginable, who already have flu cases, compromised immune systems — all those things. They are front-line health care workers, and yet the government didn't have a plan in place to have them vaccinated.

If that doesn't illustrate how this government has viewed issues of concern to paramedics, I don't know what does. If that doesn't illustrate everything that's been wrong with this government's approach to the contract negotiations, both monetary and non-monetary, to dealing with issues around working conditions, to dealing with issues around training and recruitments and retention, I don't know what else does.

If you don't even realize that paramedics are at the front line of health care service, of health care providers, at the public level, there's something wrong.

That to me symbolizes why this government needs to get back to the bargaining table, why they need to sit down, address the issues, the serious issues that paramedics face, and put together and work to negotiate a contract and an offer that can be voted on by the membership and that can be passed without us having to impose a legislated contract in a way that I think is unprecedented in the province of British Columbia.

I want to read into the record just some comments that many paramedics have sent to the opposition,

outlining their concerns and their frustration. Here's one.

"Have you ever rode in a car with paramedics to see what they endure in a 12-hour shift? You should try it. They don't get to sit and have lunch. They have call after call, holding for the next available car. When they get to a routine call they're often asked: 'What took you so long?' They risk their lives driving through oncoming traffic to get to an emergency call, yet they're not considered to be in danger like a police officer or a firefighter.

"I've rode in a car with a paramedic crew, and I was shocked when we went code 3 to a call. We risked our lives to get to that call, as not everyone cares about a light and siren.

"This government needs to allow the collective bargaining to continue. Demand that they oppose Bill 21."

[0945]

Those comments illustrate a couple of points: frustration on the part of the workers and a desire for negotiated settlement. But they also point out some of the challenges they face that we sometimes forget about. I mean, the government clearly hasn't thought around the issue of H1N1 and vaccination.

That's not the only challenge that paramedics face. There's the health issue — you know, the health care challenges they face on a day-to-day basis, the people they come in contact with as they do the work that they do, the work they believe passionately in and the work that they want to do.

But they also have to face challenges in just the actual doing of their job that most people don't face — the fact that many people don't listen to what a siren and flashing lights mean, that when they're going through an intersection to get to a call, they're not sure whether or not somebody is busy listening to an iPod, not paying attention and driving straight through and crashing into them.

We saw that, actually, last night in Port Coquitlam. It wasn't with an ambulance. It was a police car that had been T-boned. As the police car was off, lights flashing, someone goes through the intersection. That type of occurrence is the type of thing that paramedics, along with other public safety professionals, have to deal with every single day.

That gives you some idea of the stress that they have to deal with. It's not just the stress of their job, not just the health care stress, not just the stress of having to deal with someone who has been badly injured, someone who may be dying in transportation to a hospital, and of the carnage that they often see at a traffic fatality, but they have to deal with the stress of working conditions where the very people who count on them to help them, the public, are sometimes not paying attention to things such as sirens and flashing lights.

To have to do that day after day is unbelievably challenging. I bet there are not many of us in this chamber who would be able to do that kind of work day in, day out.

Deputy Speaker: Member, on the amendment.

M. Farnworth: Hon. Speaker, I am speaking to the amendment and will continue to speak to the amendment.

Interjection.

M. Farnworth: I hear comments from a minister over there, and I hope that he will have the courage of his comments to heckle, to stand up and defend the government's piece of legislation.

Interjections.

M. Farnworth: Ah, you know, he is.... I noticed the hon. minister over there. As usual, hon. Member, a lot of the members are particularly brave when it comes to heckling, but they're less committed to defending their legislation when given the opportunity. We will be happy to give the minister all the opportunity he wants to defend the legislation and, in particular, to speak to this amendment, which is what we are debating at this particular point in time.

But the point I'm making is that we need to take.... The government needs to step back, and a six-month hoist motion allows them to do that. It allows them to save some face, to recognize the errors of their ways. It allows them to get back to the bargaining table. It allows them to recognize that they need to take that first step. They need to be serious in dealing with issues around recruitment and retention. They need to be serious in terms of working conditions.

[0950]

They don't need to take a full year to do that. They need to go back and look at the work that's been done. They need to go back and talk to the people on the job. They need to take the time and go listen to what paramedics have to say, because they've been working to provide solutions. They've been working to deal with these issues, to try and bring solutions to these issues.

Unfortunately, we have a government that has turned a deaf ear to those concerns. It's as though it's had, you know, ear plugs in place for the last number of years — that it's just not been interested in what people have to say, what those workers have to say. That needs to change.

That needs to change, and this hoist motion, this amendment, is an opportunity for them to do just that. It's an opportunity to step back and to address the issues — that the paramedics of this province should have a proper contract, a negotiated contract, a fair contract, a contract that treats them with respect, the same way that other members of the public service have been treated and deserve to be treated.

If members are still unsure as to whether to support this amendment, I will read some more comments that I'm sure may have an impact, that may help to convince them of the error of their ways.

This is actually from a citizen, a member of the public.

"I'd like to register my concern as a citizen of B.C. with the way our paramedics are being treated by this government. Undermining a vote on a proposed collective agreement is an unfair labour practice. This sudden move to end a strike after obliging the workers to continue to provide services under essential service legislation for months is an abuse of power, once again undermining a fair process of collective bargaining.

"Please continue to support the paramedics."

The public recognizes that the government's position is wrong. The public is saying that the government needs to negotiate fairly. The public understands what a lot of the problem is. The government is the one that needs to address that, and they can do that by taking a step back from the brink. They can do that by ensuring that a collective bargaining process takes place that allows for a negotiated settlement.

I know there are others in this chamber who will be speaking to this particular piece of legislation, in particular to this particular hoist motion. They will be speaking to the amendment that we are on. So I will be taking my place, and others will be following.

I encourage members of the government to stand up and to share their perspective as the Minister of Energy and Mines has done. I disagree with the Minister of Energy and Mines, but he did have the courage of his convictions to stand and defend the legislation, as opposed to just heckle from the sidelines.

I encourage other ministers and other members to stand up and to take that same opportunity to get their voice on the record as to why this legislation is a good thing or why, as we hope, they will vote with us, vote in favour of this amendment to pull this bill back for six months and allow a proper, freely negotiated, collective bargaining agreement to be reached.

[0955]

R. Chouhan: I rise to speak on the amendment. The reason that we are here today and the reason that the opposition has moved the amendment is because Bill 21 is not going to do the job. It is an admission of the failure of this government to manage the health care system.

We have moved this amendment because, instead of addressing the critical issues that paramedics face across this province, the government has decided to ram through legislation that undermines the integrity of our ambulance services and damages our health care system.

It's important to note that if the B.C. Liberals, the Minister of Health or the Minister of Labour had appointed an independent arbitrator months ago and settled the paramedic strike, we wouldn't have to be here today. We wouldn't need to move this amendment because we would not have been discussing Bill 21. Instead, the government ignored the issues and refused to listen to the paramedics' concerns.

The basic fundamental principle in collective bargaining is respect and trust, and the government has lost

both. Instead of meeting with the union, with the members — the paramedics — sitting down in meaningful negotiations, the government is trying to tell them: "No, we don't care what you are trying to achieve, what you are trying to tell us. We don't care what kinds of issues you have regarding the ambulance services in British Columbia."

Bill 21 sends a message to all British Columbians that this government is not interested in working through challenges and that this government action will undermine the collective bargaining process for years to come, not only with the paramedics but also with all public sector workers.

[H. Bloy in the chair.]

The reason we have moved this amendment is, again, to provide another opportunity so that this government can sit back and have a second talk, to go back and work with the union and paramedics to find a meaningful solution, a fair and equitable collective agreement. That's the reason we have moved the amendment today.

Now, the Minister of Health has talked about the industrial inquiry commission. If the government side agrees with our amendment, they would have the opportunity to correct their mistake by directing, by appointing that industrial inquiry commission with a mandate to meet with the parties and to find a solution.

[1000]

The government can also set a time limit on it. They could say: "You have only two weeks, or three weeks at maximum, to meet with the parties, find out the issues and make recommendations." Those recommendations can also be binding on both sides. That will put an end to that dispute. That will resolve the issue, and everybody will be happy.

By introducing Bill 21, by imposing this settlement on workers, this settlement that is less than what was offered to these workers many months ago, less than what they were in the process of voting upon.... The ratification process was underway. It was to be completed today. But the government has decided to ignore that.

Again, we are providing this opportunity. I hope the members of the government will take that opportunity to work on this recommendation that we have moved today.

Mr. Speaker, last night the president of the union, John Strohmaier....

Deputy Speaker: Please keep your remarks directed towards the amendment.

R. Chouhan: That is exactly what I'm doing. Thank you, Mr. Speaker. I am doing it to encourage the government that we have moved this amendment.

In light of that, the union president last night contacted Lee Doney and proposed to Mr. Doney to return

to the bargaining table and negotiate that settlement. This hoist motion will provide that opportunity for the government to go back to the table and listen to those concerns. That's why it's important that we must debate this hoist motion, the recommendation that we have made today.

We have repeatedly pointed out the importance of a negotiated settlement, a collective agreement. This Bill 21 talks about the Ambulance Services Collective Agreement Act. What a misnomer. There's no collectiveness in it. Let's not lose this opportunity. Let's take this opportunity in front of us. This motion provides another moment for all of us to look back, sit down, and talk about and find out meaningful solutions. That's the reason to move this amendment this morning.

When you impose a collective agreement on workers, when you refuse to provide H1N1 vaccine to those workers, it creates an unsafe workplace. The minister uses that excuse, that the reason to table Bill 21 was because of the H1N1 pandemic, yet the same paramedics are not given that vaccine.

It's important that we realize that there's the Workers Compensation Act. Section 3 of the Workers Compensation Act requires all workers to work in a safe workplace. What happens if these workers refuse to go to work, to work under those unsafe working conditions? Then what happens? It will be clearly the responsibility of this government if that happens.

I'm again asking the government to show some respect, to listen to what the workers' concerns are. I'm again asking this government to listen to British Columbians, who are 100 percent behind the paramedics. They know the importance of the paramedics' work. They know that paramedics, when they need them, if they need them, will be there.

[1005]

Despite the fact that Bill 21 was introduced last Monday, despite the fact of a clear message of disrespect, those paramedics are still on the job. They're working hard. They're doing their best. They're not leaving their workplace.

Again, I urge the government side to look very carefully at the amendment that we have moved this morning. Think about it. Think about if you don't do it — the damage it will cause to labour relations for years to come. Do we want that kind of working relationship with our workers in British Columbia? No, we don't. So let's take that opportunity. Let's look at that amendment that we have tabled. Because if you don't, it will be you, this government I'm talking about, that will be responsible for this.

As I said, the industrial inquiry commission, I know how it works. I've been there. For 30 years I've been negotiating collective agreements. We can easily have that industrial inquiry commission in place with a mandate to finalize this process in two or three weeks. But the government has to have that courage, the wisdom to do that.

If the government loses this opportunity, our children, our families, British Columbians will be paying for

that. The kind of ambulance services we need, the kind of ambulance services the union has proposed.... Those are the front-line workers. They know what is needed out there. If we miss this opportunity, we will not have it, and it will be British Columbians who will suffer.

That's the reason that we have tabled this amendment. I hope in their collective wisdom, the government members will sit down and talk about it and stand up today and say that they made a mistake — that they'll say: "Sorry. Let's sit down and have a negotiated settlement." We'll give you the credit. Everyone will give government credit if they do that. We'll applaud. But would they do it? I really doubt it.

That's why we are moving this amendment today. Sit back and listen. Think again. Don't lose this opportunity. Show some respect. Build that trust that you have lost. Work with the union and those members. They're crying for help. They need that help. Let's give that help to them. Let's negotiate a settlement. Don't impose it.

Thank you very much. With that, I'll take my place, and I again urge the government to withdraw Bill 21, and I urge the government members to vote on the recommendation, the amendment that we have tabled this morning.

L. Krog: It always gives me great pleasure to rise in this chamber. I'm conscious every day of the privilege it is to work in this place. I'm also conscious of the great responsibility that's given to the members of this chamber. The precedents that are set in this chamber have impact. What this motion speaks to now is an opportunity for this government to avoid the impact of what is a very radical move in terms of labour relations practice in this province.

[1010]

Imposing a contract in the middle of a vote is absolutely unprecedented. What this motion speaks to is an opportunity for the government to step back; to reconsider its position; to take into account the views of British Columbians; to really consider the evidence, if any, that exists that requires this government to move so quickly, to demand of this chamber that it pass the bill this week — not next week, not last week, this week.

I'm reminded of the words of Churchill, who once said that it's better to "jaw-jaw than to war-war."

The talks have been going on for a very long time, not overly fruitful. One can understand that. The paramedics are in an absolutely almost impossible situation, so constrained by essential services restrictions that the strike has really been about signage, not picketing the way we think of it in the normal sense.

Their ability, if you will, to force the employer to reach a reasonable settlement is extremely restricted — restricted almost to a scale that the average worker in British Columbia can't imagine it.

The government, if you will, the Ambulance Service, is holding all the cards. They've held all the cards since

April — seven months, seven long months. Yet we're being told that we have to move so very, very quickly in order for this legislation to pass.

I ask the same questions I asked last night. Having heard only, as I recall it, two ministers speak — the Minister of Health and the Attorney General, the Government House Leader — this morning we had the pleasure of listening to the Minister of Energy, Mines and Petroleum Resources. He spoke in favour of the government's bill.

Well, with the greatest respect to the minister, I haven't heard anything from the lips of anyone on the government benches, minister or backbencher, longtime server, fresh MLA.... From none of them have I heard that kind of cogent argument that tells this chamber in no uncertain terms what the facts are and why those facts necessitate the speedy, unprecedentedly speedy, passage of this bill.

What the opposition, if you will, is offering to the government by way of this motion, this amendment, is that opportunity to step back; to, if it has a case, develop the evidence for it; and to convince British Columbians — whose voice we are in this opposition — and the members of the opposition why we have to proceed this way.

You know, one of the great masters of the art of politics in this province, W.A.C. Bennett, was famous for that sober second look. When things got a little rough, when he was trying to go too far too fast, he'd put his ear to the ground. He'd listen to the people of British Columbia. He'd listen to the opposition, and he'd step back.

He was a wily old guy. Dave Barrett tutored under him, and Dave Barrett was a pretty wily master in this House as well. But they weren't just wily. They actually understood that merely having the privilege of being here doesn't give you the right to run this place like a dictatorship. The privilege is not to be a dictator. The privilege is to serve, and the privilege is to listen. What that privilege requires is that you actually do it; you don't just talk about it.

What we're asking the government this morning to do is to take the six months. After all, the bill itself takes us only until March of next year, gets us past the Olympics, but it doesn't deal with the fundamental issues confronting the paramedics in this province and the B.C. Ambulance Service. It doesn't address those. It really doesn't.

The question becomes again: what's the hurry? Why the rush? And if so, if there's such a need, what is it? What are the reasons?

Is there some contractual requirement involved in the Olympics that says we have to get this done now?

[1015]

Is there some secret that the government can't share with the chamber that requires us to proceed so quickly, to drive this through the process in an unprecedented way — when, as I said, it is imposing a contract at a time

in negotiations when a vote is underway and has been underway that, again, is absolutely unprecedented in British Columbia?

The Ambulance Service is a great model. The famous Foulkes report in 1973 said: "The ambulance must be considered a mobile extension of the emergency room of a hospital and must therefore provide, as far as possible, an equal standard of medical care." He also expected and envisioned a system where in rural areas, because tertiary hospitals wouldn't be available, that it would almost be like the emergency department of a small hospital, that there would be some equalization, if you will, of the availability of emergency care in the province, addressing the rural nature of many of the citizens of British Columbia.

Well, we're perhaps more urbanized now, but there are still lots of people living in rural British Columbia, represented by many members in this chamber, and their expectation is that they will have access to emergency medical services.

In my own community, I read out the statistics the other day, about how, in the majority of cases, both in north and south Nanaimo, if you call the paramedics, they're there in under nine minutes. Now, in the middle of a crisis, nine minutes may seem like a very, very long time, but that's a pretty remarkable statistic.

These are people we trust and need and value. Gosh knows, hon. Speaker, if it's one of us lying on the floor, with a spouse screaming over us, or if it's your child that's injured, I can't think of a more welcome face coming through that door than a paramedic — trained, able, competent, cool, collected, ready to figure out what the emergency is, ready to listen, ready to help, and quite literally ready to save lives. Now, that is a pretty remarkable profession.

This government — for whatever reason, because it hasn't been articulated to us — is demanding that we sit until this bill is passed. Can't sit the following week from Monday, in accordance with the schedule. We've got to jam it through.

Notwithstanding that the opposition's job is to criticize, the opposition does listen. I appreciate that the government members may think I'm being insincere, but the opposition does listen. I'm always delighted to listen to the remarks of the government, when they make their argument.

I expect a little fluster and bluster and huffing and puffing, but generally speaking, from the government comes some facts, some evidence, some story, some argument, something that, if I'm being objective, I can step back from, listen to it, and say: "You know what? I still think I'm right, but they've made a very good point" or "You know what? Maybe they're right, but we're in the opposition, and we can never say the government's okay." But that hasn't happened in this debate, and we have been at it, in one form or another, for hours.

Today this motion gives that opportunity to government to do the right thing for the paramedics of British Columbia; to take that sober second look; to continue to jaw-jaw, so to speak, with the paramedics; to try and come to a solution that will give the paramedics — who by virtue of essential services legislation are denied the dignity, if you will, of the ability to strike — the respect that they deserve; to give them an opportunity to continue to make their case; and to give the opportunity to the public to remind this government that the public are on their side, on the paramedics' side. They're not on the side of jamming this through.

[1020]

There is no good reason. If I'd heard it, I could argue against it. If I heard the government's position articulated, I could stand here, and I could try and make points against what they had to say. But the commentary from the government, in total, notwithstanding that they enjoy the majority of seats in this chamber, has been less than, probably, a half an hour speaking to the whole bill — let alone the issue of an adjournment, let alone the issue of the hoist motion that's before the House.

If this place is to function, it isn't good enough for the opposition to be the only voices that are heard here. It is necessary for the government to step up to the plate. Now, I was encouraged by the fact that the Minister of Energy, Mines and Petroleum Resources stood up this morning and spoke. I'm glad he took the time to speak. I'm glad he took the time to say something on behalf of his constituents. Because, on behalf of my constituents, I want to tell you that they support the paramedics.

All across my community there are signs in every neighbourhood of every description — whether rich or poor, clean and neat, dilapidated and rundown — supporting the paramedics. Last night I had the occasion to be in the emergency room in the Nanaimo Regional General Hospital, and I can tell you that two of the paramedics took the time, notwithstanding how busy it was, to come up and thank me and thank the opposition for speaking out on their behalf, because they are a group that feels punished by this government and punished by the Ambulance Service.

They believe in what they do. Hon. Speaker, you have heard many of the members in this chamber recite the kind of time it takes to actually get a position. The on-call hours, historically unpaid, are now paid so pitifully that members of the paramedic service wait and wait, year after year, notwithstanding the expense of their training, in order to actually get a position.

Now, I have to tell you that there are occupations in our province that pay much more for less training that don't require that kind of wait. So what does that tell you about the paramedics? It tells you that they care about what they do, and it is a difficult job. I won't mention the name of the member who was sitting beside me the other day that said they could never do that job. They

have to turn away if they get a needle pricked in their arm.

Can you imagine what it is, as your daily routine, to attend at accidents, to attend at emergencies of every description and to render the kind of service that the paramedics do? You know, my hat's off to them. Because I represent a community with so many seniors now, so many people retiring to beautiful Vancouver Island, my constituents in particular, I think, get it. They do appreciate what the paramedics do.

As much as that disturbing sound of the siren in your neighbourhood puts a little fear into you every time you hear it, for the person who's waiting for the sound of that siren, it's a pretty sweet sound. It's a pretty sweet sound, because they know that what it means is that help is on the way, that there are people who care. They have cared enough, in many cases, to wait years to get a permanent position in the Ambulance Service, and they're there to help you. They're there — potentially, in many cases, we well know — to save lives.

So if the government really wants to show for once that it has this softer side, that we're not talking about the government that brought in Bill 29, that it respects the rights of working people, that it respects the collective bargaining process.... If the government wants to demonstrate it, surely today in this House it has a clear and, I would say, easy opportunity. An olive branch has been offered by the opposition.

Support the amendment. Delay it six months. Take it off the table. You know, it's never too late in any fight to step back and say: "Maybe we should do this differently. Maybe we can take a different approach. Maybe we can actually work towards a solution. Maybe we're capable of doing that."

[1025]

That opportunity now is here. It is here in the form of the opposition's motion by our Opposition House Leader. Because if the government chooses not to, and continues to drive this through to its conclusion — and a conclusion which, I hate to say, may well be inevitable, which is the passage of the bill — what will have been achieved? In practical terms, as I understand it, precious little in terms of the necessity of the timing of this. The ambulances still run around this province, and the paramedics continue to serve. They deliver people to the emergency wards of our hospitals on a regular basis.

The fact is that to suggest that there has been any significant disruption in service is just not on. I haven't heard the kind of crisis talk from the government that I might have expected if that was the argument. I certainly haven't seen the evidence in the newspapers. You haven't heard any horrible tales in the seven months of this strike — the horrible tales that would indicate that it's absolutely necessary for this legislation to be passed and a contract be imposed and go back to business as

usual — because the evidence would indicate it is business as usual.

It's frustrating. It's morale-breaking. If I were a paramedic, I guess I'd be getting pretty near the end of my fuse at this point, after seven months of a strike. But the truth is, from what we can see and hear, not much has changed since this strike began, except that in seven months a message has been sent very clearly to the paramedics that the government doesn't care about them and their employer doesn't care.

There is talk of a time of financial crisis, and you know what? There's a suggestion now that we've passed the worst of it. I guess "crisis" is a relative sort of term. If you're suffering a coronary on your living room floor, that's a real crisis. If your job is threatened, that's very disturbing, but it's not a crisis. If you lose your job and you lose your house and your spouse leaves you, that's a crisis.

But I don't get the sense, with great respect, that this province is in such a crisis that it can't afford to do the right thing by the paramedics, that it can't take the time to continue to negotiate, that it can't take the time to compensate fairly people who do an extraordinary job in every corner of British Columbia, every hour of every day of every week of every month of every year.

It's extraordinary. They continue to do this, notwithstanding the way they've been treated, notwithstanding all the difficulties around employment and securing a permanent job. Given that the Ambulance Service is now — what? — 35 years old and has served British Columbians so well, I would have thought the government would have been more conscious of this and would have worked diligently to ensure that the paramedics received a reasonable settlement, that it didn't have a contract imposed on them, that it wasn't forced. Forced by legislation.

You know, there are only a few workers in British Columbia who ever get forced back to work or have a contract forced on them. The vast majority of us never face that, and the reason is, firstly, because hopefully it's not necessary, but more importantly, because people understand and governments and legislators understand that to impose a contract is an extraordinary remedy. But it's even more extraordinary to impose a contract when there is no urgency, when there is a vote literally underway on a proposal, when the strike is seven months old, and when there's no evidence to support any call for a real crisis.

[1030]

The fact is that if three weeks from now or a month from now or a month and a half from now, this government said there was a crisis, they can call this place back into session. That's the way our system works. They could do that. They could jam it through, and they could bring in closure. They could do all kinds of things to pass a similar kind of bill.

What this tells me is that there really isn't that much of a crisis. There isn't that much of a problem. Today what I'm really asking is that this government consider the opposition motion, that it do the right thing for the paramedics of British Columbia — that it step back, take six months, cool off, try and get a settlement, show some respect for these people. They work so hard for us, hon. Speaker. They've got public support. Everything supports their side, and I haven't heard anything from the government side to suggest to the contrary.

As much as I suspect it is a completely false hope, I'd love to think that the government, during the course of the debate today, tomorrow, Sunday or whenever, will finally step back, listen to the ghost of W.A.C. Bennett and Dave Barrett, accept the opposition motion, do something that would send a signal to British Columbians that this government is not anti-labour, that it is not dictatorial, that it does care.

Do something remarkable. "Step out of the box," I say to the government side. Step out of the box. Do the right thing for our paramedics.

D. Routley: It doesn't give me much pleasure, but it is an honour always to rise and speak in this House. In this case, it's sad that we are here considering a bill which would essentially remove the rights of the ambulance paramedics to fair collective bargaining.

I am here to support an amendment to that bill. It would allow an opportunity for the government to step back and have a second look at the action they're about to take and listen to the people who they represent and truly represent those views, by taking some time to go back to the bargaining table with the ambulance paramedics of this province and consider the many valid issues that they bring forth to the government, the many challenges that they face — not only the fact that they work with such a dismal rate of pay, particularly on call and without benefits, without recognition of their training, but also the fact that they face such an extremely challenging calling on a daily basis.

I think the government should step back, rather than ram through legislation which will completely destroy and evaporate any good faith they might expect from the ambulance paramedics when the government goes back in a mere four months or less to negotiate another contract with ambulance paramedics. Rather than take this bludgeoning approach to the process, the government has an opportunity, by supporting this amendment, to reflect on what they are being told — not only by ambulance paramedics but by their own constituents, by the people of B.C., who hold ambulance paramedics in the highest order of respect.

I don't know how many times I've heard people say: "Oh, I just couldn't be a paramedic. I just couldn't." We're all aware of the challenges that they face. On a daily basis, moment to moment, they face the prospect of witness-

ing the kinds of circumstances and scenes that would challenge anyone's psychology.

[1035]

They are a people who are beset by all manner of industrial illness — injuries from lifting people, the challenges of being in traffic situations where they're often severely injured — and also the psychological injury represented by post-traumatic stress disorder and all the fallout from what they witness on a daily basis. They and their families are challenged to find enough faith and enough inspiration to be able to go out another day. They do so not because it's a job, but because it's a calling.

All of that beckons the government to hear their voices and step back at this moment. It's not too late for the government and its members to step back from the abyss here, look at what is really happening in British Columbia and consider their role in the lives of British Columbians and these devoted servants of British Columbians.

It's been mentioned that some 52 percent of the time, the international standard of a nine-minute response is met. That means that 48 percent of the time, it's not. It's not met because of a number of reasons, and one of the main reasons is recruitment and retention, particularly in rural communities.

It's no surprise that retention and recruitment are issues for the Ambulance Service. These are the kinds of challenges that the ambulance paramedics are calling on the government to recognize. The bill that we've been presented with does nothing to address those issues.

We're asking the government to simply step back and reconsider this bill, reconsider this action. You know, the government had months upon months where it could have appointed independent arbitration, and that arbitration could have examined exactly what the challenges are. Then we would have perhaps had an agreement that both sides could have respected. Surely no one would have gotten everything they'd wanted, but in a perfect world no one ever does.

This bill wouldn't have been necessary, and it's not too late for this bill not to be necessary. It's not too late. We have another couple of weeks of sitting time. Many speakers here have asked what the rush is.

There was a memo sent from the International Olympic Committee and the VANOC organizers of the Olympics to Lee Doney, CEO of the Ambulance Service, and the other negotiators for the government, demanding that they settle this strike by October 1 in order to ensure services for the Olympics.

Is that the reason we're standing here today on a Friday, an unusual sitting day? Is that the reason the government has taken an absolutely unprecedented step — unprecedented in the history of this nation, let alone this province — of bringing forth back-to-work legislation in the middle of a contract vote?

We on this side are at a loss. We want the government to stand up and explain what that rush is. We've heard

two ministers, and now today the Minister of Energy, Mines and Petroleum Resources, stand up and very briefly offer some explanations. But none of them have been satisfactory to the ambulance paramedics, to the people of the province. None of them explain this haste and the brutality that this bill represents to the collective bargaining process.

We've been offered the H1N1 pandemic as a reason for this bill coming forth. Well, for many, many months that was predicted and predictable. For many, many months the government dragged its heels, dragged its feet through the election period.

The ambulance paramedics — I know that they were at every all-candidates meeting that I attended. They were demonstrating in front of campaign offices of candidates for office. There was no way the government could not have been aware of the urgency they felt their issues needed and deserved, but even still, the government dragged its feet.

[1040]

The progress that had been made at the bargaining table was dismissed and wiped out come June. And what happened in June? Well, we had a new Health Minister. Apparently the appointment of a new Health Minister meant that all the progress that had been made to that point was wiped out.

Sadly, the government refused to respond, just as throughout this debate we've seen a refusal of the government to respond or to hear or to listen to the voices of British Columbians.

We know the types of messages they're receiving in their constituency offices, because they're copied to us. We know that their own constituents are demanding that they retreat from this Bill 21 and that they go back to the bargaining table in good faith with the ambulance paramedics. This hoist motion offers the government that chance.

This hoist motion offers this government one more chance to send a message to British Columbians that they aren't bullies, that they will respect the people who serve us and that they will respond to the voices of British Columbians who — by far, by a huge majority — obviously support the position of the ambulance paramedics.

I would challenge one of these members on the government side to stand up and read an e-mail from a British Columbian who says: "Right on; good job. We like what you're doing to the ambulance paramedics. They don't deserve what they're asking for, and you guys are right." There's not one, and not one of them will stand up.

Not one of them will stand up and read the e-mails from their constituents pleading with them to retreat from this bill. But we're offering them that chance one more time.

Bill 21 is unprecedented as a negative step and an interference with free collective bargaining.

The members won't stand up and read constituents' letters — the government members, that is — but I'll do it for them. I'd like to read a letter sent to the member for Maple Ridge–Mission from one of his constituents. He says:

"As a citizen of Canada, a resident of British Columbia and one of your constituents, I cannot believe that this government has the arrogance to introduce legislation that takes away the rights of the paramedics.

"My brother-in-law and friends of mine have spent many months away from their families serving with the Canadian Forces commitment to the ISAF in Afghanistan, the purpose of which is to oust the Taliban and bring to the people of Afghanistan the values that we as a nation believe, values that our fellow countrymen and women have and continue to fight and die for.

"It is those rights, as guaranteed in the Charter of Rights and Freedoms, that make this country what it is. To dictate the terms of a collective agreement and to take away the right to collective bargaining is a slap in the face to the paramedics. They put their faith in the process. They softened their position while their employer made the same offer over and over again. Their employer then goes to government, saying that there is no hope of a negotiated settlement and that the government must intervene for the safety of the public.

"While on strike, we — the paramedics of the B.C. Ambulance Service — have been subject to an essential service order that supersedes our collective agreement by ordering us to work overtime on our days off and provide ambulance coverage to events like Olympic trials, even though the public is not allowed on the site. While the ambulances are on site covering a couple of hundred athletes for the trials, the people in your own riding quite often have only one ambulance, sitting at Highway 11 and Clayburn Road, to cover the communities of Abbotsford and Mission.

"The reason I know this is that I work as a full-time paramedic based in Maple Ridge and have spent a number of hours sitting at that exact spot, which means the citizens of Maple Ridge–Pitt Meadows are left with one ambulance for their communities that is not sitting at the Pitt River Bridge covering the communities of Maple Ridge, Pitt Meadows, Port Coquitlam, Port Moody and Coquitlam.

"Mr. Doney, executive director of the Ambulance Service, says that he is only concerned with public safety. One ambulance for how many people? Doesn't sound very concerned to me. This is only one example. Things like this are happening every hour of every day all over this province.

[1045]

"In the last nine years covered by the 12th collective agreement and the following memorandum of understanding, we the paramedics have taken six years of zero percent raises while the rest of the world moved ahead, including you politicians — some to the tune of 50 percent.

"Our total raises in the same time were about 9 percent, or 1 percent per year. Our employer says we are unrealistic, since a large number of us have received up to 28 percent.

"We are all paid by salary, which is calculated on a 70-hour biweekly pay period of 35 weeks. The problem is that I and the large majority of my co-workers work 84 hours biweekly, or 42 hours per week. Yet prior to 2000 we were only paid the same salary as those that worked 35 hours."

I don't know who would accept that. We're offering the government....

Deputy Speaker: Member. Member, I'm going to ask you to contain all your remarks to the hoist motion, the amendment that's on the floor. I do not see the reasoning

behind this letter and how it pertains. So if you'd please direct your remarks. Thank you.

D. Routley: Absolutely, absolutely. This letter, I think, details the reasons that this government needs to respect and support this hoist motion.

We cannot expect people to work in the conditions that these people have, except if we're willing to take advantage of their commitment to each other one of us. It is, I think, unfortunate that a person like this, who's worked all these years and who faces those circumstances, can see a bill like Bill 21 rammed through this Legislature without considering these conditions. These conditions are the reasons that this government should support this hoist amendment and step back.

This person asks the member for Maple Ridge–Mission to respect the views of British Columbians and retreat from passing Bill 21. He appeals: "You, as a member of the governing party, have...."

Deputy Speaker: Member, please direct your comments to the amendment. Your comments.

D. Routley: Absolutely.
"You, as a member of the governing party, have the ability...."

Deputy Speaker: Member, please take your seat. I've asked you to please direct your comments to the amendment motion on the floor. Thank you.

D. Routley: This is the reason that the government should respect the hoist amendment and retreat from Bill 21. This person says: "You, as a member of the governing party...."

Deputy Speaker: Member.

D. Routley: Yes?

Deputy Speaker: Take your seat, please.

On the motion paper, moved by the member for Port Coquitlam, is: "I move that the motion for second reading of the 'Ambulance Services Collective Agreement Act' (Bill 21) be amended by deleting the word 'now' and substituting the words 'six months hence.'"

I'd ask you to make your comments towards this motion.

D. Routley: Thank you, Mr. Speaker. I'm attempting to do that. I'm attempting to give reason that the government should respect this hoist amendment and move away from passing Bill 21. Take that period of time to reflect on the words of people like this person. These are the very reasons and motives that should drive the government, if it is representing the views of the con-

stituents of British Columbia and of the ambulance paramedics.

This ambulance paramedic writes to the member for Maple Ridge–Mission, appealing to him for exactly that reason, by saying: "You, as a member...."

Deputy Speaker: Member, we're talking directly to the amendment. I would like you to use your words to talk to the amendment. Thank you.

D. Routley: Mr. Speaker, I am speaking to the amendment. The amendment asks the government to retreat from passing Bill 21. The amendment asks the government to take sober second thought.

Now, the government hasn't offered any reasoning for the haste that they've offered to this House. I am offering reason that they should step back and take sober second thought of what their actions are.

[1050]

This letter appeals to the member for Maple Ridge–Mission. It appeals to the sense of that member that he should hear his constituents.

"You as a member of the governing party have the ability to rescind this bill" — that is directly responsive to the motion — "and tell the B.C. Ambulance Service to get back to the bargaining table and negotiate in good faith a fair contract with CUPE 873.

"If the government chooses not to rescind Bill 21, by nature of our job, we as individuals have become very creative at combatting the challenges that face us. I will not lie down and allow this government to bully me. I will not allow this government to unilaterally take away the rights of my fellow workers without a fight.

"I will seek out every legal option to remedy this situation. If the government thinks we will just go peacefully, they are sorely mistaken. As your constituent, you work for me, not for the Premier, not for the Health Minister. I expect you to vote against Bill 21 when it comes for a vote.

"When you are standing in front of the war memorial on Remembrance Day listening to and possibly giving a speech on how important was the sacrifice our veterans made for freedom, I hope you can say that you are not hypocritical because you truly believe in what they fought for and some died for, and that you voted against a bill that would have seen this government sacrifice the democracy that they served and continue to serve for."

How much closer to the core value of what this place represents could we come than that letter? And how much further could we drift from that purpose than this bill? This government.... These members refuse to stand up. These members refuse to read into the record the letters of their own constituents, asking them to do exactly what this hoist amendment is asking, to step back from taking an action that would reduce their democratic rights. And it is an unprecedented action in the history of this nation for any government to bring back-to-work legislation during the vote on a free collective agreement, but this government seems ready to take many steps that are unprecedented.

The hoist motion, if it's supported by government members, particularly the government members like the one I just read from, who won by very narrow margins

and must be nervous about the political implications of not supporting this amendment.... I mean, there must be enough of them who, in their heart of hearts, must know that this is wrong.

I know the pressure of being a member of a party and supporting the position of the caucus. That's an important role in parliamentary democracy. But our first obligation is to our constituents and to the people of the province and public interest of the province. If any member of any party is asked to vote for a step that transgresses their own very basic principles — the values that they stand on when they talk to their children, the values that they hope their children will emulate, will absorb from them — they surely cannot support this bill.

I know there's a member in the House whose own son is a paramedic. How can he support this bill? How can he vote against this hoist motion?

It's difficult in a world that demands so many compromises. We all in our lives face cross-pressures. There are seldom simple rights and wrongs. There are always issues and pressures to balance in decision-making, particularly at this level. But this is one of those circumstances, those rare moments, when we're asked to choose between two clear choices: one right, one wrong.

[1055]

It is wrong for any parliament to pass a bill that would reduce the freedoms of its citizens.

Any time back-to-work legislation has been introduced in the past, it has been after protracted negotiations that have failed. It has been after both sides have sought mediation, and usually it involved the appointment of arbitration. This bill is singular. This bill is unprecedented. This bill says that even though we've been negotiating....

Despite the fact that government dragged its feet for the last five months, despite the government having swept off the bargaining table what had been agreed upon up to June.... During the election period there was a brief moment of opportunity, and the government had to present some sort of softening in order to appeal to the people of British Columbia. Even after all that process was underway and even once a vote was underway, a mail-in vote, and even after most of the ballots had been cast, this government brought forth Bill 21.

We have asked. We have begged the government members to recognize that they have an opportunity to step back. They have an opportunity to recognize the folly of this act. This is why we need an amendment to Bill 21 that would give the opportunity for the government — the time, the space, the opportunity — for them to step back and hear once again these many voices. This is why it's so important that the government consider this hoist amendment. This is why....

This letter that I'd like to read from was addressed to myself and the member for Nanaimo. If this isn't reason for the government to consider a sober second thought,

I don't know what is. This writer, Dave Robertson, a resident of Nanaimo, says:

"Every day paramedics are invited to people's worst nightmares, sorting out uncontrolled mayhem — not just transporting patients but rendering life-saving medical treatment that was at one time only provided by emergency physicians. This stabilizing treatment is either carried out before transport or during transport to the hospital, depending on the situation.

"In many cases it was the difference between life and death. Imagine going home after your day's work and sitting down with your family for dinner from your day's duties. Etched into your brain is a young male or female's body hanging lifeless from a rope. The paramedic just tucks this away so that family life can be somewhat normal."

We're not just dealing with the simplicity of common, everyday labour-management negotiation. This hoist amendment is necessary for us to pay respect to that. That testimony is.... The people we're talking about are extraordinary servants to British Columbia. Not only extraordinary because of the challenges like that that they face but also the conditions of employment that they've endured — no benefits, working part-time for years and years before being able to apply for full-time work, no support for training, no raises.

[C. Trevena in the chair.]

There's little more powerful reason for the members in the government to support a hoist motion that would give them this moment to reconsider and this opportunity to renegotiate than that letter.

[1100]

You know, it's been said that rural paramedics are so much more beset with challenges. They have to travel great distances to their workplace. They sit on call at essentially no pay. They spend years and years serving at very low wages. But there's another element. They know the people they serve.

In my own case, my daughter Madeline once had the bright idea that she would tie her great big brown Lab to her toboggan, and he could pull her around in the snow. Well, he wasn't having much of that, so she thought she'd offer him an incentive by standing in front of the toboggan and throwing a stick. She didn't really think that she would not have enough time to get in the toboggan again. He went after the stick, and she was run down by the toboggan, landed on her back and was in severe pain. We called the paramedics, and we were terrified that she had broken her hip or her back. She said at that time that she couldn't move her feet.

The paramedic who showed up was her soccer coach. Luckily, Madeline wasn't in a terrible circumstance, life or death. Luckily, she wasn't in a horrific car accident, but so many times rural ambulance paramedics do face that reality. They know the person that they're serving, and we know them. What more valuable service is there? This is a service that has linked our province. My grandfather, a CPR worker, used to bring the ambulance

home from the railroad. If there was an accident, he'd have to respond. But it also served the community.

There was a disparity of ambulance service throughout the province. The Ambulance Service linked and unified this province. These are the reasons that this government, those members, should stand up and support this hoist motion. These are the reasons that people hold in such high respect those people who serve us as ambulance paramedics.

This is a core value. This is a basic principle upon which this very place and this function that we serve, called parliamentary democracy, is founded on. This is the foundation, and we should respect it by supporting the hoist amendment.

S. Simpson: I'm pleased to have the opportunity to stand and speak to the hoist amendment that was moved by the member for Port Coquitlam. I'm also pleased, just as an observation here, that we have paramedics who have joined us in the gallery today. Tanya Bellagente and Shane Edwards, who are both paramedics, are here to watch the debate today. I'm sure they're pleased to hear the comments of the members of the opposition, and I'm sure they would be very happy to hear some members of the government's side stand up and explain why this is a good idea.

Regarding the hoist amendment moved by the member for Port Coquitlam, the first thing that I'd like to do, maybe, is just put that in a bit of context. This is a hoist amendment to Bill 21. Bill 21, of course, is the imposition of a collective agreement on the ambulance paramedics in British Columbia. It's a decision to impose a collective agreement that would be in place up to and including the post-Olympics period, at which time, next spring, the paramedics would essentially be back in bargaining, and we would be largely back where we stand today.

What the hoist motion does is it will set this piece of legislation aside for a period of six months. What that does is it sets it aside for six months, and it allows for further discussion and consultation to occur over that period of time — or for, as some people have said, sober second thought on the part of the B.C. Liberals and the minister and the Premier as to whether this is, in fact, a good idea.

[1105]

The debate here on this particular amendment really is around whether this hoist motion is warranted or not. So why is it necessary? Why is it necessary for us to move forward with this action, to put this motion to set aside this piece of legislation for at least six months?

Well, ultimately, the objective of this has to be for the government and, through the government, its agents to in fact reach a fair settlement with the ambulance paramedics in British Columbia — a settlement that respects the ambulance paramedics, that respects the free col-

lective bargaining process and that comes to a resolution where people in the Ambulance Service — paramedics and management and others — can focus their attention on the critical and crucial task they have in delivering those emergency health services to millions of people across this province every day.

The problem, of course, that has led to us being in the place where we needed to move this hoist was, first and foremost, the draconian decision of this government to bring in Bill 21 — the draconian decision of this government to turn its back on the collective bargaining process and decide to ram this through when it clearly isn't warranted for any reason that is fair.

What that does is demonstrate a lack of respect for paramedics. It demonstrates an inability on the part of government to provide leadership that would lead to fair negotiations, including the notion and what we know in the case of the paramedics — as with many emergency services and critical services — that paramedics are an essential service. They have limited capacity. They cannot withdraw services, and everyone appreciates why that is important.

They have essential services, so essentially a full complement of paramedics is working every day. They're delivering the health services. They're protecting us and protecting our families and loved ones every day. They have a limited capacity to affect the bargaining process through what would be the more traditional tools available to unions — one of which is, of course, to withdraw their services.

I know the paramedics all understand why essential services are there, and their commitment to the service they provide.... They know that they need to be there every day. It's critical for people in crisis who require their services.

But part of the problem is that when you do that, you need to provide tools to be able to find resolution. Binding arbitration is one of those tools, and it's one of those tools that the paramedics have asked for. It's one of the tools that the government has denied them, and it's one of the few tools.

That being the case, part of the reason to move this hoist amendment is to ask the government to take this period of time. Let's be clear here. If the government walked away from this legislation today and went back to Mr. Doney and the Ambulance Service and said, "We are telling you that it's time to bring a binding arbitration to the table, put an experienced arbitrator into this process and come to a solution that is fair for everybody," I am confident we would have a collective agreement that was dealt with in a fair way by the time we got to Christmas.

That's not what's going to occur. Instead, if Bill 21 goes ahead, if this hoist motion isn't successful today, then what we're going to see is a very bitter process through the next number of months. We're going to see ourselves get

to April of next year when this whole exercise will start again, only it will start with a very poisoned atmosphere.

It will start with a bargaining table where there is no trust. It will start with a bargaining table where paramedics come to the table knowing that government has no respect for them and the job that they do.

[1110]

That makes it a very difficult place to ask those people to come to the table to bargain in good faith and have any confidence at all that they are being treated in a fair and respectful manner, even though hundreds of thousands of British Columbians across this province would tell you every day that there are particular professions and professionals who deserve that respect. Paramedics and the job they do are very, very high up that list of people who deserve that respect.

That's why British Columbians across this province are angered about Bill 21. The most clear thing here is that it's a government that is refusing to show that respect to paramedics.

In the middle of what we had hoped would be a negotiation we see a situation where Bill 21 is introduced in the middle of all this. What Bill 21 has done, of course, has just taken all the possibility of a solution off the table. Now the hoist motion potentially gives us the opportunity to step back. It gives the government the opportunity to step back and to find a solution.

As my colleagues have said earlier, if we're facing a situation in the coming period of time leading up to the Olympics.... We'll talk about what has caused Bill 21, a little bit, and part of the reason that government members might say that the hoist motion doesn't make sense. Since it doesn't appear that the government members are prepared to talk to this, I'll explain what I'm sure part of their argument would be for you.

Of course, we know that we have the memo from VANOC that essentially says to the government: "You have to settle this thing. You have to put this in place, because we need to be satisfied, at VANOC and at the IOC, that everything is going to be the way that we want it to be come Olympics."

Now, there has never been any suggestion from anybody that the paramedics are going to do anything but fully cooperate through the Olympics. The fact that VANOC or the government or whoever doesn't have the ability to be sitting down with the Ambulance Service and others to determine, in fact, what kind of strategy should be put in place; the fact that to the best of my knowledge, nobody's talked to the Ambulance Service, nobody's talked to the paramedics about what those services look like — maybe they should have opened those discussions.

If the argument is that the hoist motion, if it is put in place, proceeds through the Olympics, so as a consequence we can't support taking Bill 21 off the table because it might affect the Olympics, my argument would be that there's no foundation for that.

Be absolutely clear. If an independent and binding arbitration process is put in place, there is no reason why this collective agreement cannot be fully resolved through a legitimate process of collective bargaining, binding arbitration, well in advance of the Olympics, and the system will be back in place and operating as it should be. And we won't be back doing this in a few months.

There are other reasons why this labour relations failure that the government is about to impose on British Columbia needs a second look. The hoist motion offers us that second look.

The Health Minister, unfortunately, has proven himself, well, not just to be a dismal failure in his ministry. He's taken that sort of rhetorical flair that he has, that sort of in-your-face approach that was pretty good for building highways, and is now trying to make that work when it comes to the health care people. He's trying to make that work when it comes to how he treats emergency health care workers like paramedics.

What we know is that that process is a failure. Increasingly, British Columbians are realizing that the current Minister of Health brings nothing to the table as a Health Minister that does anything for British Columbians — nothing to the table that supports British Columbians. I'm sure that if they had a wish for Christmas, it's that the Premier would wake up and find a Health Minister who could do the job.

Let's look back at how this works in negotiations. Part of the success of labour relations.... Maybe if the government were to say, "We're going to accept the hoist amendment and look at this one more time," they could go back and revisit the conduct of their own past Minister of Finance, Carole Taylor.

[1115]

Now, Carole Taylor admittedly had a pot full of money to spend when she settled public sector negotiations, and that money, obviously, was an important component of that. But I'll tell you — and I've known Carole Taylor for a few years — that the other thing that Carole Taylor would have brought to that table was respect for those unions, their members and the jobs that they did, because that is her nature. That is her nature.

That doesn't mean that she wouldn't have been tough. It doesn't mean that she wouldn't have looked at the government's interests, but she would have brought that respect to the table. I may quibble and argue with her about some of that settlement, but I would not have questioned the integrity that she would have brought to that in terms of her respect for people at that table.

That respect.... As we know, Ms. Taylor couldn't stomach more than a single term in that cabinet before she walked away, and there are many of us who would be pretty sure to know it's because that respect that she showed was non-existent with the vast majority of her cabinet colleagues. She couldn't stomach that, so she walked away.

The problem we have now is that we have a government that doesn't have anybody who brings that quality to the table, who brings that maturity to the table. We have a bunch of bullies. That's what we have today. They need to get over this. They need to think this through.

The reality is that this hoist amendment gives them a chance to do that. It gives them a chance, whether it is the Health Minister or the Labour Minister or whoever, to catch a breath, to reinvent this government a little bit and to begin to settle this. This is an important thing. This is a very important thing because what the hoist amendment will achieve is the time for some more discussion.

It will allow all the parties who need to be there some time to come to the table and talk. It will take a level of tension right now, a tension that's in the streets with the paramedics who are angry at how they've been disrespected, and rightfully so — a public who doesn't see the government working in its best interest to deal with a critical and important group of workers....

We have an opportunity here to rebuild some relationships, and that's critical. It's very critical right now, and this hoist amendment will allow that, the opportunity to build some relationships. Let's be clear. This is not just about paramedics today. This government is going to enter into a broad set of negotiations with the vast majority of the public sector in the coming few months.

In the coming few months all the negotiations with most of the major public sector unions are going to be on the table. Does anybody think for one minute...? If the government proceeds with Bill 21, as they have today and puts the boots to the paramedics, forces this contract down their throats and then expects those other unions to be able to come to that table with any confidence that they are facing anything but the same thing, you're dreaming. You're dreaming.

We know those will be tough negotiations. We know that there aren't the dollars on the table that Carole Taylor had to be thrown around — hundreds of millions or billions, or whatever it was, for bonuses. We know that it will be a difficult discussion. But it will be made no easier at all if the government proceeds with Bill 21 and doesn't take the opportunity afforded to them by the opposition, by the member for Port Coquitlam, to in fact step back and find a solution that is fair and is based on fair collective bargaining processes.

Otherwise, what we will see — and there is no doubt about it — is an extremely challenging time, and not just challenging for a government that doesn't have the capacity or the ability or the competence, quite frankly, to deal with those relationships with workers, but it will reflect across the province. We will see it in difficult situations around the province — difficult situations that will have been caused by this government's intransigence and by this government's inability to deal with people in British Columbia in a fair way, by this govern-

ment's inability to show respect for people who deserve their respect.

We're giving the government an opportunity to get out of that situation, that box they have put themselves in. That opportunity is this hoist amendment. That opportunity is the chance to step back and have another look at this, the chance to step back and do this right.

[1120]

Now, we all know on this side that this government's not very good at taking advice, certainly not from British Columbians, but we can be hopeful that that will be the case.

What is the situation that we face, then? Well, let me just make a couple points about how again we got into this situation.

First and foremost, when it comes to labour relations in British Columbia, when it comes to the relationship between the government and the public sector — and today that's encapsulated in the relationship between the government and CUPE 873 and the ambulance paramedics — somebody should tell the Premier, the Health Minister and the Minister of Labour that while VANOC has an important job to do to deliver the Olympics, VANOC doesn't get to call the shots on labour relations in British Columbia.

VANOC may have a legitimate right to be concerned that ambulance services are provided in a full and complete way for the Olympics, but there has not been one indication, not one sliver of evidence or one reason to believe that that would not occur. There is no reason at all for anybody to believe that we wouldn't have full and complete ambulance services for the Olympics.

It isn't VANOC's job to make those decisions for government. It's cabinet's job, and cabinet shouldn't be the toady to VANOC in this situation.

There are no diminished services. We know, and I am sure, that if the government said today, "We've had the change of heart. We're accepting the hoist amendment, and we're asking the union to come back and sit down. We're bringing in a third party who's respected by both sides, and we want to find a settlement. We're going to go back to those items...."

The member for Vancouver-Kingsway, in his debate yesterday, talked about the previous Health Minister and about the work the previous Health Minister had done to try to start to fix some of the problems with the Ambulance Service.

What we know is that many of the issues that the paramedics are facing today, and many of the issues and concerns they have.... Well, some of them are certainly things like the \$2-a-day pager fee that they're being paid for sitting on a pager — those are critical issues that need to be resolved — but the paramedics have, as much as anything, talked about what it will take to enhance the service.

They have talked about how to improve the service. They've talked about how they make sure that the facilities,

the equipment and technologies, the staffing levels, the resources are sufficient and adequate to deliver the job that they need to do, and how it is that the Ambulance Service can once again be the world-class ambulance service that we've all been so proud of.

That's been a big part of what the union has brought to the table. Wouldn't it be good if the government said: "We're accepting the hoist amendment, and we're going to sit down, and we're going to talk about how we move forward together"?

That means dealing with the strict labour relations matters, and it means having a discussion about the integrity of the Ambulance Service and those critical questions.

What we know is that the previous Health Minister had some appreciation of that. As the member for Vancouver-Kingsway said yesterday in his comments, the previous Health Minister was prepared and had, in fact, begun to develop some serious conversation and dialogue and some solutions that, potentially, led to some of that.

What we know is that what Bill 21 has done is ripped those all up. This government hasn't even had the integrity to keep on the table the matters that the previous Health Minister was prepared to engage the paramedics in to try to find solutions to problems that weren't just the paramedics' problems. They're British Columbia's problems, because they affect the quality of our ambulance service.

But those fell off the table. Not only did Bill 21 not move us forward; it moved us backwards. It moved us backwards in terms of the discussion that was going on. It took the hammer and just brings the hammer down.

There's no value in that. There is no value for anybody. Mostly, there is no value in that — there is nothing good about that — for British Columbians across this province.

[1125]

You will hear from my colleagues, and you've heard from them previously, and you will hear from them again today, tomorrow and for days to come. You will hear from my colleagues, hon. Speaker, about how this affects communities around this province.

I come from Vancouver. We have a number of other unique challenges for our ambulance paramedics in Vancouver that are very complex, but we do have paramedics there. In many communities it's a question of whether the paramedics are even there because the resources have not been applied to have the paramedics on the ground 24-7 when they're needed. As we all know, you don't schedule your emergency as to when paramedics are available. They've got to be available 24-7, and the Ambulance Service does not have the capacity to do that, though the paramedics would be happy to do that job.

The hoist motion is about bringing a little good faith to the table. It is about an opportunity for sober second thought by the government. It is about trying to have everybody bring the temperature down a little bit in the room on this and begin to talk again. But if this motion

fails, if the government doesn't come to its senses and see the logic of passing the hoist amendment and getting on with the opportunity to settle people down, to have a real discussion, to bring in some expertise like binding arbitration to the table.... If they don't see fit to do that, we will end up in a situation here very, very shortly when the government ultimately does force this legislation through.

If they turn their backs on the hoist amendment and they force Bill 21 through, we will be into a labour relations climate in this province that is nothing but bad news for everybody from workers to citizens to the British Columbia economy, because there will be no good faith and no trust at the table.

The only people who will have 100 percent of responsibility for that poisoned atmosphere will be the cabinet and members of that B.C. Liberal caucus. They will have 100 percent of the responsibility for poisoning labour relations in this province, and they will do that by passing Bill 21, if they don't come to their senses. The member for Port Coquitlam has offered them the opportunity to do that, to come to their senses by saying that we will adopt the hoist amendment and that we will sit back and find a solution that is fair and balanced.

We have just a few days here. Who knows how long this will last? We have a few days here to try to bring the government around.

We're hearing from more people every day and, hon. Speaker, you've heard from my colleagues and members of the official opposition, who have talked about and read letters into the record from people that they have heard from — from paramedics who are so extremely disappointed in this government's conduct, from citizens and British Columbians who have no direct link to the paramedics but who intrinsically know the value that they bring to the table and who trust the paramedics and want the paramedics to be treated fairly and believe that Bill 21 does not treat them fairly.

You've heard those letters read — letter after letter from members of the official opposition. Every one of those letters is an endorsement of the hoist amendment. Whether it says it or it doesn't, it is an endorsement of the hoist amendment.

Every one of those letters, when you read through what they say, when you get to the message that underlies every one of those letters says: "As a British Columbian, as a paramedic, as somebody who is concerned about my province, I am terribly, terribly disappointed in where this is all going and where it's leading. I am terribly, terribly concerned about what this means for a critical service, the Ambulance Service, and what it means for the social contract and the social fabric of our province as we rip them up one more time."

That's what those letters are saying, once you get past the stories and all of that. That's the message that lies under those letters.

[1130]

I would hope that the government would get the message, because the reality is this. The government may be here. They may have this view that they know what is right, that they don't have to listen to anybody, that the Premier calls every shot, and everybody else just says: "Yes, how quickly can I abide the Premier's interests"?

But the reality is this. Every one of those members on the government side, like every member on the opposition side, was sent here to represent the people of British Columbia. The people of British Columbia know that Bill 21 is not good enough. The people of British Columbia know that Bill 21 does not address this issue in a fair manner. It does not address it in a competent manner. It does not address the issue of the relationship of the Ambulance Service with the paramedics in a way that any reasonable or thoughtful person could endorse.

They are asking. They sent us here, and we all stand up every day and talk about who we represent and how we speak for the people in our constituencies. Well, think about what the people in your constituencies really want you to do.

The people in our constituencies want us to resolve this in a way that is fair for paramedics, in a way that is fair for British Columbians, in a way that moves the Ambulance Service forward and in a way that ensures that as this becomes the first step in what's going to be a complex public sector labour relations period, it's done right and done in a way that sets a foundation for fair and honourable settlements for all the unions that are coming up and for every British Columbian.

We can only do that if the government comes to its senses, realizes the opportunity that's been put in front of them with the hoist amendment and makes the decision today that they will back away, adopt the hoist amendment, come back to the table and bring to the table an independent third party who's respected by all sides, get a fair solution for the ambulance paramedics and move on to build that ambulance service once again into a world-class service that we can all be proud of.

If the government would do that, it would truly have accomplished something that in the long term is probably a bigger deal than the Olympics coming in February, in terms of what's good for British Columbians.

Hon. Speaker, I'm pleased to have had the opportunity to speak to this issue and to speak to Bill 21 or, more appropriately, to the hoist amendment for Bill 21. I do look forward to hearing from my colleagues. I must say I know there are paramedics visiting us and there are many who are watching us. I would like the government members to stand and explain themselves.

Deputy Speaker: I would like to remind members that they should not name people in the gallery except by way of introduction.

D. Black: I am also pleased to have the opportunity to speak today in the Legislature on the hoist amendment that my colleague from Port Coquitlam has put before the House on Bill 21. I think this amendment is very key to ensuring that we have peaceful and productive labour relations in this province in the months and years ahead.

It seems incredible to me.... In the debate on Bill 21 earlier this week, I read into the record a letter I received last August from a constituent who was concerned about this issue. As you know and as people in British Columbia know, this labour dispute has been going on for many months and had been going on for many months before we even began to sit here in the Legislature on August 25.

That constituent laid out a case predicting that the government of British Columbia would bring in back-to-work legislation without doing the necessary kinds of negotiations and without using the tools available to them to appoint an arbitrator to ensure there would be a fair settlement for paramedics.

[1135]

When I received that letter from my constituent way back last summer, I thought: "Wow, they really sort of have a negative view of the way this government would operate. Hopefully, it won't come to back-to-work legislation." In fact, my constituent was right. The government did not bargain in good faith with these employees and brought in back-to-work legislation with Bill 21.

I'm very pleased that my colleague from Port Coquitlam has introduced a hoist motion that would give the government an opportunity to take a sober second look at what they're proposing in their back-to-work legislation and to bargain seriously and productively with the paramedics, who have put forward a number of solutions to this labour dispute.

During the whole time that they've been on strike, they've been providing the very services that British Columbians depend upon. Last summer one of my sons.... I have three sons. One of my sons and his wife, his partner, have three young children under the age of two. They had twins, so they have three babies under the age of two.

Last summer they were with their daughters at Stanley Park, and one of the children — the older one, the two-year-old — fell. She hit her head quite badly, and she started to vomit and was quite sick. Of course, my son and my daughter-in-law were terribly concerned, and they phoned right away for an ambulance.

I must say that the ambulance attendants who took care of my granddaughter.... It was amazing. Of course, my son and daughter-in-law also got in touch with me, and my husband and I rushed off to Children's Hospital, to the emergency department there. We were there just shortly after the ambulance had arrived with our granddaughter and with the infant twins, who were six months old. We were there to, hopefully, relieve some of the pressure on the parents.

I watched the paramedics as they dealt with my granddaughter, who was terrified. As I said, she was only two years old and very frightened. They had her on a board, and they'd immobilized her. They didn't want her to move in case she further damaged herself. The care and attention that the paramedics gave to my granddaughter while waiting for the medical doctor to be freed up to deal with her was outstanding — patient, sympathetic and understood the needs of an infant and her family.

I know that many of us in this place have had situations where we've had to call on paramedics and the ambulance service and understand how important it is to each and every one of us in British Columbia to have a good service and continue to have the kind of dedication that paramedics have shown to British Columbians over many, many years.

This bill, Bill 21 — if it's not hoisted, if we don't have the opportunity to pass the hoist motion that the member for Port Coquitlam has put forward — will indicate to British Columbians that this government really is not interested in working productively through the challenges that we all know we're facing in public services in British Columbia. If we do not pass this hoist motion, we will undermine the negotiations that are coming up in a very few months, as my colleague for Vancouver-Hastings just indicated.

Going back into negotiations in just a few months, into a poisoned environment where people have been forced back to work without being given the kind of respect, attention and serious thought to their working conditions, would really turn a page in British Columbia that will be hard to turn back again to a time where people can negotiate in good faith.

If this hoist amendment is not passed, it will show to public servants everywhere in British Columbia that this government does not bargain in good faith, does not pay attention to the needs of the services that British Columbians depend upon — certainly, in the health care sector — and will make it very, very difficult and more difficult than it needs to be in the months ahead when new contracts come up for renewal.

Paramedics respond to every region of this province. A response can take them out to sea. They can be landing on the deck of a cruise ship. They can go deep into one of our forests or right into my neighbourhood or your neighbourhood.

Because of the continued lack of funding, the B.C. Ambulance Service has not kept pace with the growth and the need for pre-hospital care for the people of British Columbia. There is an increasing shortage of ambulances, paramedics and related infrastructure in British Columbia. These shortages translate into delays in emergency response, and the lives of our fellow British Columbians are sometimes put at risk.

The current issues that the government is faced with and the reason we feel that we should pass this hoist motion.... These issues that threaten the state of B.C. Ambulance Service are the shortage of paramedics in our communities; the working conditions — which have been articulated by many of us on this side of the House in the last few days — are not what they should be; and the whole issue of recruitment and retainment of paramedics, which is at a very serious situation in British Columbia.

This amendment would give the government an opportunity to seriously address those issues and, again, bargain with good faith with the paramedics.

The B.C. Ambulance Service currently employs about 3,400 paramedics, and they provide emergency pre-hospital care to the 3.5 million British Columbians and visitors who come here every year. Paramedics provide care in the huge, diverse geographical terrain that makes up our province. Our population is growing steadily every year, with the percentage of older people in our population increasing even more rapidly. This growth is reflected in increases in ambulance call volumes and emergency room visits annually in every area of our province.

Over the 2000-2001 fiscal year the B.C. Ambulance Service responded to 430,144 ambulance calls. Five years later, in the 2005-2006 fiscal period, B.C. Ambulance Service responded to 579,519 ambulance calls. Those numbers continue to climb. These are some of the statistics that the government needs to look at by passing this hoist motion and ensuring that we have the kind of ambulance service in British Columbia that at one time we were very proud of.

At one time our ambulance service in British Columbia was a model for the world. Other countries and jurisdictions came to British Columbia to look at how we delivered ambulance care in B.C. and modelled their services on what we were doing in British Columbia. Sadly, that's not the case now. Many jurisdictions have moved ahead in the service that they are able to provide, in the equipment that their paramedics are provided with to serve the people of their jurisdictions. Not so in British Columbia.

In urban and metro areas there are not enough ambulances available to handle the daily volume of calls. Ambulances from nearby communities are frequently required to handle the growing number of call volumes. What that can mean to my community, where we often get roads congested by traffic, sadly, on the way to Royal Columbian Hospital.... It can take you 30 minutes to drive in what one time would have taken you five to ten minutes to drive because of traffic congestion along Front Street and along Columbia.

We have ambulances leaving different communities — from the Tri-Cities, from New Westminster, perhaps — to service a call in Vancouver, leaving an area in the

suburbs short of an ambulance, and all the time fighting traffic, creating a situation where there can be danger of further accidents requiring ambulance care.

With our ambulances travelling great distances, this increases the response times, and you know that in rural and remote areas there are not enough paramedics to staff the ambulances that are there. This translates into delayed response times to emergency calls. B.C. Ambulance's target response time for high-acuity calls is less than nine minutes, but sadly, this target is achieved less than 10 percent in remote-designated stations.

This is another reason that the government should vote with the opposition and support the member for Port Coquitlam's amendment to hoist Bill 21, go back to the bargaining table, appoint an independent arbitrator, ensure that bargaining in our province is done in a way that shows respect to the paramedics who work so hard for us in British Columbia to provide a service — a necessary and essential service — that we all depend on.

[1145]

In fact, in the seven months since ambulance workers have been on strike, they've continued to provide that service through essential services legislation. They have not done anything that would put British Columbians in any further jeopardy than the jeopardy that this government has already put British Columbians in by not funding our Ambulance Service and ensuring that the paramedics get the training, salary and working conditions that they so rightly deserve.

Over the past ten years there's been a sharp increase in calls for help without a corresponding increase in the number of paramedics or ambulances. In many areas of the province the call volume has increased by over 50 percent. This increase in call volumes is leading to increased paramedic burnout as well as recruitment and retention problems.

Paramedics are working out of ambulance stations that in many cases are literally crumbling beneath their feet. In many communities paramedics are placed in motel rooms, bus garages or trailers. Passing this hoist motion would give the government the opportunity to seriously address these issues instead of using the heavy hammer of Bill 21 to force an end to this labour dispute.

There are a number of ambulance stations in the Lower Mainland that have expired leases or leases that are due to expire or that simply no longer meet the needs of the Ambulance Service. One of the most obvious examples is the Port Moody ambulance station. Station 259 in Port Moody is located in the constituency of the Minister of Small Business, Technology and Economic Development, the MLA for Port Moody–Coquitlam.

After being evicted from their previous station, ambulance crews in Port Moody have spent over two years in a temporary trailer located in the parking lot of a fire

hall. The lease is now expired on the land the trailer occupies, and there's no plan for an alternate facility for the ambulance station in Port Moody.

Yet we've yet to hear from the member for Port Moody–Coquitlam. We've yet to hear him speak on the issue of paramedics, on the issue of the situation in his own community, so I would invite him to get up and tell the people in his community how he feels this back-to-work legislation will improve the situation in Port Moody for ambulance services.

It's time that this government takes the situation seriously and provides Port Moody and all other communities with the appropriate and permanent kinds of stations that citizens of British Columbia deserve. Again, this amendment, this hoist motion, would give the government that kind of time to think about what is needed, to prepare and plan and to work with the paramedics to come up with a reasonable solution to these and so many other problems that are facing paramedics.

In Kamloops the ambulance dispatch centre has also been located in a temporary facility for two years now. The building's sewer system is so faulty that a warning system had to be installed by the building owner. Can you imagine? It's ridiculous.

Are these the kinds of working conditions that paramedics in our communities deserve? I don't think so. I think it's appalling. Clearly, the answer to that is no.

In the Lower Mainland the average response time to emergency calls is between 13 and 15 minutes, but as I said earlier, the benchmark set by the B.C. Ambulance Service strategic plan is a nine-minute response time for emergency calls.

There are a lot of factors that contribute to the lengthy response times within the metropolitan Vancouver area. As I talked about earlier, the dramatic increase in call volumes over the last few years without a reciprocal increase in ambulance resources means that each ambulance is responding to more and more calls each day.

With many specialized medical services being centralized, there is a need to transfer more patients between hospitals for specific kinds of care and treatment. There are also a number of patients who require ambulance transport back to their residences — patients from care facilities or patients who are bedridden. So the demand for ambulance transfers is actually over 300 transfers per day in the Lower Mainland alone.

[1150]

The B.C. Ambulance Service transfer fleet currently does approximately 150 of these transfers each day. That means that approximately 150 transfers a day remain to be done by emergency ambulance, which again, when they're taken out of the emergency area of service, contributes to the already too long response times for emergency calls.

While emergency ambulances are doing these transfers, they're not available to respond to the emergency

calls, the critical calls, in their own communities. When we combine these factors with the well-publicized waits for beds in the Lower Mainland emergency rooms — we all know that, in our own communities — it's no wonder, when emergency calls are made, that it's getting increasingly difficult to find an ambulance to respond to the call.

For these reasons and for many more, it's time for the government to take what used to be called a second sober look at what they're proposing. We had a Premier in this province who would often say, back many years ago, that he was prepared to take a second sober look at what he had proposed. W.A.C. Bennett would do that frequently, and we all know that he served a very lengthy time as Premier in British Columbia.

I would urge our current Premier to take that second sober look — look at our hoist motion, take the six months, sit down with paramedics in a serious and respectful way and resolve this labour dispute. It can be done. These are people who are dedicated to our province, who have a dedication to the role that they play in our province and who are being treated very shabbily by this government, I'm afraid.

It now takes emergency ambulances longer to reach patients in need, often because the ambulance must traverse many communities, as I said earlier, to respond to a call. To go through the traffic-jammed streets in the Lower Mainland is quite a challenge, and it's one that increases the safety risk, both to paramedics and to people in our communities.

The practice of having ambulances respond great distances with lights and sirens poses an increased risk of accidents and is a safety concern for both paramedics and for the general public.

In addition to being an essential piece of our emergency response, paramedics also dedicate a lot of time to volunteer activities in our communities. I know all of us will make note of the fact that when CPR training is given in different communities in British Columbia, it's often a paramedic who is volunteering their time to give that kind of training.

When we ask the government to treat these workers with the kind of respect we feel they deserve, it would be very appreciated if the government would see that this hoist motion would give them that kind of time to work in a fair and transparent manner and reach out to these people who are doing so much for those of us in British Columbia to save the lives of many people over many years, and take up that bargaining in good faith, appoint an arbitrator — it has been asked for by paramedics themselves — and come to a reasonable conclusion on this labour dispute, not use the heavy hand that they've put forward in Bill 21.

We do ask them to pass our amendment, take time to work with paramedics, ensure that they don't poison the environment of the labour negotiations that are com-

ing up in the new year. Lots and lots of public servants are coming up as their contracts expire, and this Bill 21 would really poison that kind of working environment.

I have just a couple of notes from people. I know that, certainly, I and my colleagues are receiving a large volume of letters and e-mails and phone calls from people who have worked as paramedics and people who live with paramedics, families of people whose family members are working as ambulance paramedics.

I would like to just read this one into the record, because I think that it gives a good view of some of the issues that our paramedics are facing and why they believe that we should pass this hoist motion to give the government more time to resolve this labour dispute.

She says:

[1155]

"When I was just beginning my job as a paramedic, I was called to a stabbing on a local reserve. We were a three-person crew, and we had a third person training with us. At the residence we found a very distraught woman with a knife in her hand. Her hysteria made it hard to understand what she was saying, but we, and the police officer who had already cleared the scene for us, felt, we thought, that she was saying that the man who had stabbed her was trying to stab her sister.

"The officer set out the back door after the suspect, but as soon as the door closed, the suspect came out of a back bedroom, intent on finishing what he had started. He tried to stab our patient. I used the clipboard in my hand to deflect the knife while her colleague used the jump kit and swung it into the suspect. Our unit chief yelled out the back door and got the constable back, who quickly subdued the man."

So this is one of the situations she's faced.

When we say, and the government has said, that the paramedics aren't on par with other emergency services personnel, she certainly indicates situations where they are.

She says:

"Fast-forward five years. I was then working in Chilliwack, and we were called by the RCMP for a psychiatric emergency. When we got there, a schizophrenic woman was having a psychotic episode, which had the potential to turn dangerous at any time. Police had been with the woman for some time before we got there, but when I knelt beside to check her pulse, I knelt on a knife. I quickly threw it over to the police car, and the male constable apologized for missing it before.

"We ended up taking this patient to the hospital. En route she became very aggressive. I got punched in the face before the female constable accompanying us was able to taser her, and together we got four-point restraints on our patient."

She says in her e-mail — which has gone, I must say, not just to me, but to the government side as well, as have most of the e-mails that we've been receiving:

"These are just two examples of when I've been attacked on the job, and I'm far from alone. To say that my job is not dangerous is insulting to me and the hundreds of my peers that are injured on the job every year. To impose a legislated agreement on us adds insult to that injury."

She, too, is asking this government to support our hoist motion and get back to serious negotiations. She ends her letter with:

"That the government would choose now, when we are remembering the courage and dedication of fallen soldiers that died on

foreign soil to protect our right to bargain for a contract, is especially terrible. It feels like they're spitting on my grandmother's grave. Shame on anyone who votes in favour of this assault on democracy."

That's from a paramedic in the Lower Mainland of British Columbia.

This legislation is totally unnecessary, and that's why the member for Port Coquitlam has introduced a hoist motion trying to give the government an opportunity to work with paramedics, to negotiate, to bring in an independent arbitrator — not to betray the trust of these paramedic workers.

This hoist motion would give the government the opportunity for what I said earlier was sober second thought and would show some good faith to the paramedics. When I spoke earlier in the week, I talked about respect and respect for the work that these men and women do every day for us. It's very important for the government to show that kind of respect to these workers. They show it every day to their patients, to the people of British Columbia, to the people they work with, and it's only right that this government should show them the same kind of respect.

Accept our motion to hoist Bill 21 and ensure that we don't go down this road of a very heavy-handed approach to labour negotiations in this province.

It's simply wrong. It's not the right thing to do. It won't achieve labour peace. It won't achieve better working conditions. It won't achieve the kind of work environment that paramedics and the people they serve deserve. It will, in fact, go in exactly the opposite direction.

[1200]

I implore the government to support this motion by my colleague from Port Coquitlam and hoist Bill 21, go back to the bargaining table, work with the paramedics and ensure that they get a fair and just settlement and one that works for all of the people of British Columbia.

R. Austin: I rise in support of this amendment, this decision to bring forward and give the government an opportunity to have a sober second thought — to take away Bill 21, to go back to the bargaining table and figure out, in short order, how we can find solutions to some of these big problems.

I'd like to begin my comments by just talking about one of the major problems that the B.C. Ambulance paramedics have been talking about for a number of years — certainly something that myself and my colleagues have been bringing to this House — and that is the one of rural training and recruitment. If we pass this hoist motion, this is the kind of situation that can be dealt with.

In order to get training to be an emergency medical responder, you need to complete 105 hours of training, at a cost of \$1,365. For somebody who wants to come down from northern B.C. and get primary care paramedic, the basic training of a paramedic, it's 1,575 hours and just

over \$5,000. If somebody wants to do advanced care paramedic, it's almost 3,000 hours and over \$10,000.

[L. Reid in the chair.]

This is the kind of situation that is untenable for people in my neck of the woods. How do we attract people to go into the service when they have to leave their families, go down to the Lower Mainland and spend this kind of money?

And it's far more than this. In addition to these numbers that I've talked about in terms of tuition, they of course also have to pay for the flights. They have to find accommodation. They need to pay for their food. It's a huge investment.

As a result of that, we don't find enough people in rural areas, places like Skeena, being willing to make this commitment to go down there and get the training necessary to be paramedics.

If we do find people, good people, who are willing to go and do it, what do they get paid? Once they fulfil these commitments, get all this training, get certified, what do they get paid? They start off by earning \$2 an hour on a pager, because there isn't enough call activity in smaller communities like Terrace, Kitimat, the Nass Valley, to warrant having enough paramedics permanently in stations. They spend all this time and money getting the training. They then sit at home on a \$2-an-hour pager.

If we pass this hoist motion, it gives the government an opportunity to go and address these kinds of issues.

Now, getting back to this issue of training and recruitment. Just imagine how long it takes, at \$2 an hour, to pay for all of this investment of people's time and energy and money to go and get this training. It's impossible to do it. Even those who work out of the Terrace ambulance station and are sitting there on \$10 an hour, if they don't get call-outs....

It's not like in the Lower Mainland. At least in the Lower Mainland, if you're in Burnaby or Vancouver or Coquitlam, there is a sufficient number of people and enough highways, etc., to have a constant turnover. At least, hopefully, when people are working on these shifts, they will actually get a call-out and go above the \$10 an hour and get paid the normal wage for a paramedic.

In my neck of the woods they're lucky if they are making more than \$10 an hour. As a result, we have people in rural communities having to put in or stay with a pager for day after day in order to even make any kind of income.

That is a major issue, and one that needs to be taken care of. By supporting this hoist motion, we're saying to the government: step back; take your time. It doesn't have to be six months.

I listened to the Minister of Energy and Mines making his comments this morning. I want to congratulate him for having the decency to stand up and speak on behalf of his party to give some of their reasons as to why Bill 21 is so important. So I appreciate his comments.

[1205]

I appreciate, also, that he comes from a part of B.C. that has the similar kind of problems that we do in northwest B.C.: recruitment and retention; the inability to find people who will take this on; the fact that when the B.C. Ambulance Service is in crisis, it really hurts rural areas far more than it hurts urban areas, just by the nature of the service.

I do appreciate him getting up and making those comments, but you know what? If we don't pass this hoist motion and this bill gets passed, that isn't going to solve this problem. In fact, it's going to make this problem considerably worse, and I'll tell you why.

The Minister of Energy and Mines quite rightly pointed out that some of the issues this morning have been going on for years. They've been building up over a number of years. In fact, during my first four years in the House, we brought many issues to the table.

I'm sitting here looking at a colleague from the rural caucus here in the official opposition. We had so many discussions with the former MLA from Cariboo who brought all of these issues into the House. But the government of the day did not take those issues seriously enough to avoid the problem that we're at now. Here we are sitting here with draconian legislation being put in place as a so-called solution to these problems.

Well, it's not going to solve them. What it is going to do is actually make them worse. It's going to poison the atmosphere and make the negotiations that have to happen — because eventually, there has to be a solution to the problem — much, much harder.

When Bill 21 was introduced on Tuesday, I believe, I listened to the Minister of Health come forward with his rationale as to why they felt it was important for them to go ahead right now and bring back-to-work legislation. Something in his few minutes of comments, because that's all we heard at the time, made me figure that there's something a little bit wrong here.

I'm going to quote what the Minister of Health said around Bill 21, which we are hoping to hoist....

Deputy Speaker: Member, we're not revisiting the second reading debate.

R. Austin: Certainly, but I do just want to talk about this because....

Deputy Speaker: You are speaking to the hoist motion.

R. Austin: Certainly.

I want to just refer to the comments of the minister and lead it into why I think that this needs to be hoisted — okay?

Interjection.

R. Austin: Certainly, I respect what you're saying, Madam Speaker, and I am bringing this to the hoist motion — definitely.

The minister, in bringing in the bill — which we are now attempting to hoist, to give a sober second thought — did talk about the fact that in the Lower Mainland, the number of ambulances out of service each month had jumped to 150 compared to just 12 before the strike began. Further justification was that he said: "right now our entire health system is operating at full capacity to manage the impact of the H1N1 pandemic."

Now, the reason why we need to hoist Bill 21 is because if Bill 21 is passed and is not hoisted, then the Ambulance Service will be considered no longer to be on strike. They'll all be forced to go back to work. But during this strike, they have been under the emergency services act, which actually forced paramedics to take shifts and to be working on their days off in order to maintain services. If we don't hoist this bill, the strike will be called to an end. The real irony here is that there will be less paramedics working without the strike in place than there has been during the strike using the emergency services.

In reality, it's a false argument to suggest that if Bill 21 is passed and we don't hoist it, that all of a sudden they'll be back to normal service, because they won't be. People need to understand that under the strike agreement and because they are part of the emergency services, paramedics have had to work extra hours in order to provide those services.

The great irony is if we don't succeed in this motion — which I hope the government will realize is the right thing to do — we will actually be in a worse situation than is currently taking place under the strike. I hope that I've made my point clear in relation to the motion and why I'm speaking to what the minister said the other day.

The other argument that was made is that we need to force this bill through today or this weekend or whatever, in the next few days, because it's relative to the H1N1 pandemic. Now, I think it's fair to say that if one comes down with the flu, whether it be a regular flu or whether it be the H1N1 strain, I would suggest that it's not people's reaction to be calling an ambulance to deal merely with the flu. I think I'm right in saying that most people would stay home to see what's happening, follow what has been said by our public health officials.

[1210]

If their temperature remains high, they'll probably go and see a doctor or go to the emergency. But it's not

likely that they're going to be suddenly needing a stream of ambulances to deal with the H1N1 pandemic.

I think that is also a false argument and leads me back again to saying that we don't need to pass Bill 21 right now. If we agree with my arguments here that the H1N1 pandemic is not the reason to pass this bill and that ambulance workers have in fact been working under the emergency services act throughout the strike and that few of them will be if we pass Bill 21, I think this hoist motion makes an awful lot of sense.

What it does is enable the government to go back to the bargaining table and deal with some of the important issues that have been brought up by all of my colleagues and that I think are acknowledged even by members of the other side as being critical to this situation and the reason why we are here today. I would hope, just for those two arguments alone, that we can pass this hoist motion and deal with it in a sober way.

We are, of course, also here potentially for the weekend, but we have a week off coming up. We have a week away from this Legislature. If we pass this hoist motion, that gives ample time, even without the Legislature sitting, for both teams of negotiators to go back to the table and sit down and look at all these issues. I think it will be a good thing if we pass this.

I also just want to comment about the conditions under which paramedics have to work and why it's so important for this hoist motion to bring these working conditions into the discussion so that we don't continue to drive people out of the service. That is one of the most important things. If we pass Bill 21 and our motion fails, the message to paramedics is that we in the Legislature don't care about the work they do. We may all say we do, but we have to show by our actions.

By passing this hoist motion, we are showing action that says to the paramedics of British Columbia, who have been under enormous amount of stress not just for the last seven months, not just for the action of the strike, but for the months and years leading up to it... Months and years have led up to where we are today. If we pass this hoist motion, it's sending a very strong message to all the paramedics of British Columbia that the government and the opposition are saying: "Wait a second here. We understand that you have serious issues, and we understand that simply legislating you back to work is not going to solve these issues."

I think if we can pass this hoist motion, it allows the government to say: "Let's give a deadline. Let's say three weeks." It's still long before the Olympics, and I'm going to speak to that in a minute. If it isn't the H1N1 pandemic that's driving this bill, then there must be another reason.

There's plenty of time between now and the Olympic Games for the government to go back, if we pass this hoist motion, and say: "Okay, let's go back to the negotiating table. Let's put in an arbitrator and give them a

deadline of a few weeks, a month — whatever — and let's deal with some of these issues."

The working conditions that have been described by various paramedics who have sent in letters and have been appealing through their own comanagement process.... Let's not forget that prior to getting here, prior to this hoist motion, prior to Bill 21 coming into the House, there was a process taking place where management of the B.C. Ambulance Service and B.C. paramedics actually sat down and started to talk about some of these issues.

They started to talk about the fact that it is very, very difficult, when you are working shift work and raising a family, to also have to be on a pager for whole weekends at a time, to not have the security of income.

Those are the kinds of issues that we're dealing with here with the B.C. paramedics. If we support this hoist motion, it enables the government to put some pressure on those who are negotiating to come to an agreement on the working conditions.

Let's look at some of the working conditions. You have young families. In some cases, I've got letters here from paramedics who are married to one another, husband and wife or partners, both working in the ambulance service. Imagine that — two people on different shift work raising children. That is a lot of stress.

[1215]

In addition to that, they then have to go to work, and this job by its very nature is one of the most stressful jobs that anybody could imagine doing. I think that's been acknowledged, not just by comments from this side of the House but also from the government side.

Everyone recognizes that this is not a walk-in-the-park kind of job. This is a very, very challenging job. If you are going to do a job that takes your stress level to a very high level every single day, imagine what that does to your psychological well-being, to your emotional well-being.

It's kind of important that we pass this hoist motion so we can deal with the working conditions that enable our paramedics to actually go to work being respected, knowing that their work is important and knowing their work is being valued, but also knowing that their basic needs are taken care of, that they have some security of income and that they know how many hours they're going to be working.

They know that when they go to work, whether it be for 20 hours as a part-timer or a full 40 hours a week, whether they be doing overtime.... They need to know that at the end of the month they're bringing back enough income to support their children, to support their family, to pay their bills. I don't think that's too much to ask. If we are able to convince the government to support this hoist motion, that enables these kinds of working conditions to be taken care of.

I also want to talk for a second about another issue. I don't think it's been brought up, but it's something that

I think needs to be addressed, and by passing this hoist motion, it can be. It's related to when a paramedic goes from being a part-time paramedic to being a full-time paramedic. As has been discussed in this House, we have an enormous number of paramedics who are only part-time, and they're part-time for, in some cases, years because they have to build up the hours necessary to become a full-time paramedic.

Here's an issue that was brought to my attention, and I wasn't even aware of this. A person wrote to me telling me that she's a part-time paramedic. Her husband's a full-time paramedic. I'm going to quote this:

"One other issue that you may not be aware of is that when a paramedic goes from part-time to full-time, all or most of their seniority gets taken away so that the government does not have to pay them as much or just below. My husband was a part-time paramedic for 12 years, and then he went full-time. They gave him one year's seniority to start his full-time in the GVRD, being paid net \$1,350 to \$1,450 every two weeks."

So here's another issue that I don't think has been mentioned. If you spend six or seven years as a part-time paramedic, you would imagine, you'd think, your seniority would continue when you are made full-time. But no, according to their collective agreement, that all vanishes and immediately you start off with a very reduced seniority within the B.C. Ambulance Service.

Why is that done? As the person mentioned, it's done in order to start at a much lower pay scale.

Deputy Speaker: The member knows he's now returning to consideration of second reading, and he needs to come back.

R. Austin: Certainly, Madam Speaker.

Well, if we pass this hoist motion, it is issues like the one that I have just mentioned that can be addressed clearly and succinctly. Let's put all of these issues onto the table. Let's pass this hoist motion. Let's say to the government: "Let's take some time out here. Let's take a time out here — okay? We've still got time before the Olympics. Let's take a time out."

Let's address the kinds of issues that have been brought up and which, quite frankly, the government acknowledges. I mean, the government side also acknowledges that there are lots of problems here. I don't think, in all fairness, that by passing Bill 21 and not passing our hoist motion, that we're going to address anything.

You know, if the sudden passing of Bill 21 and the defeat of our hoist motion was going to be a solution to this problem, then we wouldn't need to be here all weekend or however many days it's going to take to do this. We would be able to get on with the important job of actually addressing the issues at hand. But we're not, and so it is important for all of us to make the clear arguments that passing this hoist motion is a necessary thing to do.

It will defuse a very hostile situation. It will placate British Columbians, who I think are naturally worried. I

mean, British Columbians must be looking at the news and going: "Well, you know, we take our ambulance service for granted." I mean, all of us do, because we don't sit there and plan for emergencies. None of us do.

[1220]

But when they're watching the news and they're going to see tonight that the government or the Legislature is sitting in an extraordinary sitting over the weekend in order to pass Bill 21, or whether we succeed with our hoist motion, they must be sitting there wondering: what happens if there is an accident? What happens now? Is my ambulance service not going to be there for me?

In order for us to placate and ease the fears of British Columbians plus take care of the Ambulance Service workers, this hoist motion needs to be passed. If it is, I think that you will see everybody on both sides of this very contentious issue coming back, getting back to the table, recognizing that — you know what? — we don't just need draconian legislation in order to come to a solution. Maybe we can actually calm down, sit down, think about some of these issues — and on both sides.

I'm not trying to negotiate here. It's not our job to do that. But on both sides, hopefully, if we pass this hoist motion, it will enable those who are leading CUPE 873 to stand back and recognize, "Boy, we almost went to the nth degree here. We almost had a solution or a non-solution forced upon us" — right? It will give them a chance to have a sober second thought and recognize what issues they can deal with and what issues maybe they should let go.

As the Minister of Energy and Mines said today, this problem, when it is solved, won't be solved overnight. It may take months. It may take even years. But if we pass this hoist motion, it is the beginning of that process, whether it takes weeks, whether it takes months, whether it takes years. The passing of this hoist motion is a healing gesture, shall I put it that way, to start the important process — to say to paramedics and to those negotiating with them: "You know what? We nearly went to the brink. We nearly made the situation even worse than it is, but we pulled back."

That's my hope, and that's why I think all of us on this side want to pass this hoist motion.

I think it is a very rational argument to make, when you consider the importance of what the B.C. Ambulance Service means to British Columbia, when you recognize that we're making a decision here that is reflective of a long history. The B.C. Ambulance Service has been here for 35 years, and here we are over one weekend — one weekend, a very short little moment in the history of British Columbia — and we potentially could undermine 35 years' worth of building up of work, of trust, etc. We don't want to use this one weekend to destroy 35 years of good work.

I take you back to why this hoist motion is so important to us in rural British Columbia — okay? If Bill 21 is

passed and our hoist motion is defeated, this is going to hurt people in rural B.C. way more than it's going to hurt people in the Lower Mainland. I'm not trying to make out that everything is fine in the Lower Mainland. Don't get me wrong. I'm sure there are plenty of issues around ambulance service in the Lower Mainland. But in rural B.C. it will be a bit of a tragedy, quite frankly, and I don't use that word lightly.

We are already having so many challenges, so this hoist motion means an awful lot to rural British Columbians — an awful lot. We want to see the government here and the opposition working together to respond to issues that are critical in rural B.C., absolutely critical. At least in urban B.C., or in the larger communities, there are ambulance stations everywhere. They are fairly close together. Even though there are challenges through this strike, and there are certainly challenges in staffing, at least they are there.

In rural B.C. it's hard to even find people to attract to even come and do this work. There are parts of my riding where there is no paramedic service whatsoever. When we have emergencies, people have to drive an hour, an hour and a half to even get there.

If we are able to pass this hoist motion, it says to people in rural B.C.: "Don't worry. Calm down. Both the government and the opposition have come to an agreement. We're going to take us back from the brink. We're going to say to those who are negotiating, 'Please go back to the negotiating table. It is too important, too important for all British Columbians that we come to a just resolution.'" [1225]

It may take a while, but at least if we can make some baby steps, if we can pass this hoist motion and then get back to the bargaining table and make a couple of concessions on either side, it's the beginning, just the beginning of something that could be good and will certainly make those of us who live in rural B.C. breathe a sigh of relief. I can assure you of that.

I think that the governing party, in listening to the arguments that we are making here, will recognize at the end of this important debate that.... I heard a member on the governing side this morning saying it was with a heavy heart that he wanted to pass Bill 21, and here we are now speaking to a motion to allay Bill 21.

I think that for all of those members on the governing side who recognize that it's not an easy choice, it's not something they are taking lightly. Some members, I think, do believe that. There are others, perhaps, who don't. But some members certainly do believe that Bill 21 is maybe a sledgehammer to open a walnut.

I think by passing this hoist motion, at least those members will recognize that this is a possible solution to start the process. That's why I am supportive and, I think, my colleagues on this side of the House are working so hard. They're going to continue to work hard right

through the weekend or however long it takes to make the convincing arguments necessary, because too much is at stake here.

I wanted to also talk for a second about what has been offered and what we need to hoist. If you offer a 3 per cent wage increase in Bill 21, it actually almost insults the ambulance paramedics. I think that if we are successful with this hoist motion, it enables us to take some of the sting out of what must be a group of people who work very hard and who feel as though they're being dismissed — they're simply being dismissed.

Even though it is retroactive, it of course ends very shortly. Even if Bill 21 is passed and our hoist motion is not successful, we're sitting here in November, and this agreement that is being potentially forced on the paramedics ends in March. This is only a matter of a few months away. It's not even a solution that is going to go more than a few weeks before we're back to where we are and, potentially, back in this chamber sitting here with another strike ahead of us.

I think by voting in favour of this hoist motion, we are actually avoiding inflaming the situation and recognizing that March 31 is only a matter of weeks, a few months, away from here. The passing of Bill 21 and the defeat of our hoist motion is not in any way a solution, not even a short-term solution. Because come March 31, if all the issues that we have been talking about during second debate on Bill 21 still exist and are not solved, we're stuck.

What will we have accomplished? We will have made the paramedics more upset. We'll have driven a few people away from the industry. We'll have said to those potential people who want to join the paramedic service: "No, don't bother. It's not worth it." And we'll be back in this House, because apparently we won't have forced the two sides to go back to the negotiating table.

It's incredibly important that we pass this motion, that we then say — the government then says — to those who are negotiating: "Here's what you've got to do. Here are the issues. They've been well canvassed in the House. Everybody knows what they are. Go and deal with them. Start with a couple of the things that you can agree on, make some concessions, and let's start."

I notice that my time is coming up, but I really, really hope and believe that the government will, in fact, take a second look at this, that they will think about some of the arguments that have been made by myself and my colleagues here and recognize that this is not the right way to go.

Bill 21 is a sledgehammer that's going to actually make the situation worse, and I think that they need to take this motion into consideration. I sincerely hope that enough of them join us that we'll pass this hoist motion and say yes to supporting the paramedics, yes to finding a solution to what is a very serious and intractable problem.

Deputy Speaker: The Minister for Aboriginal Relations seeks leave to make an introduction.

[1230]

Introductions by Members

Hon. G. Abbott: Yes. Thank you, Madam Speaker. In the gallery joining us today is a member of the public service that I had the good fortune to work with for four years as the Minister of Health for the province of British Columbia. That is Jan Wheeler. Jan has been a very devoted member of the public service since 1979. She is currently the executive director at the Ministry of Health.

She was of remarkable assistance in generating the estimates materials for that process that we all know and love so well on an annual basis. The Minister of Finance, as a former Minister of Health, will know that one could operate a small paper mill with the amount of paper required for the estimates process. Jan was not only very capable in terms of assembling materials for the estimates process, she had a real passion and love for that estimates process — one that I shared with her.

I do want to say thank you to Jan. Jan is taking a well-deserved one-year leave of absence to spend more time with her family. I hope that all members of the House can join with me in thanking Jan for her awesome service in the Ministry of Health and extending the best of wishes to her as she commences her one-year leave of absence.

Deputy Speaker: The member for Cowichan Valley seeks leave to make an introduction.

B. Routley: Yes, I do, hon. Speaker.

With me today I'm delighted to have my wife of, tomorrow, 39 years. Charmaine Routley and I met more than 40 years ago, and I'm delighted that she would take the time to be down here and support me. This wasn't exactly the kind of weekend we had in mind, but she supports me nonetheless, and she's here to show me that.

I just want to say that it's kind of fun, in the Legislature of British Columbia, to be able to say that you're just as beautiful as you were the first day I met you, and I love you dearly.

With that, please join with me in welcoming my dear wife.

Debate Continued

D. Thorne: I'm happy today to rise to speak to this amendment to Bill 21, the hoist motion. I spoke a couple of days ago on Bill 21. I wasn't happy about the subject matter that I was speaking about at that time, but I'm very happy today because I think this is a wonderful

compromise position for all of us in this House, all 85 members, to have the opportunity to look at this issue.

No doubt, this is a historic day, a historic weekend, when we're giving ourselves this breathing space, this opportunity to look at what we're doing here in this House to the people who vote for us — to our residents, the taxpayers of British Columbia — concerning one of the most important public services, probably, that we have in the province, the Ambulance Service of British Columbia, which is one of the largest ambulance services in North America and is certainly very highly reputed and very, very highly thought of.

We find ourselves today — I think we all know from reading the newspapers and what we hear — in a situation in British Columbia that is probably, by the hour, getting increasingly inflamed. I am sure that the members on the other side do not like that situation and are no more comfortable with what's happening than we are on this side of the House.

[1235]

I know from reading *Hansard*.... When I spoke the other day, I actually took the liberty of quoting some of the members from the government side of the House and their comments in the Legislature over the past couple of years about the Ambulance Service of B.C. and specific paramedics and how highly they were thought of and how highly they themselves thought of particular members — not just the wonderful service that they provide, the no doubt critical service that they provide, but the volunteer work and the volunteer programs that they have instituted across the province.

I'm feeling encouraged. I'm thinking that with this discussion here on the weekend and taking this extra time, everybody putting off going home to their ridings.... We have a constituency week next week, and we all thought that would be starting today. Instead, we've all put that off. We've all agreed to sit here and think about what we're doing and talk about what we're doing.

Thinking back to what these particular members of the government sitting on the other side had to say over the past couple of years, I'm encouraged to think that this sober second thought just in the next day, two or three — whatever — will have the impact, where the hoist motion will indeed pass.

Every member on the other side doesn't have to vote for it in order for it to pass, but I think it's critical. It's crucial at this period of time in British Columbia that we look at how we sort out these kinds of problems in the public service.

Passing this hoist motion will give the government time not just to consider how to sort out this particular issue with the paramedics in British Columbia but also to prepare, in what I would say would be a really positive way, to deal with other public service contracts that are going to be coming up within the next six months or less. I haven't counted the days, but probably less. It's not

just this particular contract, the paramedics, but it will give time to consider these contracts all of a piece.

I'm feeling encouraged that we're taking this time, and I think the government members are listening to what the opposition members are saying. They're probably also listening to what the residents in their own ridings and across the province are saying to them in letters and e-mails and phone calls. Most of those letters and e-mails, certainly, the members, myself in particular, are aware of. We're all copied back and forth usually, I think, when letters are sent out to an MLA, whether they're on the opposition or the government side of the House.

I think most of us are copied on those letters, so we know that the government members are hearing the same kinds of comments that we are hearing on this side of the House. I'm encouraged when I read those letters, because I know that the members on the other side of the House are thoughtful. They read them, and it makes them think about the kinds of decisions, the kinds of ways we do things.

I'm encouraged to think that after a few days of discussion, the hoist motion will in fact become clear as a way for everyone to save face on this issue. I think that passing the hoist motion will give....

Oh, I hope I can get through this without losing my voice. I'm not sure everybody in the House would agree with that, but I certainly hope so.

Interjections.

D. Thorne: I have a few people who hope I keep my voice.

I think that passing the hoist motion will give the government the opportunity to deal, for instance, in looking at some of the issues that really need to be dealt with. And not in a heavy-handed way, because they're too important. I mean, we're really talking here about people's families and lives and how those lives get lived really. I think one of the big issues that we need to deal with — and certainly it's mentioned in a lot of the letters that I've been reading over the last few days — is the whole \$2 rural call-out payment.

[1240]

I have one letter here, where this gentleman says: "On weekends when I do not receive a call, I will end up making \$48 for the whole weekend. I subtract gas and food costs, and I come home Sunday night in the red."

I think passing the hoist motion would give the government a chance to look at that issue and think about how that would feel to be caught in that position — to be the parent, the mother or the father, to be the ambulance worker, the paramedic. To be dealing with this on an ongoing basis is unconscionable. Thinking about doing the hoist motion gives us the opportunity — all of us — to think that perhaps this is not something we want to

continue, not even for six months, when we'll obviously be back in bargaining again with the paramedics.

A lot of my colleagues have talked about the working conditions across the province — very different from rural to urban to city. Very, very different. Where I come from, Coquitlam, our biggest problems in terms of wait times and understaffing are a result of growth and traffic and just not enough staff, etc. — not enough money, I guess, in the system.

This one family has written, and they were living in the north, around the Island. Anyway, they decided to move to Coquitlam, to my riding, and it turned out to be....

Deputy Speaker: Member, you will need to draw your remarks back to the consideration of the motion. You are revisiting second reading debate.

D. Thorne: I'm sorry, Madam Speaker.

What I meant to say was that passing the hoist motion would give the government and the House the opportunity to deal with these specific issues, with time, instead of pushing through a piece of legislation that, I would say, seems to have not been thought through for any lengthy period of time.

This family is saying that they moved to Coquitlam and found that the Ambulance Service there was so understaffed that the mother, who was the driver, would come home after a 12-hour shift and not even have had a meal break. We need to think about this kind of issue with the kind of spirit that we want to solve the problem, and you need time to do that. You can't go into a cabinet meeting and an hour later come up with a solution that will solve those two problems — the understaffing and the pay issue.

I think that we have here a golden opportunity, as I said earlier, a way for everybody to save face and make a bad deal into something where we can be proud of it.

Now, here's another problem that we would have time to deal with if we passed the hoist motion. This is a letter. I've just chosen a couple of letters, because I think they're indicative. They've gone primarily to government members, with just a copy to myself and the opposition.

This is a letter from a former paramedic who has now resigned because of all of the different issues. This is somebody who couldn't wait for the problems to be solved and who is quite chagrined, really, that the problems may not be solved even now, if this hoist motion isn't passed.

This man's name is.... Am I allowed to say a name in a letter, Madam Speaker? I'll read the letter.

"My name is Brandon Plunkett, and I handed in my resignation as a paramedic to the B.C. Ambulance at the beginning of this year, after three years of employment. I was originally stationed in Princeton, a rural-remote station, and later transferred to Summerland.

"I'm the father of four children, and as a result of unacceptable pay and working requirements, I was forced to work an average of

160 hours, not including my travel, between the infamous \$2-per-hour pager pay and the \$10-per-hour standby rate over a two-week period just to support them."

[1245]

Then he goes on and talks about the day-to-day stresses of being assaulted by patients, exposure to disease, being stuck by needles, driving with lights and sirens through heavy traffic, telling people that their loved ones had passed away — very, very stressful work, work that I will say most of us in this House probably would never want to have to do, would never be able to do; very stressful work that needs to be supported by people like the legislators in this House.

To summarize, Brandon says:

"I nearly lost my marriage. I lost contact with my children, and I was pushed to the absolute lowest psychological lows that I have ever reached. I cared a great deal about my career as a paramedic and all the patients that I tried to help, as did those I worked with. A large number of those people who mentored me, worked with me, genuinely cared about the people they were helping, chose the same path I did and are no longer employed by the B.C. Ambulance Service."

Then he finishes up by saying.... This is a man who, if he were able to vote, if he had chosen a different career and was in this Legislature rather than a past ambulance service worker, would be voting for the hoist motion, because he would understand that it gives us that time to have that sober second thought.

He says: "Just because paramedics are being legislated back to work does not mean they will continue to accept these atrocities. Who can blame them for leaving?"

Prophetic words. I think really that this letter says everything that every member of this House knows in their heart to be the true issues, the true problems.

Yes, there are pressures on the government to get this thing sorted out, to get the paramedics off strike so that people won't have to worry about crossing picket lines and will be able to work in the Olympics or any number of issues. But we have to consider the other side, what we're doing to the province — not just to the paramedics but to all of us in this House who may need a paramedic for our families or ourselves anytime over the rest of our lives.

We cannot expect people, as Brandon says, to want to continue to accept the atrocities just because of a continuation of a piece of legislation that we now have the golden opportunity to do something about.

I have another e-mail here. It was actually sent to three of the Okanagan members and copied to myself. I'm not going to read it all. It is from Aaron Volk. Aaron is commenting on the passing of Bill 21 and talking about the legislation and what it will mean if we don't pass this hoist motion, if we don't reconsider on Bill 21.

He's talking about that it's the first time ever in Canadian labour history that anything like this has happened. He feels that it is a lack of respect for free bargaining. He's talking about the job action that they had taken having virtually no impact on services.

I'm not quoting this word for word because it will take too long, and many of my colleagues want to get up and speak on this issue. He finishes up by saying: "You should be interested in what people are saying about your government. Your government is abusing its legislative power. Your government is, in my opinion and many others, an embarrassment to democracy."

This hit home with me, thinking about hoist motions and legislation and prayers. Yesterday I did the prayer. It was my turn in the Legislature. I talked about our democracy in Canada and in British Columbia and the duty that we have in this House as legislators to protect that democracy.

[1250]

Those aren't just words. That is the truth. That is really important. That is why we are here. People have voted for us because we live in a democracy, and because we are here to support them and to keep democracy alive.

We have to be conscious and cognizant all the time of when we're abusing democracy in any way, shape or form. It isn't just a prayer that we read out. In the House every day we read a prayer, and we say the same kinds of enlightened things. One can only hope that we really believe them and that we really act on them.

Aaron Volk, certainly, I would imagine, since he's written the Okanagan MLAs, lives in the Okanagan. It's hard to tell with an e-mail. I would say that Aaron Volk is very clear, very clear to his three members of parliament what he wants them to do. He wants them to vote for the hoist motion and reconsider this Bill 21 piece of legislation. He really, I would say.... I don't know. I'm now putting words in the mouth of Aaron Volk.

But I would say that if I asked Aaron Volk or if these three Okanagan MLAs sat down with Aaron and asked him what he thought about the hoist motion, what he thought about taking the sober second look, my hunch is that Aaron would say: "For heaven's sake, this is sent from heaven. This is such a good opportunity. Take this opportunity. Don't do what you're considering doing. Save democracy. Save free collective bargaining. And save public services in British Columbia."

Over the next year we're going to have an onslaught, and this can't be a good beginning, what we're thinking about doing today or tomorrow.

With that, Madam Speaker, I thank you for letting me speak.

S. Herbert: I rise today to speak on the hoist amendment. As members in this House will know, this will be the first, I believe, hoist amendment I'm speaking on. I've spoken through the night before on a number of issues, but this is the first time I will be speaking on such an amendment to encourage the government to take the time to look at the legislation they are proposing to put forward, to speak with the parties involved and to come to a solution that unites the province and unites the parties together.

A hoist amendment or a hoist motion, as I understand it, is that we go for six months. The legislation, Bill 21, that's been put forward here is a bill that I believe strips ambulance paramedics of their right to vote on a contract that affects their working conditions. They will get that chance to have a vote should this motion go forward. They will get that chance to negotiate freely and fairly with their employer what the terms of their contract would be.

That's something that I think every British Columbia would understand — that people should have that right to agree to a contract. They should have that right to freely and fairly bargain and not be told: "This is what it is, and too bad. You can't have any involvement in that."

This hoist motion is really an olive branch, in a sense, from the opposition to the government to say: "Here, I know you're out on the ledge. You've gone out to the ledge, and you are hanging out in another world where contracts don't really matter, where the ability to freely and fairly bargain between two parties doesn't matter anymore."

The government's out in this position, which I don't believe stands up to what the majority of British Columbians would think was fair. It's not a value that I think most British Columbians share. In fact, I know the Minister for Energy and Resources was speaking earlier today about the difficulty that he had with this bill and the challenge that he had in supporting this bill, although he did say he would support it. But this is an olive branch so that members like himself and members across the government — across the backbench, ministers — can save some face.

[1255]

The opposition is putting out the olive branch to them to say: "Come back in off that ledge. Come back in so that you can sit down with the workers who do so much for all of us — who take care of us in sick times, in ill times, in dangerous times; who look out for our families; who look out for our communities; who really care for each and every one of us in British Columbia; who care about the visitors to British Columbia; who care about the businesses of British Columbia; who care about the community volunteers of British Columbia."

They're the people who ensure that should an accident occur, should somebody reach the end of their life, should an illness happen, they're able to get the help they need in a fast, efficient and caring manner.

This olive branch, this hoist motion that we've put forward, would say to the government: "Put Bill 21 aside for a little while." I think it makes a lot of sense to do that. Government has rushed this bill forward. It came forward on Monday. By Wednesday we heard: "Oh, actually, we want to slam you with this, and you have to have it agreed to a.s.a.p."

It can't go on for a little while so we can have that time to listen to our constituents, to go back to our communities to hear from them, to hear from the paramedics

directly, to hear from their families, to hear from those cared for. "No, we're going to slam you with this Bill 21."

Well, I think it's important for all of us to take the sober second thought, take a sober second look, take that time to think through our actions, because as we hear — as we know in our hearts, I believe — such a bill is not something that should stand. It is not something that should stand, and it's unprecedented in this case.

I know that some of the members spoke about other times there was back-to-work legislation, but in those cases there was no voting going on. The parties weren't coming together to have that agreement. There was no vote that people were having.

In this case the paramedics were voting. In fact, I'm told they were going to vote today on whether or not they should agree with the contract that had been put before them, but Bill 21 strips them of that right. In fact, from what I'm told, it gives them a contract that is worth less than what they were voting on.

This hoist motion — this olive branch, this attempt to get the government to take a sober second look — is one that I'm very proud to support. It's a positive motion. I've heard my colleague the member for Skeena speak about it as a healing motion, something that could heal the rift between people.

As we all know in this House, British Columbia has become further divided in the last number of years, the last eight years. The gap between those who have a lot and those who have a lot less has widened and widened. We see that in the voting results — very, very close elections in British Columbia between the Liberal Party and the New Democratic Party. There's that sort of division now.

I believe that no matter what political party you represent, as MLAs we need to be doing our utmost to reach out to those we might have disagreements with, to those who we don't quite understand and bridge that difference. That's what this hoist motion gives the government the chance to do.

This is a government that has a reputation for not doing that — for not listening and not working and not having the trust of the people. But it's a government that can rebuild that trust, should it actually decide to support this motion that the opposition has offered to the government as a face-saving opportunity, an olive branch, a sign that...

If we can come together in this House, surely our paramedics and the Ambulance Service can come together, as well, and come up with a contract that works for both parties. In fact, as I mentioned earlier, they were voting on a contract.

Now, why is it so important? Why is it so important that we vote today or we vote tomorrow in support of this hoist motion? It's because it's about standing up for the values that matter to all of us — values that suggest that we should have the liberty, the freedom, to vote on

a contract in this case, to make a decision on what's best for our future.

[1300]

I know that the government often talks about how it wants to provide people with choices. They accuse this side of the House of being people who just like to plan every last moment of every person's life. Well, we know that's not the case. We know it's sometimes that trumped-up political ideology and partisanship, so I appeal to the government to stand up for what they say are their beliefs — their belief of choices, their belief of giving people the chance to make the best choice for their future and the chance to vote, in this case, on a contract.

Now I know that we have many people in this House who have worked in businesses, either as an employee or a business owner. I can't think of any businesses in this province that would get away with telling their employees: "Bam. We're going to force you to take this contract. Take it or leave it. That's it."

No, most businesses that I talk to, most business people, understand that you need to have the respect of your employees. You need to gain the trust of your employees, and to do that, you need to allow that free, fair collective bargaining between people. You need to allow that negotiation.

This hoist amendment, this hoist motion allows that to happen. It's within the standards. It's within the values. It's within the principles that make British Columbia such a great province — that freedom to choose, that freedom to be able to negotiate with each other. That's what brings us together. That's what has allowed this province to grow. That's what has allowed this province to reach a strong future for ourselves and for our children.

As members will know, this is not the most hospitable province in many corners because of the weather, the environment, things like that. But when we work together, when we listen to each other, when we respect each other, when we trust each other that we can come together, that's how we survive. That's how we blossom.

I know, myself, that Vancouver–West End is not a constituency where we get too much snow, where we struggle to stay alive, as I know some up in the north and the Interior have to, with heating the way it is. But there are those in our constituency who do, because they do not have homes. Certainly, we have talked about those issues before.

But the principle remains the same, which is about negotiating, about fairness, about listening to each other, about respecting each other so that we can build a great future together.

That's why this hoist motion is a strong one. It's a positive step forward for British Columbia. It speaks to our values. It speaks to who we are as a people — that

when two people are fighting, you bring them together, as they've been requesting, as they would have voted for today.

For months now, we've seen the call for an independent, third-party arbitrator to bring people together. That could still happen. That could still happen and end this contract dispute. Set out the terms, bring the people to the table, and you can get a solution. Great things happen when you listen. Great things happen when you work together.

It's also about standing up for free and fair collective bargaining — that principle which we've seen in the constitution — regarding Bill 29 and the HEU. Had the government of the day done such a motion as this hoist motion, had they taken that sober second look, had they taken the time required to really think things through, that wouldn't have happened. People would still be at work. The government would not have lost in the Supreme Court of Canada. No, there would have been respect, and a whole bunch of pain and hardship would have been avoided.

Now, I think that a hoist motion like this is important, because it respects the front-line workers. It respects the people that we rely on every day. It respects their ability, and it respects what they do for all of us, just as we need to respect all British Columbians — respect people who put their life on the line for us. That's the ultimate respect. I know that we all speak highly of those first responders in our community, whether they be firefighters, whether they be paramedics, whether they be the police. The list goes on — our health care professionals.

[1305]

But this gives the government the chance to show that they actually act upon that respect. Words are fine; actions speak louder. That's why it's so important that the government join with this side of the House and support this hoist motion.

Now, it can be very hard to be a paramedic, I'm told. It's a difficult and dangerous line of work. It can be hard to have retention of workers because it is such a stressful career. Some of the stories, as we've been hearing over the last couple of days about the horrors and the challenges facing these workers, bring chills to me. I think of my colleague from Saanich South, who read a poem in this House about a paramedic's time and the questions that remain after a call.

I talk to our firefighters, I talk to the paramedics, and I talk to police officers. They all share the same thing with me about how challenging and how rewarding the career can be. But it is tough: stress leave, needing counselling, not being able to get the images out of your head, not being able to sleep — those kinds of things. Those are dangerous things that people have to work through within themselves, and they do because they care for all of us.

Now, I was speaking the other day about retention, but also recruitment of paramedics. As we know, we have an aging population. We know it's challenging to get people to join our health care profession simply because sometimes we don't have enough people to do it.

I know my colleagues from rural British Columbia have spoken about the even higher challenges and the even bigger challenges they face in getting paramedics to work in their communities. I think it's very urgent that we support this hoist motion, because this hoist motion will help with retention.

This hoist motion will help the paramedics, help encourage more people to join the service, because it will allow for the tensions, the simmering anger, to be reduced. It will bring people together in a positive way.

Now, I got an e-mail from a fellow named Chris. I'd like to read it, because I think it speaks about this retention issue. He wrote to me:

"I recently had the opportunity to hear your speech at the B.C. Legislature about Bill 21 on television. You made a very poignant comment about questioning the likelihood of qualified applicants applying to the already short-staffed BCAS in the future for gainful employment. As an advanced-care paramedic who currently works in another province, I have been seriously considering the prospect of applying with the BCAS for a job as an advanced-care paramedic for quite a while. It had been my intention to apply for a position once the labour dispute ended...."

Deputy Speaker: Member.

S. Herbert: Yes, Madam Chair?

Deputy Speaker: Bring you back to consideration of the motion before you. You are now revisiting second reading debate.

S. Herbert: Okay, thank you.

Anyways, what he goes on to say in this e-mail — and I think that's why it relates so much to this hoist motion — is that he is reconsidering applying to join the B.C. Ambulance Service. He is considering not joining the service because of this Bill 21 and the ensuing rancour that will exist within the ambulance service and within the whole health system in B.C.

It doesn't have to be this way, Members. No. We do have a choice: to step back from the brink, to come off the ledge, to take the olive branch, to come back, to take that sober second look and to support this motion so that ambulance paramedics and their employer can come to an agreement.

That's what this hoist motion allows for. It supports retention. It supports attraction, so that people like Chris will be able to come to this province with a belief that the employer, the government, supports this kind of discussion, supports people coming together. That's what this hoist motion allows for and why I'm urging — urging — the government to support it.

That's why this side of the House supports it, for a number of reasons. It will help with retention. It will help lower the tone, lower the simmering anger. It will help lead to agreement, and it will save this government some face.

[1310]

Now, it's not often on this side of the House that we want to save the government some face — because, certainly, we're working to be the government.

I see the Minister of Tourism, Culture and the Arts laughing about that. But this time I urge the minister, and I urge the fellow members, wherever they may be, to save their own face and allow this opposition to save them some face, to give them a win, to pull back from the brink.

The minister could do that. The other ministers could do that. The members could do that. The backbenchers could do that and join with the opposition today in a positive action. Say yes. Vote yes, as they say.

Now, there are many e-mails that I get from constituents about this, saying thank you, thank you for opposing Bill 21, and urging us to find any way, any way to stop this. And that's what we're doing today with this hoist motion.

I speak of a constituent named Kerry. She says, "I would like to thank you for opposing Bill 21," and then, speaking, I think, to what we're doing with the hoist motion, she says:

"I encourage you to use all means at your disposal to defeat this legislation. If the government was upfront that this is due to the Olympics, then fine. But all this sneaking around the issues is just more Liberal tactics to push things through, to make them look good for the Olympics and to heck with the people of British Columbia and the people that are out there saving the lives of our loved ones and, who knows, maybe one day myself."

She says: "They have to be stopped, just like the HST has to be stopped. Regards, Kerry."

We're standing up today for people like Kerry, people who understand that we need to have respect for our constituents and respect for British Columbians. We're standing up for people like Kerry.

We're standing up for people like Chris, who wants to join the ambulance service. He isn't even in the province but is watching this debate because he's considering it. He's considering joining our ambulance service because he cares for this province. He cares for people, no matter where they are, and he understands that in order to be able to do your job you need to be able to have a positive working relationship with each other.

The hoist motion allows for that. The hoist motion allows for negotiation. The hoist motion allows for this House to respect the values of every British Columbian and respect the values of freedom, respect the values of liberty, respect the values of choice, negotiation, coming to agreement. It's about action. It's about real action — not slamming, not hitting, not the negative but about the positive for our future.

Now, I have another constituent, a woman named Karina who is urging us, as well, to use whatever means possible, means like the hoist motion, that would allow the government to pull back from the ledge and not enact Bill 21. Karina says: "I wish to thank you for your opposition to Bill 21, currently being debated in the provincial Legislature. This bill is fraught with" — and then there's a word which is unparliamentary, so I'll substitute "things that are not true" — "and would set a dangerous precedent if passed. Please use all means at your disposal to defeat this legislation."

Karina wants us to support this hoist motion. Karina wants the government to support this hoist motion, so that we can put it aside for six months, let there become a deal so that we can all work together, so that the ambulance paramedics and their employer can do that, can vote on their agreement — as they would be doing today if government hadn't used the legislative hammer to try and strip them of their rights.

I've spoken about how we have a province which is deeply divided. I've spoken about how discussion and respect will build trust and how that is so vital if we're going to retain our health care workers and our paramedics, if we're going to attract more people like Chris and if we're going to respect the wishes of people like Karina, people like Kerry. I think that's vital in this debate and vital for government to understand and listen to.

[1315]

Now, it's not easy sometimes to come in from a ledge. It's not easy sometimes to lose a little face, admit that you were wrong. It's not easy to be embarrassed and go: "Oops, we've flubbed this one." So I offer to the government today... I will say the government made a good choice, that I support their actions on this choice, if they vote for the hoist motion, if they vote for discussion instead of division, if they vote for unity instead of rancour.

That is the choice that is before us here today. Do we want our province to come together, or do we want to slam people and divide people and enrage people and take people's training, which they've put in years to gain, and take people's commitment to the health and well-being of all our people and ignore it?

Do we want to support a well-managed health care system, one that unites the province and that's a world leader? Or do we want to support a health care system that is demoralized with further cuts and loss and division? Is that something that we want to support?

I know it's not something we on this side of the House support. We support that unity. We support that well-managed health care system that is a leader. But to be a leader, you need to respect your employees. You need to respect those that work for you. You need to respect the people who set you up there to become leader. Now, each one of us here is a leader. Each one of us

has an individual vote. We can vote our conscience. We can vote for our constituents. That is something that I am hoping each and every one of the Liberal MLAs will do.

We've made it quite clear. We support a hoist motion. We support the unity. We support ending the rancour. We support pulling us together and fighting for the better qualities in all of us. We support the paramedics' right to vote on a contract. We support the values of liberty, of freedom. We support our people's right to choose, to choose a contract that's in the best interest of themselves and their families. Would any of us stand for it if we were told: "This is it — blam! You have no right to have a say in your life — bang! Forget it. You're out of luck"? No, we would not.

We would stand up for our families, as the paramedics have been doing for theirs. We would stand up for our communities, as the paramedics have been doing for theirs. They've been standing up for solutions, because they know that it's vital for the health care of British Columbia that paramedics be respected — so that they can do their jobs, so that they can get to the calls in a quick and orderly fashion, so that they can get there, into situations which are often disorderly, situations which are full of and fraught with danger, situations which would make our blood curdle, turn cold.

This hoist motion brings a little bit of sunlight into this otherwise darkened chamber, brings a little bit of hope into a dispute which has been dark, ugly, dismal and depressing.

Now the government on that side of the House has a choice to make. Do they support a dismal future for our health care? Do they support a depressing future for our health care workers? Do they support division? Do they support rancour? Do they support people not having the right to decide what's best for them? Are they a government by fiat? Are they a government by "might makes right"? Or are they a government that brings us together?

Now, I know that often we are angry, on the side of the official opposition, with this government for many of the things that I'm asking them if they are. Too often they prove to British Columbians that they do not trust British Columbians, and thus British Columbians do not trust them. This is an option where you can rebuild the trust. It's a first step. I know there's a long way to go, given what we've seen with the budget and the HST, etc., but this hoist motion gives you that option. Take it, government members. Take it. You have that choice.

[1320]

For each and every one of the paramedics in your communities, for their families, you can vote to support the hoist motion. You can vote to set Bill 21 aside for six months, let them freely and fairly collectively

bargain their agreement, or you could do what they've been asking for, for many years, and respect them. You can do that too. Respect them. Give them a choice and stand up for British Columbian values. Stand up for your constituents. Stand up for your communities. Stand up for the health care and the well-being of each and every one of us. That's the choice that the government has today.

[Mr. Speaker in the chair.]

Will they take it? I know that there are many who say: "Well, maybe not. I don't trust the government." They tell me: "We don't believe in this government. It's unlikely that they will do this. It's unlikely they will listen." But I cannot give up hope. I'm not sent into this place to give up. We're not sent here to say, "Oh well," throw the hands up in the air and say: "Government will do whatever it wants."

Sometimes, I know, the people of this province feel that way, and they do give up, and they wonder if there's any hope for them. That's why we see — partially, I believe — the turnout at elections diminish and diminish. But the government has a chance to rebuild that hope today, has a chance to bring us together, a chance to respect our paramedics.

On behalf of this side of the House, I urge them to do that.

Hon. M. de Jong: I move that the House stand recessed until 7 p.m. today.

On the motion to recess.

A. Dix: Just briefly — we don't want to replay the debate we had last night. I think I'm going to now defer, having stood up and taken my place in this debate, to the very distinguished Opposition House Leader, who will express briefly the position on behalf of the opposition caucus.

M. Farnworth: I note it is 22 after, and here I was thinking that at 25 minutes after there would be a motion, which I gather is now on the floor.

This side of the House will be opposing that motion. We feel that this is, in essence, the same thing that we dealt with yesterday. Our rationale is that we didn't need to be sitting today, that we should come back Monday. But I understand that the government does have the numbers and that we will be voting against this particular motion. Then the rest of the business will flow as it flows.

I think, once again, that this points out the need to recognize that a calendar is a calendar. If we observe that, then business flows much more smoothly. But with that, I note the time and take my place to have the vote.

[1325-1330]

Motion approved on the following division:

YEAS — 38

Horne	Letnick	Stewart
I. Black	McNeil	Chong
Polak	Krueger	Bennett
Hogg	Thornthwaite	Hayer
Lee	Barnett	Bloy
Reid	Lekstrom	Falcon
Heed	de Jong	Hansen
Abbott	Penner	Coleman
Thomson	Yap	Cantelon
Les	Sultan	McIntyre
Rustad	Cadieux	van Dongen
Howard	Foster	Slater
Dalton		Pimm

NAYS — 29

S. Simpson	D. Black	Fleming
Farnworth	Kwan	Ralston
Popham	B. Simpson	Austin
Karagianis	Brar	Hammell
Thorne	D. Routley	Horgan
Dix	Mungall	Chouhan
Macdonald	Herbert	Simons
Gentner	Elmore	Donaldson
Fraser	B. Routley	Huntington
Coons		Trevena

Mr. Speaker: The motion is carried. This House stands in recess until seven o'clock tonight.

The House recessed from 1:31 p.m. to 7 p.m.

[Mr. Speaker in the chair.]

On the amendment (*continued*).

B. Routley: It is indeed an honour to get up tonight to defend paramedics and to talk about this hoist motion and to talk about reasons why the motion to hoist — to give an additional period of time, six months, to reflect on this — makes sense.

The reason that it makes sense is.... When you talk to paramedics, one of the things that is first and foremost on their minds is time. Why is time important? It's important because there's a golden hour, and during that golden hour the clock is ticking, and there is very little time to save someone's life. Those paramedics know that when they get the call, they're going to be called on to step into action, and time is the issue for them.

[L. Reid in the chair.]

Now, we know tonight that we've only got limited time to talk about this, but during the time that all of the speakers will speak tonight, there are paramedics out there saving lives. There are paramedics out there dealing with the blood-and-guts issues here in the province of British Columbia, and they're not just, "Bag them and move them to the hospital" anymore. Paramedics are clearly a part of the health care system — an important part of the health care system.

The reason that we're talking about this hoist motion is to give the folks on the other side of the House the opportunity to actually listen and to think about what they're doing and to step back from these decisions that they're making.

You know, I talked to my friend Mike Berry a little while ago about what was going on, that we would have this hoist motion and that we're looking for more time for common sense to prevail, for government to come to their senses and to say: "You know what? We can walk away with dignity. We can adjourn this House, and we can have time to give mediation, arbitration a chance — to sit down and allow the MLAs on both sides of the aisle to go back and hear from their constituents on this important matter."

We owe it to those paramedics to listen carefully to their issues. They're not some kind of militant group. They're a very kind and caring bunch.

I want to talk about another one of them. My wife is here with us tonight, and she'll recall this. Back in the 1980s we had a tragedy, and it involved our family. A little girl drowned and lost her life, and there was Keith Chance, the ambulance attendant who came to that call.

We will never forget what that man did when he came in, because he offered hope in what we thought was a hopeless situation. That little girl lying there with a lifeless body, hon. Speaker, and all we could do was pray and hope, and Keith Chance came in, and he did his best for us and for our family. One thing that we'll never forget is that when he took that little girl and turned on the light and went to the hospital, he was giving us hope.

[1905]

He put his arms around my wife, and he encouraged her. She was beside herself, as you can imagine, along with the rest of the family, in dealing with that tragic situation.

You know, the least I can do is to be here tonight defending those ambulance workers and paramedics who for years have defended family after family just like ours, and we'll never forget them.

Recently we ran into Keith Chance. He's now the unit chief in Mill Bay. Now, all these years he's been working as a paramedic and working for the B.C. Ambulance

Service and committing hundreds of hours, giving of his time to take care of ordinary families throughout British Columbia who happened to have an accident or an illness or a heart attack. Who do they get? They've got a wonderful man like Keith Chance that shows up at the door. I know there are literally thousands just like him that have committed their lives to taking care of the injured and the dying, whether it's at a car accident or whether it's....

I hope that nobody on that side of the House has to go through it, but while we're talking about it, I want the people on the other side to think about the fact that at the end of their life they could be dialling 911, or they could be poking a spouse or a family member and saying: "You better call 911."

Who's the first face that they're going to see in their hour of need? It's going to be a paramedic. They're going to be there to do what? They're going to be there to help deal with that crisis, and they're going to be there to give hope — and not just hope. They're going to take action to save lives. They've saved thousands of lives of British Columbians in the province, and we ought to be putting them up on the honour board, not treating them with disrespect. It is absolutely unacceptable.

Interjection.

Deputy Speaker: Hon. Member. Hon. Member.

B. Routley: When I think of this hoist motion and the reason why we're asking for more time and asking the other side to think carefully about the opportunity to have a sober second look.... I heard someone talk about a sober second look.

Has anybody on that side thought about all of the people that these paramedics, day in and day out...? They have to deal with people — whether it's mentally having a problem or alcohol or drug abuse — every day on the streets, some of the most difficult situations that you can imagine, and do they shy away? No, they charge right into that situation, and they take care of those people, and they treat them with dignity and respect.

When I get an e-mail from a paramedic who is saying, "Here's this government treating us with absolute contempt," after all their years of service, they feel abandoned by the very government that is there to deal with their issues.

Instead of mediation or arbitration, what do they get? They get a government that is ramming them through, and they're feeling is that it's all about the Olympics. When I think about this hoist motion, it's giving time to reflect on why we need to take a step back.

When I talked to Mike Berry just now, he told me something that really concerns me and ought to concern every British Columbian. Do you know that there

are 12 venue commanders — 12 of them — who have been preparing for months for the Olympics? They're volunteer positions, and time is running out. In fact, it's run out.

[1910]

My friend Mike Berry tells me that they have all resigned as a result of this government's action because they feel so disrespected and so dishonoured. They're asking themselves: "Why am I volunteering to help out when it ought to be a time of pride for everyone in British Columbia?" That includes paramedics — especially paramedics, the people that we rely on.

You've got thousands of people coming to British Columbia to protect their health and safety, to deal with crises or accidents or injuries that will most certainly happen at these events. I am saddened. That's why we need more time to think about this, and I ask the other side to think carefully about what they're about to do.

They can step back and have their dignity by saying: "You know what? We've still got the heavy hammer, but we can just let this one go for a while. We can take a step back, take a week off, let the Legislature go away, then bring in some mediation-arbitration, sit down with the parties and get serious about finding an agreement."

The one thing that I know about needing time is that it takes time for people to wrestle with difficult issues. If there is a real focus on maintaining the morale of B.C. paramedics, of enhancing the chances that these people are going to stay around and want to improve their careers, like so many of them want to do.... These are special people — very special, dedicated people — very unusual. We need to attract more British Columbians into the paramedic service in British Columbia.

Without time to step back and think about what we're doing, hon. Speaker, we could very well be setting the stage to lose more and more and more paramedics. I've seen the e-mails. I don't know whether it's just emotion on the part of those brothers and sisters who are e-mailing me, saying: "You know what? We're thinking we're out of here." After 30 years or more, some of them are talking: "We've had enough. We really thought that this chance...." They believe that they're fighting....

This isn't just about wages. We need time to take a look and ask the other side to go back and talk to those paramedics and find out what it's really all about. They'll learn that they believe that the paramedics and the B.C. ambulance system is broken, that they need more training and retention work. They need the equipment that they rely on. It has to be top-notch.

I want to talk about what they do when they have a heart attack. There's the ABCs — airway, breathing and circulation. Those are the ABCs, and....

Deputy Speaker: Member, you need to refer to the motion. You are now revisiting second reading debate.

B. Routley: Well, I won't argue. You're right, as usual, hon. Speaker, and you're doing a fine job of it too.

I might add on this issue of the time that we need and the reason that we have this hoist motion, hon. Speaker — and thank you for pointing that out — that the hoist motion is there for a reason, and that's to give time. Part of the way that they give time when somebody has a heart attack is that they are able to resuscitate. They've got the first-line drugs right there in their ambulance, and they've got defibrillators that they can put into action right away to help save lives.

You know, morale is at an all-time low, and that is not what we need in British Columbia. That's why we need to take the time to step back. We can step back from the cliff here and have the MLAs on the other side have a second look at what the opportunities are, the kinds of things that they can do.

[1915]

I am saddened when I hear the kinds of things that paramedics are saying as far as talking about this hoist motion and what will the future hold for them. Mike Saunders, for example, says:

"I'm having great difficulty understanding how paramedics deserve the level of outright disrespect shown to us by our provincial government. I've been a paramedic for almost 30 years, and I have an impeccable record, as do most other paramedics. The only thing we've ever asked for was respect from our employer and to be treated in a fashion as other emergency professionals."

"Yes, we have consciences, and we understand the role required of us. Why does government feel they need to disrespect us by initiating legislation or not taking the time to step back, as this hoist motion is providing?"

He goes on. This is Mike Saunders, and he says:

"I've provided emergency service to many people over the years that have spit on me, that have tried to harm me with weapons."

They've cursed at him, scratched him, punched him — "other multiple attempts to harm me" — but he points out that those people were sick and injured, and they have an excuse. He was dealing with it with dignity, but this government doesn't have an excuse.

There's no excuse to not give more time through this hoist motion. It's a perfect opportunity. If there was ever an opportunity, we're providing that with our motion to hoist this, to take time.

When you think about it, that time is going to coincide with future negotiations that are coming up. It's not just a one-time event. You can't disrespect people and then think it's going to go away. It's not like a light switch. You can't just turn it on and off like that. People are going to remember for a long time. You're setting the stage for a very difficult situation. We've got time right now, with this motion, to step back and do some thoughtful approach, to go back to the constituencies and listen to what they're telling us.

He goes on.

"My mind does not compute this government's kind of thinking. In my job description, it's to serve the people of the province in their time of need, and I fulfil that obligation. Why" — he asks — "oh why am I treated with disrespect for doing my job?"

"The government's obligation is to serve all of the people of the province of British Columbia, yet they hold themselves above the law and do whatever they please with impunity. I just don't understand. The people of this province should be outraged and ashamed to have such persons at this position, to abuse those of us that are there caring for and treating the sick and the injured."

That was Mike Saunders from Vernon, British Columbia, talking about why we should step back and take time. This government needs to listen. We've got time, but time is clicking away, and I fear that this government is going to drive by the scene of the accident and leave these paramedics in the rearview mirror. That's shameful. That's not what these paramedics would do. They wouldn't drive on by; they'd stop, and they'd listen. They'd take the time to go into action.

That's why the opportunity to amend this and to talk about the time, this important amendment, is critical at this juncture — to give the opportunity to step back and take a sober second look.

While we're taking the time, we've got another one here:

"Attention: I have worked as a paramedic since 1985 and, yes, I've seen it all. I've treated people with emergencies in their homes, at work, on the streets, in water, over cliffs, under bridges and many other places.

"I've treated children set on fire by their parents, women bludgeoned by their husbands, people hacked by machetes, shot, stabbed, beaten and even raped. I have cared for people when they have become ill with a heart attack, cancer, drug addiction, mental illness and a myriad of other illnesses and disease. As well, I have cared for people when they have accidents — some big, some small.

[1920]

"I'm a paramedic, an emergency worker. Over the last 10 years the Ambulance Service has fallen behind what it once was."

Again, that's why we should take the time to step back and have a sober second look to review what we're thinking about doing here.

He goes on:

"The population has increased, and the number of ambulances has not. Response times have increased, our shifts are long, and we no longer get the kinds of breaks that we really need. Our equipment is often faulty or missing. Our ambulances are plagued with problems that can be critical, such as brakes and mufflers. Many stations don't have permanent accommodation.

"In Port Moody, where I am currently stationed, we have had Atco trailers for five years. It's not safe, it's not good for morale, and it's not good for our city."

This is most important when we're taking the step back to think about this — through our amendment to hoist this. Take six months to step back. He says: "For me, this strike is not about money. It's about care and the safety of the people of British Columbia."

They care about the people of British Columbia. They care about providing good quality paramedic services throughout British Columbia. They're an extension of our emergency system in the hospitals. That was a report done years ago — that that's what we should have. And they can do a lot more than just beg and run like they used to do 40 or 50 years ago.

Now with the state-of-the-art, first-line drugs that they can put on the defibrillators and all the other things that they can do, they're saving lives. And we want them to continue. We want that service to grow.

We want to encourage young people to be paramedics. How do you think they're going to feel, hon. Speaker, if we don't take the time to step back and think about what we're doing through this hoist motion? How can we possibly think young people are going to be attracted to this when they're looking at what is the heavy hammer of government coming down to force people back to work — while they're voting on an agreement, I might add.

It's amazing, and it's dishonouring to good people, caring people, people that will treat you with dignity and respect every day. They're out there treating people with dignity and respect who are stabbing them and shooting them and biting them. Think about that. It's unbelievable, the outright heroism that is going on. They're heroes in my mind. Every one of them should be brought in and given a hero's award and a parade.

But no, we're going to bring down the hammer. That's why we're asking this government to step back and why we brought in this thoughtful amendment for us to consider this evening. We hope that the government is listening, is thinking carefully and thinking about the options, because these are real issues.

We're not making this stuff up. There are literally hundreds of e-mails coming in. I'm sure that whether you're on this side of the House or the other side of the House, they're hearing from their constituents. That's why we need to take the time to go back home, to do the real work that we're here, and paid, to do. That's to listen, to be democratic and to care about people throughout our community.

"Pressing forward with this action" — he goes on to say — "is going to cause labour unrest and will do nothing to improve the care that the people of British Columbia deserve. Please think about the people of B.C. and vote to get us back to the bargaining table."

Through hoisting this motion, this motion that we brought forward, we're urging the other side to listen carefully and to follow that, to decide: "You know, there's another day. We can fight it another day, but we, today..."

You don't have to die on this hill, to the other side. They don't have to die on this hill. They can go back, take a step back and realize: "You know, this is a mistake."

[1925]

We're chasing people away from the Ambulance Service. People are quitting. These commanders at the Olympics... Quitting is a terrible, terrible outcome. I just can't think of anything more difficult than for them to be stepping back.

When you think how the reason that we need this time is also the fact that the government in the past has made some mistakes... You know, I've made mistakes. I

used to joke and say that I tried making a mistake back in 1984, and I didn't like it, so I don't do that no more.

I am a bigger man than that. I know that I make mistakes often. I'm man enough to say that I have made a mistake once in a while. My dear wife — I'm glad she's here to know about it — knows that I've got plenty of mistakes to talk about, but I'm not going to go through that.

But I see that ramming this through is a mistake. They have got an opportunity to step back. We should step back, and the government should listen.

Another one of the paramedics talking about the critical situation that he finds himself in, and this one really is so sad....

Deputy Speaker: Member. Member, please take your seat.

I am reluctant to bring a member to order in the presence of their spouse. However, you do know that that is a revisitation of second reading debate. Please confine your remarks to the motion before you.

B. Routley: Thank you, hon. Speaker. I don't mind at all. You're certainly entitled. There's another example of where I can go off-track once in a while. You're right.

There is time for further bargaining if we deal with this hoist motion in an honourable way. That's what we're thinking about. We're talking about taking the time to deal with these paramedics in a way that's respectful.

You know, labour relations issues in the province of British Columbia are always dynamic, but they have far-reaching consequences with these kinds of actions, and that's why it makes sense to take the time at this juncture — this hoist motion, asking for six months — to step back and to consider once again the idea of mediation-arbitration.

That's one option. The other option is to go back, to have all of the MLAs go back and listen to their constituents — not just the paramedics. Go talk to other constituents, because we're not hearing just from paramedics. There are a lot of other people out there that are very concerned about this, saying that we should take the time to step back, let sanity prevail, let cooler heads prevail.

We'll allow everybody some breathing space to sit down at a table and say: "You know, how can we sort this out?" There's nothing wrong with going into bargaining with paramedics, given enough time, and saying: "Look, we have got a difficult economic situation in the province of British Columbia."

They understand that. It's not just money. As I said before, mediation-arbitration, a third party.... He's going to look at what's going on in the province of British Columbia and what other employees get paid. He's going to look at all of their issues, including the concerns about equipment and the concerns about safety issues — a lot of the things that need to be addressed and ought to be addressed if saner heads were to prevail.

Hon. Speaker, I can see that the clock is running by, and I have little time left, but I just want to say that it's been an honour and a privilege to stand up and speak in this House. When I think back on the people, those faces that were there to help.... They were there to help, and I think that anybody in this House that has ever had anything to do with any paramedic....

We should take the time to go home and talk to a paramedic, maybe hug a paramedic. You'll get a whole different approach. I know that when I think about people like Keith Chance or Mike Berry, I just want to hug them, because they're the kind of people that are out there saving lives, caring about real people every day.

[1930]

It's an honour to take a little time to talk about what they do and to talk about this hoist motion and why we ought to take a step back.

I know there's not a whole lot of listening necessarily going on. People have got their minds made up. They're going to ram this through. But in a democratic society, where we have the opportunity to make motions, we have an obligation to bring forward a hoist motion like this on behalf of those paramedics and do everything that we can.

N. Simons: It's nice to be back in the House. I've been away for a couple of weeks dealing with the entire reason this legislation is before the House, apparently — the H1N1.

More seriously, obviously there are other issues that are impacting the government's decision to do this, and I'm not going to revisit the debate. I wasn't here for the debate. Is it possible to revisit it if I didn't visit it in the first place? Oh, all right. I was visiting it. I was watching at home and watching the introduction of the legislation, and I was certainly very anxious to be able to have an opportunity to add my comments to this.

I was disappointed, not just as a representative for a community, but as a legislator. I just have to take issue with legislation that I consider faulty legislation. Maybe I can say at the beginning that every single one of my comments relates to the need to take a second look at this and to give government the time to step back from the brink and try to approach this issue with a cool head and with an open mind.

If at any time it seems like I'm speaking to the original bill, banish the thought, if I may ask. It's purely about making sure that these issues get raised, and perhaps we need time to raise them.

I was very troubled by the fact that ambulance paramedics are being treated in this way. I agree with every statement my brothers and sisters and my colleagues here have said about such an important job they have, one that many of us would find extremely difficult to engage in.

I don't think that we should do this to anybody, regardless of their job, regardless of the stature of their job

or the importance we feel the employees give to us as a community. I think, you know, it makes it perhaps more egregious when you juxtapose a profession that is engaged at its essential core in helping people at their worst time and forcing them to accept something they didn't accept, calling it a collective agreement when it's not a collective agreement. This is the kind of thing that needs to be revisited. I think we're in it.

We're at a juncture, I believe, where the entire notion of allowing collective bargaining is being questioned. I see this effort as extreme as defying essential services orders. It's the employer's equivalent of an essential service provider breaching their orders. I point to an article in June, when the minister said that he would not want to interfere in the dispute.

I specifically mention that because perhaps the minister forgot that at one time he thought it best to stay away from this particular issue. Maybe he needs to be reminded so that he'll take full opportunity of this hoist motion to stand back and say: "Wait a minute. I didn't change my entire philosophy of this overnight."

[1935]

By any means, this is not a new problem. I believe that when the facts are analyzed.... It's clear to me, and it's clear to my colleagues, and I honestly believe that it's clear to most of my colleagues opposite as well.

I give them the humanity to know that they're under extreme pressures, obviously, to support what they can.... I have friends among the group opposite. I don't think that they have any ill will to paramedics. Yet they, by their silence, interrupted by the occasional desk slap, seem to be tacitly supporting what is essentially the removal of our right to collective bargaining. It's not just the right to collective bargaining. It's during the vote on a contract proposal. It's during a vote.

I would love to have the energy of my colleague from Cowichan Valley today, but I'm just regaining my strength. It's with that passion that I am speaking on behalf of paramedics.

I represent a constituency, Powell River–Sunshine Coast, that happens to have urban paramedic stations, rural paramedic station and a remote paramedic station. I hear the minister, and I think the minister gives justification, in fact, in his comments for the postponement of the enactment of this legislation, for the delay of second reading.

I believe he actually supports that in the words that he says — that they need to look at the issues of rural B.C. They need to look at the issues of remote ambulance stations. But that's not a new issue either.

That issue has been brought up in this House numerous times. In fact, a motion was debated in here in November of 2008, which I believe summarized the need to treat ambulance paramedics with respect. In fact, members who still sit in this House on the government side, in the government caucus, spoke in favour of our motion to support ambulance paramedics.

They stood, and they proudly talked about the paramedics in their community. They talked about the jobs that they did and how it takes a special person to be able to rush out to deal with what most people would not want to or be able to deal with, in terms of the death and disfigurement and tragedy and horror.

They do it willingly, and we respect that. The members opposite on the government side at the time stood and said how much they appreciated it. Now I look across, and I wonder what happens in a place like this, when our words become put in the attic or in a box when the moment arrives where they really have to support the paramedics.

Well, they're silent. They're silent. I think they need time to consider that. I truly believe that every paramedic who's spoken to an MLA on the government side believes that that MLA is going to represent their interests. Their interest is not to support a \$2-an-hour pager fee. Why do people in the rural parts of this province...? Why should they expect their health care to be provided by people who have a pager and get paid \$2 an hour waiting for a call?

This is the kind of question that would be further examined if we had time to do so, by supporting this hoist motion. For the people in the gallery, we're hoping to make a point that by delaying the enactment of this legislation, we allow due process to occur, due process that doesn't just happen by itself.

[1940]

A concerted effort and good will need to be part of due process, to respect the boundaries of good negotiation and to respect the results of that good negotiation. We have a vote happening now, and yet we have the backdoor legislation. We're saying with this hoist motion.... This motion that the loyal opposition has put before the House and that deserves serious debate could potentially avert what I would consider, if not a permanent resentment, a very long-lasting and deep-seated resentment between the parties. That's why we need to take time and step back.

I wouldn't put it past.... I would not be surprised if members of the government side agreed with this hoist motion. It's entirely reasonable. It's what people have elected us to come here and contemplate: what is the best way for us to do our job?

If we actually have before us a piece of legislation that isn't good, perhaps the opposition should be.... Not perhaps. The opposition is there to say: "You know, here's your get-out-of-jail-free card. Don't go ahead with this legislation."

It is not what the people of British Columbia want. It's not what the patients of British Columbia want. It's not what the paramedics want. It's not what anybody wants except for a very small little cadre, probably, who wield an authority that's difficult to stand up to — obviously, because we have direct contradictions.

The silence, that consent that the government caucus is giving to the original legislation can be undone, can be corrected. The impasse can be mitigated by the support for this hoist motion. We're providing the government with a mulligan, I think, and I think that they need to use it. I'm one of six kids, and I know how hard it is to sort of have to admit, you know, that you might have messed up.

Perhaps it's unprecedented for government. I don't know. I don't know the history enough, but maybe it's unprecedented for government to change its mind on a piece of legislation. That's a tragedy. To me, that's what the democratic process should be about.

What I see in this debate is 30-some of us standing up and saying "our side...." I was watching it at home before the hoist motion was introduced, and I thought: "Oh, I'm bored. I'm hearing the same thing over." But every one of my colleagues.... I don't mean any disrespect, but it is tiring. You sit there with the flicker, and you have the mute button if you need it.

But what about the other side? If in fact there's a reasonable argument, I would love to hear it, because I consider myself.... Despite rumours to the contrary, I'm rather level-headed. I think that when we have good arguments, we'll contemplate them. We'll consider them.

Hey, this side votes with the government on a number of pieces of legislation. We say: "Sure, we'll agree with that." Sometimes we'll agree with that while our eyes roll and while our fingers are crossed behind our backs, and sometimes we'll disagree with varying degrees of anger or vitriol.

But here we have an opportunity to say that 99 percent of the population of British Columbia does not believe that we should stand with the legislation before us, and we should put it off. I think everybody would see.... Those people who stood against their government's bill and who supported the hoist motion would be seen in a positive light, in a bipartisan positive light. Don't make me repeat that. Bipartisan positive light — yes.

[1945]

And there's nothing wrong with that. There's nothing wrong with that. In this case.... In fact, especially in this case, this is unnecessary — to have this legislation. We need time to contemplate that.

Everybody has got to step aside. There should be some referee coming along and saying: "Break it up here. Wait a second. This is not how we resolve disputes in the province of British Columbia. This is not how we do it."

My first experience with labour strife was when the teachers were forced back to work in Quebec. I led a walkout of the high school students and got a lecture on anarchy from my principal. But here we have a situation where we have an opportunity to recognize that the hard-fought rights of collective bargaining are about to

be vandalized if we don't pass the hoist motion — vandalized, disrespected, trashed, whatever word you want to use.

You know, we need time. We need time to address the other issues that are facing paramedics. In my constituency we had a situation where the unit chief in one place said that she thought she needed to put an "N" on the back of the ambulance because of the driver. She wasn't sure if the driver had actually completed that level of driving. He was, like, 19 years old.

We have people coming from the Lower Mainland up to Madeira Park. They spend \$50 to get there on the ferry plus 12 to 20 bucks in gas and a bit of food. They end up paying in order to be providing emergency response to our traffic victims, to our people who are hurt doing household chores. They're coming up and they're spending money to protect my constituents.

What do they get in return? In fact, I should just let that out there: what do they get in return? How does the government treat people like that? Well, it's so self-evident. I find, perhaps, the silence from that side — with very few exceptions.... Perhaps if that silence were broken there would be a flood or an explosion of sound.

I can't see how any member.... I know that there are members on the government side whose family work as paramedics. I just don't understand how it is that they can reconcile their supposed esteem for paramedics.... How can they juxtapose that with their silence on a bill that takes away their rights? That, to me, does not make sense. It does not make sense.

Deputy Speaker: And the member is bringing his comments back to the motion?

N. Simons: Thank you, Madam Speaker. I would have reminded me too, and I thank you for that.

Just simply, as I stated at the beginning, this is legislation that needs to be put in abeyance, in effect. I believe that's the purpose of our motion on the floor, the motion that we're going to debate tonight and the motion that I'm hoping gets passed by members who know that they will have the complete support of their constituents. They will be doing their people's will if they support this hoist motion.

If they are members from Burnaby, or from Kamloops, or from Nechako Lakes — who spoke so eloquently in November in support of the paramedics — where are their voices now in support, when the paramedics need support? It's all well and good to say nice things when, maybe, not a lot of people are listening. But as they say, this is where the rubber hits the road.

[1950]

It's not going to be very difficult for paramedics to know who supported the hoist motion and who didn't. Obviously, the opposition party will make it quite clear to anybody who will listen that the government had

been attempting to pass legislation that was unfair, ill-thought-out and disrespectful to the intended targets.

I have a letter from a paramedic. We imagine what we think paramedics go through. We hear everybody talk about their particular profession. I thought child welfare was a difficult profession. It was a difficult profession, and there were times when we thought we weren't being dealt with, with respect. I'm sure that police officers sometimes feel that way too.

But here it's like the legislation is the proof, and we're offering an opportunity to say: "Put that aside. We don't need that." Nobody wants a government to pass legislation that isn't in the best interest of the public. Put it in abeyance. Put it off.

This is a letter from a paramedic in my constituency. I'll just take some quotes out of that. "I'm shocked that the current government would treat paramedics with such disdain." I want to just point out that I didn't tell paramedics to be upset about this. I did not tell the paramedics to write letters and to get angry and to foment dissent, but I got this letter anyway. Most people only see the paramedics driving around, or they see them in the hallways of the hospitals. I am hoping this can support my argument that we need more time. We need to put this in abeyance.

"Unless you've worked as a paramedic, you can never really understand the scope of our career." She talks about going to families' homes in the middle of the night when someone has suffered a cardiac arrest, leaving children without a father. She talks about suicide attempts of senior citizens who have had a difficult life and who have few supports.

Paramedics, I think, are often the first responders, but they're often social workers, and I think they often have to do an awful lot of mental health work and addictions counselling. I think that the scope of their work is very broad, and they often don't know what they're driving up to when they pull into a driveway in the rural parts of my constituency.

I might point out that when the ambulances get to the homes in the rural parts of my community, they do so because of global positioning systems that they've bought themselves, because they don't get provided those. If they do a water rescue, they have safety equipment that they've purchased themselves, because they don't get water rescue equipment purchased for them.

Deputy Speaker: Member, you will come back to the consideration of the motion.

N. Simons: Thank you, Madam Speaker. I'm sure you and all my teachers could share notes at some point.

This is my opportunity to say to the government side that this should not be a place where we disagree. This is one of those places where most people with an objective perspective could look down and say: "This is where you

probably will agree on things — that paramedics should be properly compensated, that they should have working conditions that are such that they can do the job to the best of their ability, that they shouldn't be paying for their own training, that they should probably be getting paid more than \$2 an hour while they're waiting for calls."

That is essentially at the core of the argument that the opposition has put before the House, to say: "Step away from this legislation. It sends a bad message to paramedics."

You know, it sends a bad message to kids. This is not how you resolve disputes. It's not how you resolve disputes, especially after you say that your intention was never to step in.

[1955]

We're saying to the minister that his back-to-work legislation was premature. There are other methods available. There are other ways of achieving a goal that will result in protecting the best interests of British Columbians. There are better ways.

We're saying: "Put this bill aside." Let's not do second reading. Let's put it off. Let's hope that the sober second thought.... You'd hope that the first thought was sober, just on the record. You'd hope that the first thought was sober. But in this particular case you especially hope that the second thought was sober too. Then you start to wonder. Even after sober second thought, it seems that it's not making sense to the government side, from all indications.

They've got more on their team. They get to pass whatever legislation they want. The government side wins every vote. It's like we're the Washington Generals. You know, at some point it's not about entertainment. At some point we need to see legislation that reflects the public interest. That's everybody's job. Aren't we sworn to do that? I'm sure we swore on something. We did. We swore and affirmed that we would do the best for the people of British Columbia.

Here, with this immense volume of evidence to suggest.... Based on precedents, based on impressions, based on current events, this mountain of information and facts say that this is bad legislation, and we need to put it in abeyance. Despite all that, the government goes boldly forward in a way that.... It's just this bulldozer effect. Maybe once you sit in the bulldozer and you drive over enough things, you start to like it too much and press on the gas. When someone says, "Just a second; can we stop you here for a second?" be careful, or you'll get driven over too.

I'm sure that paramedics in my constituency are horrified that there's a possibility, from news accounts, that the government will not likely want to support the hoist motion. I'm just getting that impression. I'm not a pundit, though, so perhaps I'm wrong. I'd like to be wrong.

I'd like to see ten members of the government's side express to their constituents their true feelings about

paramedics. If they don't, I don't think there's going to be a lot of room for interpretation among the people in their community.

There are so many reasons. If you look at the problems facing the Ambulance Service now, the result of this back-to-work legislation or the result of a failed hoist motion will be that those disputes become more intractable. I think that's the word. They become more set. They become deeper, more deeply held. The resentment is worse.

It's unnecessary, and that's why I'm asking the government, asking my colleagues on both sides of the House, to contemplate what it is that their constituents want them to do. There is no urgency to the back-to-work legislation. There is no urgency to that. If you think the arguments used by government were real, read them again.

The hoist motion will allow for all parties to contemplate better ways of resolving disputes.

[2000]

We need to respect our paramedics, and by supporting this hoist motion put forward by Her Majesty's Loyal Opposition, members of this House will demonstrate whether or not they support the ambulance paramedics of British Columbia.

Thank you, Madam Speaker, for your indulgence. With that, I'll cede the floor to the next speaker.

Deputy Speaker: The member for Columbia River-Revelstoke seeks leave to make introductions.

Introductions by Members

N. Macdonald: We are joined by a number of guests here — paramedics who've come on a Friday evening. It's eight o'clock. I have some of their names. I just want to introduce them and then let the House make them welcome and thank them for coming here.

The first is Michelle Friberg. She's a paramedic. We thank you for the job that you do and for coming here tonight. I ask the House to make her welcome.

As well, we have Miguel Campo, a paramedic. We thank you for the job that you do and for coming here tonight. I ask the House to make him welcome.

We also have Rick Atkinson, a paramedic. I ask the House to make Rick feel welcome here tonight.

We have Shane Edwards, a paramedic and CUPE 873 regional vice-president. I ask you make him welcome.

We have Aggie Pringle, who is a paramedic from Sayward. I ask the House to join me in welcoming her.

We have Andy Cowie, a paramedic. I ask the House to join me in making Andy welcome.

We have James MacFarlane, a paramedic. I ask the House to join me in welcoming James here.

We have Geoff Waygood, another paramedic. I ask the House to join me in welcoming Jeff.

We have Sara Moffatt, a paramedic. I ask the House to join me in welcoming Sarah.

We have Tracy Horricks, and I ask the House to join me in welcoming Tracy.

We have Christine Heatley, another paramedic. I ask you to join me in welcoming Christine here.

We have Tanya Bellagente, a paramedic and CUPE 873 regional vice-president, and I thank Tanya for coming. I ask the House to join me in welcoming her.

Just to thank you for being here and to thank you, as well, for the work that you do.

Debate Continued

Deputy Speaker: I will take this opportunity to remind all members that the debate consideration this evening is for the motion before you.

G. Coons: Hon. Speaker, I'm here, and it's an honour and privilege to speak to Bill 21, the "ambulance services imposed contract" act. I don't think we can call it a collective agreement. I think everybody in this room can agree that it is not a collective agreement. That's why we need to support the hoist motion before us.

We need six months to sit back, reflect on what's happened in the last year or the last two years. It isn't just the last year or two. It's a collection of decades where we've allowed our ambulance service to get in a critical condition.

I represent the paramedics in Prince Rupert on the north coast, in Prince Rupert, on Haida Gwaii and on the central coast and Bella Coola. But I don't represent paramedics; I represent my constituents. We in this House represent British Columbians.

This motion before us, this hoist motion, is what we need to do to ensure that we have labour peace in the province, that paramedics are respected for the job they do and that we can move forward in continuing the best ambulance service we have in the country.

We need the six months so that we can reflect on the 3,471 paramedics in the province who work out of about 400 or 500 ambulances, who did 534,000 calls in 2007 and 2008. If you take these numbers in perspective, paramedics made contact with one in eight people living in the province of British Columbia.

[2005]

If you compare that elsewhere, you can see very quickly that our paramedics, our ambulance service, are not only the busiest in the country but the most dedicated, the best trained. They deserve six months for us to sit down and reflect on what we're doing with this imposed contract.

I'm a teacher, and quite often I become.... I'm over-prepared. I get hundreds and hundreds or thousands of letters and e-mails about this situation, and I try to put it in perspective. I come to this Legislature, go to meetings,

travel throughout the riding I represent and throughout the province, and I listen, because my role is to learn and represent the feelings of British Columbians.

The last thing I want to do is be in a bubble, be the only one that's in this bubble, all by myself. I think we need this motion to hoist and have an extra six months so that we give a gentle nudge to the bubble that the members on the other side are in.

I would hope — over the next few hours, couple of days, as we debate this hoist motion and move forward with trying to actually have a collective agreement versus an imposed one — that it is our job on this side of the House to just burst that bubble this government is in so that they realize we need six months, at least, to look at where we need to go with our ambulance service in this province.

I'm not too sure if it's the whole opposite side, the government side, that's in the bubble. We have the opportunity to burst that bubble and allow us collectively to have six more months, with this hoist motion, but I have a feeling that the minister is in his own bubble — the ultimate bubble boy, I guess. I think that our job today tonight, and however long it takes, is to get the members on the other side of the House to have their bubble burst so that they can approach the minister and burst that big bubble he's standing in.

There are many reasons, I believe, we need to have an extra six months of reflection. We need this hoist motion. I'm trying to put it in perspective so that I am not getting off the reason I'm talking. I've got some reasons here why we need to hoist the bill before us, this imposed contract. It's a regressive piece of legislation. It's an assault against free collective bargaining. It's a deliberate attack against our valued ambulance paramedics.

Another reason we need to hoist this piece of legislation is because it's not in the public interest. There has been interference by VANOC in the free collective bargaining process. It does nothing. If we pass this and do not hoist it, it will do nothing for the systemic problems that we have daily in our ambulance service. It's an outrageous and callous interference during a strike vote. It will cause undue labour disruptions throughout the province.

This bill before us — this "ambulance services imposed contract" act, which needs to be hoisted so that we have that reflective thought — exemplifies the contempt and disrespect for the people who ride in our ambulances and all of the ambulance workers.

One of the key reasons — I'm going to start off with this — is that basically, not one government member on the other side, except for the Minister of Energy and Mines, stood to defend the reason for imposing a contract on paramedics. There might be some really good reasons. We don't know that.

In my comments, hopefully, I will be able to get through all of the ten reasons why we need to hoist this

and delay for six months, because there are many, many reasons.

[2010]

I've heard from so many people, as we all have, as government members have heard. I hope I have an opportunity to get to some of them, but I have an obligation to acknowledge and recognize a paramedic chief in Port Clements who e-mailed me to talk about the reason we need to hoist this bill before us. I'm going to get to that.

This is Terry Mitchell. He's a paramedic chief in Port Clements. I read part of his letter in second debate. He says he's angry, disappointed and fearful. He's angry because they bargained in good faith, unlike the government. He's disappointed because it gives him no incentive to continue working for B.C. Ambulance. He's scared because if this legislation passes, it truly confirms that the government has "no respect for the job I do" and, more importantly, no respect for the citizens of British Columbia.

Now, that was on the debate a couple of days ago. He's contacted me since the hoist motion. He says: "I am truly amazed that the minister is so narrow-sighted that he thinks this will solve the pressing concerns that the government has fabricated. The hoist motion introduced by the opposition is perhaps the only thing at this point in time that could demonstrate good faith on the part of the government."

That's why we're here. We're here to hopefully encourage the government to vote for this hoist motion and move forward and demonstrate good faith.

Now, I do want to talk about Terry and why he's so dedicated and so inclined to e-mail his MLA to try to get this hoist motion passed in this House. Terry is a very, very dedicated paramedic. He was the first paramedic to ever ride with the Cops for Cancer on the Tour de North from Port Clements. He raised \$8,000 for Cops for Cancer.

The ex-Minister of Health, who is now the Minister of Aboriginal Relations, said: "We are very proud of the fundraising efforts of Terry Mitchell and the support the B.C. Ambulance Service provides each year as other paramedics volunteer time to travel. The commitment of our paramedics and others at the B.C. Ambulance Service in giving back to our communities needs to be recognized and applauded."

I agree. That is the Minister of Health two years ago — the ex-minister, the previous Minister of Health. Where is he now? Nowhere to be seen. Where are the members from the other side?

Deputy Speaker: Member. You will bring yourself back to consideration of the motion.

G. Coons: When I talk about the ten reasons, one of the reasons we need to hoist this bill is to give the members on the other side an opportunity to stand and

reflect and realize we are going in the wrong direction with an imposed contract.

I'm standing here on behalf of paramedics who are dedicated, who have dedicated their lives to the profession and want to have a negotiated contract — paramedics like Terry Mitchell.

As I mentioned, one of the key reasons we need to hoist this bill that's before us is that we have not heard from the members from the other side. They need an opportunity to participate. They need an opportunity — maybe not to participate here in this House on record. They need to go back into their chambers, perhaps burst the bubbles at their end, sit down and reflect on what this bill is going to do not only to paramedics but to the labour climate in this province and how it's going to impact British Columbians.

[2015]

I mentioned earlier that one of the members.... I give credit to the member for Peace River South, the Minister of Energy and Mines. He stood up. He stood tall and talked to this bill. But again, he received communications about his comments.

The reason that we need to have an extra six months of delay for reflection, negotiations and for looking at a path forward is so that people throughout the province — not only paramedics but the mayors throughout the province, the regional districts, those at the UBCM who supported our paramedics for the last three years and recognized what the paramedics do in every corner of our province — have an opportunity to get hold of their MLA, whether it's government or opposition, and confirm the direction we need to go. That is why we need to hoist this bill and have a six-month parlay into actual communications throughout the province.

When I look at a note I got from a person from Chilliwack, Michael Topping.... His MLA is the Chilliwack-Hope MLA, and he says: "It's with great disappointment I find myself writing to you. I want you to stand up in the House and explain to your paramedic constituents why you personally support this bill." If we pass this bill, the Minister of Environment, the MLA for Chilliwack-Hope, will not have an opportunity to stand in this House and talk about the bill and explain why this government is imposing this contract on them.

A key reason for the hoist motion is so that there's an opportunity for everybody in the House to go back to their ridings and actually explain why we need this bill passed or why we need to change it and actually have it in a collective agreement versus in an imposed contract.

Another letter I got dealing with hoisting this motion and hoisting this bill was from Peter Smith. His MLA is for Abbotsford South, and he says: "I find Bill 21 an absolute outrage, taking away basic collective bargaining and democratic rights because of some excuse like H1N1. Shame on all you Liberals for not stand-

ing up for your constituents. Shame on you." With a hoist....

Deputy Speaker: Member, please take your seat. You will know that I have repeatedly asked members to consider the motion under debate and not to revisit second reading debate. Please proceed.

G. Coons: Thank you, hon. Speaker.

Again, the reason that we need to hoist this bill is to have the opportunity for reflective debate. If it's passed, if it was passed when this government wanted it to be passed, that would be the end of it. Constituents could not have the opportunity to have input into it, and that's why we need to have this bill hoisted, with an extra six months of reflection and thought.

Also, we look at the MLA for Abbotsford-Mission. "Where are you on this?" says Peter Smith. "Are you going to stand up and tell me why you backed Bill 21 when the ambulance service was in such a dismal state of disrepair for years prior to this?" He's requesting thoughtful debate on this, and that's what this motion we've brought forward, this hoist mission, will allow us.

When we look at this legislation and one of the reasons I said that we needed to hoist this and delay it for six months was because it's regressive. It's a regressive piece of legislation. It's imposed. It's draconian. But we can change that. We can change that if we had time to look at what's in the bill and how we need to move forward.

[2020]

Again, this piece of legislation was actually presented in the House — to some degree, as a lot of people have informed me — under some sort of false pretence, and we need to alleviate that concern. We cannot pass a bill in here where people think it was presented to us in this Legislature under a false pretence. You know, the minister stood up and said that H1N1 is the real reason that paramedics are being legislated back to work. I'm hearing that's not true.

We've seen a memo from VANOC which says that pressure was put on the government to either settle or legislate. Nowhere in there did H1N1 come into the question, come into the equation. So I think it's imperative — not only on this side of the House, but on the government side — to alleviate that concern of false pretence. But we haven't heard anybody stand up and shoot down that theory.

Leanne Nixon: "I urge you to reconsider Bill 21. Paramedics deserve a fair settlement. H1N1 is not the real reason they're being legislated. If it was, why aren't paramedics even being considered a priority for the H1N1 shots?"

I don't understand. As we look at the purpose of us being here tonight, which is trying to get passed a piece of legislation that is so vital.... It's so significant, at such

a significant point in time in the province. We've got the Olympics coming up. We have other issues out there. This should have been dealt with a long time ago.

There could have been an arbitrator, an independent arbitrator. There's still time for that. If we have a hoist motion, then there's an opportunity to rethink how we got here today and put in an arbitrator to get a real collective agreement.

Again, I have to go back to the premise of why they had to pass this legislation — the premise, a false premise that we need to deal with. The only way we can deal with that false premise is by having a six-month delay. John Strohmaier says:

"The government claims that this legislation is necessary in light of the H1N1 crisis. We've been saying the service needs serious attention for more than four years. We warned the government.... The reality is that paramedics are leaving the service in droves because they pay for their own training, they pay for their own travel to and from the job, and they cannot afford to remain paramedics."

Now, that is a real dilemma. A real dilemma.

There are mixed messages going on here, and to pass a piece of legislation as important as Bill 21, we have to make sure we're doing the right thing. The government, on that side, has to ensure they're doing the right thing. At this point in time, our job in this House is to try to burst that bubble and say: "Think about whether you are doing the right thing."

I remember the debate a year ago, prior to us having a concern about negotiated contracts or imposed contracts or hoisting a bill that needs clarification. The member for Abbotsford-Mission, the Minister of State for Mining, said: "I want to talk about the individual members, the individual paramedics who are out there working in British Columbia. I want to speak for a moment about the leadership that John Strohmaier, the head of the paramedics union, has shown."

[2025]

So we have a mixed message. We don't have the member for Abbotsford-Mission standing up talking about the premises — or false pretences. But there's a lot of respect on the other side for John Strohmaier. So we need clarification. We need an extra six months to sit back, reflect, burst our bubbles and move forward.

As we move forward, it's a concern not only in this House, where we're debating Bill 21, this imposed contract, and we want to hoist it so that we change that imposed contract to a collective agreement. But there's concern outside of this chamber, a lot of concern. People up and down my riding on the north coast and throughout the province in every riding, every constituency, have concerns.

Again, we cannot rush in and pass a bill that is not in the public interest. It would be a detriment to communities throughout the province.

As far back as 2003 at the UBCM, there was a resolution for support for provincewide ambulance services. Right

up until 2009 the UBCM had motions put forward by mayors, by regional districts, by elected officials throughout the province — every corner of the province.

I've got some communications that are concerned about the progress of this bill and where we're going. We have an obligation. We have an obligation to sit back, take this Bill 21 and put it somewhere where we can sort it out either through an independent arbitrator or perhaps back at the bargaining table.

But you know, as far as the latest UBCM.... They talk about a recruitment challenge. In 2008 they talk about standby pay. In 2007 they talk about the ambulance service, where a timely response....

Deputy Speaker: Member, that is not referencing the motion under debate.

G. Coons: Thank you, hon. Chair.

All of these issues are issues that need to be looked at during the six-month hoist. We need to be sure that those mayors, those regional district members, those elected officials throughout the province have confidence and faith in the bill we're passing before us, and we can't do that. We couldn't do that yesterday. We couldn't do that today. That's why the opposition reluctantly put forth the hoist motion — so that we can have that reflective thought and move forward.

We saw the concern about some interference, some false pretences. Again, when we move forward with this bill, we need to have the opportunity to tell British Columbians that we've passed a bill that we are comfortable with, that the paramedics are comfortable with, and that we can move forward with an ambulance service where there's timely response, where their issues about recruitment and training have been dealt with. The \$2 wage needs to be dealt with, and that's something where a hoist motion.... We can look at all of these issues and move forward.

A key component that I have a real problem with and a lot of people have is that we need to hoist this motion and change it from this imposed contract to a collective agreement. I mentioned that one of my ten reasons for hoisting and having a delay of six months is because we need to deal with free collective bargaining.

[2030]

Somebody from Kamloops South wrote a letter, and they said that they're appalled it's being rammed through. "My MLA from Kamloops south said that he was standing by to allow collective bargaining to take its course."

Collective bargaining to take its course? Well, let's go to.... Oh yeah, they've called it the Ambulance Services Collective Agreement Act. But it is not collective bargaining. There's no collective bargaining. It's an imposed contract in the middle of a vote, so we need to hoist this motion — because, I guess, paramedic members of the

union were voting on the contract that the government put before them, I believe, last September 28.

How ludicrous is it to be standing in this House and have a bill come before us where we're waiting for the results of the vote on a contract? If it's agreed upon by the union, then I guess it's a collective agreement. Then we can call it that. We need to hoist this bill for six months so that we can see if we can get to free collective bargaining.

I did have ten things here I was talking about, and at first, I thought: "Jeez, it's a top ten, sort of like the Letterman show." But I realize that you can't really equate what's happening in this Legislature with Letterman, except that to some degree what happened to Letterman and his staff is happening to paramedics throughout the province and this government.

On that, I will reiterate: we need six months' sober reflection on this bill. We need collective bargaining. We need to respect our paramedics.

One last thing. A couple of paramedics e-mailed me and said that Bill 21 needs to be shredded. It should not be before this House. That's why we have this motion before us to hoist it, and respecting paramedics, I'm going to do what I think needs to be done with Bill 21. We're going to support the hoist motion, and hopefully, it will be shredded.

Deputy Speaker: Members, and for the member who has just spoken, you know that those inferences are not appropriate when referring to other hon. members. I would ask you to withdraw.

G. Coons: I withdraw.

S. Fraser: I'm honoured to stand here today in support of this amendment. It's a hoist motion for Bill 21. I didn't support Bill 21, and I've spoken to that already at length a few days ago. It is Friday night, and we gather here tonight and, if need be, tomorrow night and, if need be, the next night. I've brought my pyjamas, and I'm ready to do this as long as needs be.

I'm honoured to represent the people of Alberni-Pacific Rim and represent their interests. The will of my constituents is what I'm here for. It's what I was elected for. They want me to talk tonight about why we need to use every legislative means to ensure that Bill 21 is not enacted, does not come to fruition.

The method we've chosen — one of the few things we have as the opposition in our arsenal, in our quiver, if you will, Madam Speaker — is known as a hoist motion. That's what we're here to debate tonight.

I'm going to lay out the argument. I have four categories that I've determined sort of override why we need to support the hoist motion. When I say we, I don't just mean us in the opposition on this side of the House, I mean the entire House. We need a majority of MLAs

— government MLAs, government ministers and opposition members — to support the hoist motion. I've noted that all of the opposition members that have stood and all of them that are standing today — tonight, tomorrow, however long it takes — are in support of the hoist motion.

[2035]

The hoist motion, essentially, identifies a bad bill, a bad piece of legislation, and it gives the government a chance to rethink. It gives six months of second thought to do the due diligence that may have been missed the first time around.

So in many ways the hoist motion, in my opinion as a legislator, is not.... It's from the opposition, but it's not an opposition type of mechanism. It is a part of the parliamentary system that complements the government. It complements the government as a check and balance.

The job of the opposition is to try to help change bad legislation, maybe poorly thought-out legislation. I don't mean that with disrespect. I know that my colleague from Cowichan — he admitted to making mistakes. I also will admit to making mistakes. Government members make mistakes also. We're all cut from the same cloth when it comes right down to it.

Our job here in opposition, our job here tonight, tomorrow, tomorrow night, however long it takes, is to ensure that paramedics in this province and the people that they serve — who are the people of British Columbia, who are the people that we serve — get fairness and justice in this bill. And Bill 21 does the opposite of that.

I will give government members the benefit of the doubt that there was no intention to disrespect those paramedics, the ambulance people that save lives and that are a key part of our health care system and have become more and more important with concentrations of health services in some areas. The requirement for transportation of people to those locations has made it more important now, more than ever before, for our paramedics to have a fair contract, to be treated with respect.

Bill 21, as government members know as well as the opposition members know, has been certainly perceived as being disrespectful by paramedics and the people of British Columbia. That is why we have suggested a hoist motion. That is why we are supporting a hoist motion. My job tonight, as my colleagues will also try to do and have been trying to do, is to convince government members to wait, to step back for six months.

This is a very friendly amendment to Bill 21, Madam Speaker. The hoist motion allows for mistakes to be corrected. That's why I say it's a friendly amendment for what is very much perceived by the public as a very unfriendly bill.

I've narrowed it down to four general topics of why we need the hoist motion in place and why it needs to be supported — not just by opposition members but by

members, maybe not all, but by members of the government, government MLAs too.

Government MLAs are the first reason that I'm suggesting that we need to support the hoist motion — that they need to support the hoist motion. The hoist motion is about time. It's six months. It's not a long time, but it's enough time to amend a very bad piece of legislation, a flawed piece of legislation, an unfair piece of legislation. So that's why we're here tonight.

The first reason is allowing time for government members to take their place in this House, to prepare. Maybe they need time to prepare for a speech, but there has been very little support from government members for their paramedics that are within their own constituencies and, of course, all of the people that they represent in their constituencies. Since they have not been speaking up, I must assume that they need more time.

[2040]

They've made commitments. Government members made commitments during the election. I know that on the news tonight government members were mentioned. Island news, this evening's news, showed that 30 paramedics were protesting at an MLA's office. This was the MLA for Parksville-Qualicum. They were upset that they didn't hear from him in the House about this issue.

I know the MLA. I'm sure that he wants to represent his paramedics, the people of his riding, of his constituency. Obviously, more time is needed, because we haven't heard from him yet. It was clear on TV that that is the expectation that he has given to the paramedics in his constituency. They're his constituents.

I would suggest this hoist motion would allow the time for that member and others to come forward and stand up and defend their paramedics too. We all have paramedics. We all rely on them, and we all hope we never have to see them. But the scary fact is that sometimes we do, and when they arrive, they are truly the knights on white horses.

Government members need the time so that they can stand in this House. If they're not prepared, so they can prepare to be in this House and represent their constituents, their paramedics and all of those in their constituency that rely on them as a vital part of the health continuum, as a lifeline. That is why I'm urging government members to support this bill.

This is a hoist motion. It stalls Bill 21. It stops it from being imposed against certainly the wishes of the paramedics but against the wishes of all of our constituents, whether they are Liberal or New Democrat. We are one and the same here. We need to support our constituents. Liberal members need time to be able to do that, and six months is what will be allotted. It's plenty of time for that discussion to happen here. This needs to be a discussion that doesn't just involve us in the opposition. This needs

to involve all members. That can't happen when Bill 21 is being rammed through.

The hoist motion prevents that problem. It allows government members to stand in this House, to prepare, to go back to their constituencies, talk to their paramedics, talk to those who have been saved by their paramedics and actually take a note of all the signs, all the people that have taken the time to write — they're not just paramedics — from their constituencies so that they can come here and represent them in this House. I know all members want to do that. The hoist motion allows that.

The mandate from the minister is that this bill is a done deal. It's going through now, and we're not going to leave this place until it's through. Well, that's not right. It's not fair to the paramedics. It's not fair to the parliamentary system. I know they have a majority and that they can win every vote. However, in this case this is not in the public interest. The public are saying that it's not in the public interest. We must allow time. That's what a hoist motion does.

I will note that it's not just the member for Parksville-Qualicum. I'm not picking on anyone. Comox Valley, a very short letter — paramedic Steve Bremer. I received this. I know the member representing the Comox Valley did — new member, nice man, elected by his constituents. I know he's pleased to be here. I know he wants to do a good job, as we all do. This is what one of his paramedics is saying. It says here:

[2045]

"After risking my life yesterday, going on a very scary helicopter ride in a hurricane-type wind to north of Sayward" — this was yesterday, when the big windstorm happened — "to pick up a very sick patient that was in a bad MVA, and then hearing how the Liberal MLAs are threatening us, I feel that I need to pass this on. If you want today, you can let all your MLAs know that if this bill passes, there will be no paramedics in the province of British Columbia that will volunteer to work the Olympics. VANOC will have no paramedic coverage at the expensive party...."

Deputy Speaker: Member, you do know that that is not speaking to the motion underway.

S. Fraser: I'll respect your ruling, Madam Speaker, as always.

My argument is that we need a hoist motion. We need six months for the members on this side to be able to prepare, to listen to their paramedics and come into this place and speak on this issue.

If they don't support the hoist motion, this is a done deal. Paramedics like Steve Bremer will not get their wishes heard here. They will not have their voice heard here by their MLA.

This is a key part of my speech tonight, Madam Speaker. Not reading these letters — this is actually, I think, the last I have here. I'm showing, as I did with the previous Liberal MLA that I referred to, that their own constituents need them to speak. The hoist motion will

give them the time and the opportunity to do that. It would also give them the time and opportunity to discuss these things.

This letter is today, because the windstorm was yesterday. That's why it's essential this hoist motion passes. I don't know if that context will work. I have a paragraph left in this. Will I be allowed to continue with this, Madam Speaker? I believe it's germane to my whole thrust on this....

Deputy Speaker: The member knows that he is now revisiting second reading debate.

S. Fraser: Okay.

Steve Bremer, paramedic in Comox Valley, wants the hoist motion to pass. It allows his MLA to take a stand on his behalf, on behalf of his constituents and his peers. He's informing his MLA that this could affect the volunteerism at the Olympics if Bill 21 goes through.

It is the essence of collective bargaining, of fair treatment for workers, that's at stake here if Bill 21 is allowed to go through. The hoist motion can avert a disaster. This is a piece of that disaster.

We are having a huge world event coming up in less than a hundred days. If the hoist motion goes through, if it's successful, if Liberal members will vote in favour, if they listen to their own paramedics, they can avert a disaster when it comes to the Olympic Games.

I won't continue, Madam Speaker, with this particular letter, but it goes to show that whichever constituency is represented, whether it's represented by a Liberal MLA or an NDP MLA or an independent MLA, all of us are elected to represent their paramedics, their constituents who support their paramedics, and it is most of the people in British Columbia.

A hoist motion will allow the time to do that. To deny the hoist motion will put much at risk. The labour strife and the bad feelings that will be caused by an imposed contract that was uncalled for will do us damage. The hoist motion, if it's supported by enough members here — which means Liberal members — would avert that.

It is key to why we are here tonight. It is why we have moved the hoist motion. It is part of the parliamentary system, the check and balance that can work. It is not a partisan thing. This is not a politically partisan thing. This is about the best interests of British Columbians. This is a public interest issue.

[2050]

I don't believe the Liberal members all believe.... I don't know why they have been silent, but I believe, I have surmised, that they need time. The hoist motion will give them time, and there is time. There is no hurry for this. There is no burning house, if you will.

That takes me to the second general premise of why we need support on the hoist motion from members of this House. The second reason is that the Liberal government needs time — that's what the hoist motion does

— to correct the premise of Bill 21. The information that was delivered by the minister as a reason that Bill 21 had to go through before we leave this place, and the reason, thus, for the hoist motion.... The rationale has proven to be not quite true.

First, there was a suggestion by the minister that there was an impasse. That's not true. The minister's statements, I can prove, were not true. There was no impasse.

In a fair collective bargaining process, especially when you're dealing with a group that is considered an essential service, and the natural place to go — if there's a problem, if we're approaching an impasse — is independent arbitration. It's used all the time. It is a wonderful way for everyone to step back. In some ways, independent arbitration is like a hoist motion. It allows the parties to separate. It allows sober second thought. It allows an option for both parties, a way out. It's a venue for compromise.

The government, the minister, never brought in independent arbitration. The union asked for it. The paramedics requested it. Union negotiations, labour negotiations are often difficult. This is a very common practice. The minister never took that option. Therefore, there was no impasse. There was a hammer that came down.

Deputy Speaker: I'm reminding the member that this is visiting second reading debate.

S. Fraser: It's certainly dealing with paramedics in Bill 21, Madam Speaker.

I'm suggesting that this bill, the hoist motion needs to go through to allow six months, because the premise for ramming through Bill 21 is flawed.

We need to go back. We need six months — the hoist motion allows that — to bring in independent arbitration, an option that was never taken by the minister. The minister said it was an impasse, that this is where we had to go. No, there wasn't. They should have gone to arbitration. That's why we need the hoist motion. We don't need to push through Bill 21; we need six months. In that time, an independent arbitrator can help bring a solution to this labour problem.

The independent arbitrator will know the financial problems of the government, and the independent arbitrator will also know the needs of the paramedics and the lackings in their contract. That's what happens. That's how you get fairness in the collective bargaining process, which has been found to be flawed in this case. The trust is gone. That is when you bring in an independent arbitrator. A hoist motion will allow that. To not pass the hoist motion will not allow that.

I don't know why the minister.... The Minister of Health is a new minister. Tough job, huge portfolio — I understand that. Maybe he wanted to leap in and make his mark — I don't know — by coming down hard, showing that he wasn't a pushover. I don't know.

[2055]

But government members should know that six months could solve this labour strife. The hoist motion will bring that. That debate has to happen. We're trying to make it happen now, but we're the only ones speaking.

The hoist motion will allow time for Liberal members, MLAs and ministers, to take part in this debate and to ensure that every option is taken forward, that every option is explored. Those options have not been explored. The hoist motion will allow it — a friendly amendment, if you will.

It is not contrary. It will help government achieve a fair piece of legislation, and that's what we should all want in this House, regardless of political stripe.

Our parliamentary system is a check and balance. The hoist motion is in order. For the hoist motion to work and give us six months to ensure that paramedics get a fair contract, is in the public interest. It is why it has been brought forward.

The hoist motion gives us time, as I mentioned, for Liberal members to prepare to speak in this House and defend their paramedics and their rights to collective bargaining and fair treatment. The hoist motion allows them that. The hoist motion gives time for the corrections to be made.

The minister said there was an impasse. There was not. We need time. The hoist motion gives that. The correction can be made — the correction being an independent arbitrator. If the independent arbitrator failed, well, then the minister could certainly say accurately that there was an impasse.

Time. The hoist motion gives us time for the Liberal MLAs, for the minister, to correct the basic premise that there was an impasse. Time — six months. It's not too much to ask for those that are a key lifeline in our health care system.

The third thing that it gives us is time to correct.... Well, there's other misinformation. Other members have mentioned it, but you can't bring in a bill and base it on an H1N1 pandemic and then find out that there were memos that went from VANOC, from the IOC, that were directing government to end the labour strike.

Deputy Speaker: Member.

S. Fraser: Yes, Madam Speaker. Let me just explain.

Deputy Speaker: No, please take your seat. You know the debate is constrained to the consideration of the motion. Your continued delving into second reading debate is not appropriate.

S. Fraser: I'm the critic for Community and Rural Development, and I believe that the hoist motion reflects the will of local governments. I'm not just saying that lightly. I think probably all members of this House recently attended the UBCM, and I do not believe that

with Bill 21 their wishes, the needs of local government and local leaders were taken into consideration.

[C. Trevena in the chair.]

The hoist motion will allow that. I don't know how many Liberal members actually read the resolutions or attended the resolutions committees, but I know some did. I attended the UBCM, and I think it's very important that the resolutions that were brought forward at the UBCM be reflected on. That does not appear to be happening. They seem to have been ignored.

[2100]

As the critic for local governments, if you will, I want to refer to those resolutions. They are germane to the hoist motion because the hoist motion allows six months. It will allow six months for government members and opposition members to come up with a solution that is fair for our paramedics and is in keeping with the will of local government. I believe local government is the purest form of government. They are the closest on the ground. They see firsthand what our paramedics do.

If we can get enough government members to support the hoist motion, we can incorporate the will of our local governments in, I think, a very progressive bill as opposed to Bill 21, which is a regressive bill. If the government rams through Bill 21 and does not heed the hoist motion, if the government members do not vote, then it's a done deal. That means local governments have been ignored.

Let me explain. This is a resolution this year, in 2009, at the UBCM just recently. "The Ambulance Service" was the title of the resolution. The resolution says:

"Whereas there are recruitment challenges for paramedics working on-call and standby shifts in rural and remote communities:

"Therefore, be it resolved that the UBCM urge the provincial government and B.C. Ambulance Service to address the recruitment and retention situation by increasing the rate for the standby, on-call and the honorarium for volunteer, part-time ambulance staff paramedics in rural and remote communities throughout the province by an amount that is equivalent to the overall BCAS budget increase over the last five years, noting that 65 percent is equivalent to the increase in the overall BCAS budget over the last few years — an overall increase that is not reflected in remote area on-call pay increases."

This was recommended as an endorsement, and it was endorsed. These go back for years. This was the last UBCM, which should be fresh in everyone's memory. So if the hoist motion were endorsed by enough Liberal MLAs....

Interjections.

Deputy Speaker: Order, Members.

Member, take your seat a moment.

We are having a debate on the hoist motion, and every member has the opportunity to speak to the hoist motion.

Member for Alberni–Pacific Rim, please continue.

S. Fraser: I know the members opposite.... To their credit, many of them also went to the UBCM. This is one of the key reasons for this hoist motion — six months to reflect, to come up with proper legislation that would allow for a fair collective bargaining process to occur. The six months — in that time those members that are speaking off the record now could speak on the record defending their own local government's resolutions.

We represent those people in this Legislature, in this Legislative Assembly of British Columbia. We are all here to represent them. When we bring forward a hoist motion — and as I've mentioned before, this is a friendly motion — this is part of a parliamentary system that allows the government to take a sober second thought.

M. Mungall: Definitely speaking to the hoist motion. First, I hope to go back to my colleagues later this evening after these 30 minutes and, as a rookie MLA, have some bragging rights to say that I wasn't reminded to speak to the hoist motion at all this evening — in fact, that I stuck right to it and didn't wave off onto the second reading of Bill 21. So I'm hoping after these 30 minutes, I'll have those bragging rights.

I want to start by explaining what we are doing here this evening, especially for the viewers at home who might be wondering: "What on earth is a hoist motion? What are they talking about at 9:05 in the evening on a Friday night? What are they doing in the Legislature?"

[2105]

Before I get started, I've already heard members from the opposite side start talking. I would like to take this moment to dare them to get up and speak to this motion. I would like to dare them to get up and speak, because they have not gotten up to speak to Bill 21 or this hoist motion.

They have not told British Columbians what they think about this bill — people in their communities, the paramedics in their communities. They haven't got up at all to be accountable. They think, it seems to me, that they are above accountability.

Well, let me tell you, it seems to me that they think that, and it seems to me that they are dang wrong. They are wrong. No one in this House is above accountability.

So I dare them. I put the gauntlet out one more time. I dare them to get up and speak to the hoist motion. I dare them because British Columbians deserve to hear from this side of the House on this motion.

I will continue on explaining what we're doing, because I know that nobody from the opposite side of the House is going to do it.

Deputy Speaker: On the motion, please.

M. Mungall: Yes, and going right back to the motion. So I've got one. I might lose my bragging rights.

On the motion, I'm explaining what this motion is for the viewers at home who are wondering why nobody on the opposite side of the House will get up and explain it to them.

This motion is about supporting the people in our communities who get up every day to save lives. The reason why this side of the House has put it forward is so that we can show the people in the gallery and the people at home that we are with our paramedics 100 percent.

What we want the government to do with this motion is vote for it and cool their jets. Slow down. Calm down. Breathe. I'm from Nelson, so I'm even going to put it out that they do some yoga maybe. Relax. Cool your jets, and go back to the table. Go back to the table in the six months that this motion is all about. Go back to the table. That is what they ought to do. Go back to the table with respect for the valued workers who save our lives every day in this province.

That's what this hoist motion is about — cooling their jets, giving them six months to relax, not shoot from the hip, not act ad hoc. Do the right thing and negotiate with the valued paramedics of this province.

Most people my age on a Friday night would not be standing where I'm standing, on the floor of the Legislature working. Most of the people I hang out with on a Friday night are out partying. They're out there at a pub, a bar, a house party. They're having a good time.

I'm having a good time here. Don't get me wrong. But they're out, and they're relaxed and having a wonderful time. They're dancing, they're singing, and they're hanging out with friends. They're drinking. Many of my friends will be having a few beers this Friday night if they're not watching me in the House, watching me on line here speaking to the hoist motion. They're probably wondering: "What the heck is she doing speaking to a hoist motion on a Friday night?"

Deputy Speaker: Please watch your language, Member, as well.

M. Mungall: Thank you very much, hon. Speaker. I withdraw. I apologize. I'm getting a little bit too relaxed here on Friday night myself.

[2110]

That's what they're doing. And you know what? What's really tragic is that some of my friends in the past haven't gone home safely on a Friday night after relaxing and having fun with their friends after a few beers.

Some of my friends have been in vehicle accidents. A very good, close friend of my constituency assistant once fell off a balcony, three stories. He passed away, but not after the paramedics came. My friends who have been in motor vehicle accidents — some of them have lived because the paramedics came.

I want the members across the way to think about that when they are thinking about this hoist motion

— to think about what paramedics do in our communities, how valuable that is and why it's worth taking six months to think about it, because it's very much worth it. It's very much worth six months to slow down and cool their jets, go back to the table and negotiate with the very people who have saved my friends' lives, the very people who are saving young peoples' lives tonight.

With this hoist motion, we are saying to the government that back-to-work legislation is not the way to solve disputes. So slow down. Give it six months. Go back to the table. Being a bully is no way to solve a conflict with anyone. So stop. Vote for the hoist motion, and slow down.

In fact, the idea that you solve a conflict by talking and through respectful dialogue is something that you learn in kindergarten. I believe somebody wrote a book and said that everything he ever had to learn in life he learned in kindergarten. I think that's a very interesting concept because it's so true in a lot of ways: the idea of sharing, using your words, listening, being friendly, being respectful.

[Interruption.]

We have a child in the gallery who clearly agrees that's the way you ought to treat people. If that message is so easily understood by toddlers and five-year-olds in kindergarten, I am at a loss why it's completely not understood by members of the opposite way.

The idea that they can put forward Bill 21 and bully our valued paramedics into going back to work in totally unacceptable work conditions is deplorable. It is embarrassing, and it is abhorrent.

I think if the members from the opposite way truly realized the magnitude to which British Columbians find this bill disgusting, they would immediately vote for the hoist motion. They would immediately say: "This is our way out. This is our way out of a minister's doing. It is so reactionary. We don't all have to take the fall for that reactionary position of the Health Minister."

This is the way out. It's this hoist motion. It is the way out — to give everybody on that side of the House an opportunity to cool off, slow down, go back to the table with respect for our paramedics.

They know that's the right thing to do. They know it's the right thing to vote for this hoist motion. They know it's the right thing to do to go back to the table with the paramedics, to solve this dispute.

[2115]

They know it is because that's exactly what they said during the election. They said — and they promised, several of them, in public — that they would promise to solve this dispute respectfully, that they appreciated and valued the paramedics. That's what they said, but actions speak louder than words. What they're doing is clearly the exact opposite of what they're saying.

Again, we come up with the situation where members opposite, the Liberals, said one thing during the election, and here we are faced with them doing something else. Here we are, after the election, with a proposal beyond anybody's wildest dreams because it is so unprecedented. They know that. They know, and they have an opportunity tonight to follow up on their election promise, solve this dispute respectfully, solve it by voting for this hoist motion.

People of British Columbia feel blindsided by Bill 21, just like they felt blindsided by the HST, because it's so unprecedented. Again, let me say to the members opposite: here's your chance, vote for the hoist motion that the NDP opposition has put forward tonight — or, excuse me, this morning. We've been here a long time.

One of the reasons why I believe the Liberals made this promise during the election, that they were going to solve this dispute, was because every year since 2003 local governments from the Kootenays, interestingly, have brought forward resolutions to the UBCM, the Union of B.C. Municipalities. The UBCM, since 2003, has subsequently adopted every single one of these resolutions.

I want to go through some of these resolutions, just to remind the members opposite of what they are, why they felt compelled to make election promises and why this hoist motion, as they ponder this hoist motion.... They're only pondering it. They're not getting up to speak to it. While they ponder this motion, I would hope that if I put this forward to them, it will give them something upon which to reflect so that they can make the right decision by voting to this motion.

Speaking to the motion, I read this out. This is a resolution, this year, 2009's UBCM, put forward by my neighbours in Kootenay West:

"Therefore, be it resolved that the UBCM urge the provincial government and B.C. Ambulance Service to address the recruitment and retention situation by increasing the rate for standby, on-call and honorarium for volunteer, part-time ambulance staff paramedics in rural and remote communities throughout the province by an amount that is equivalent to the overall BCAS budget increase for the last five years, noting that 65 percent is equivalent to the increase in the overall BCAS budget over the last five years — an overall increase that is not reflected in remote area on-call pay increases."

This is something that was endorsed by the Association of Kootenay and Boundary Local Governments and put forward by the municipality of New Denver.

The reason they put it forward, and I guess the reason why members across the way felt compelled to make promises during the election about solving the dispute with the paramedics, is because we are threatened in rural areas with the loss of paramedics, and that terrifies us.

Because their working conditions are so poor, because they make so little money that they can barely live.... We have received so many letters, an incredible

amount of letters, telling us the stories of paramedics who are struggling to survive. Please, let the members opposite think about that while we debate this hoist motion.

[2120]

Paramedics are struggling to survive in rural areas. We are threatened with the loss of rural paramedics. My friends tonight, after they're done at the pub, can't afford the loss of any more rural paramedics.

I desperately hope that the members opposite are listening at least somewhat and consider that as they ponder this hoist motion and consider that this hoist motion.... Again, I will remind them that this is their way to show that they, too, value our paramedics. They value the work our paramedics do in rural areas; they value the work our paramedics do in urban areas. They know paramedics are saving lives every day and every night and that without them, British Columbia would be worse off.

With that in mind, knowing that, knowing how much we need these wonderful people in our communities and in our province, vote for this hoist motion and go back to the table with respect for these valued workers. Go back.

This hoist motion is about stopping what I feel is absolutely the worst recruitment strategy for paramedics in B.C. I already mentioned how in rural areas we're threatened with the loss of paramedics because of their poor working conditions. Well, after Bill 21 being put forward in this House, how do you think they feel now? How would they feel now? Who's going to want to work as a paramedic in this province when they are treated so poorly?

Deputy Speaker: Member, to the hoist motion. This is not second reading debate.

M. Mungall: My apologies. I was going somewhere with that, which is that if they are not feeling comfortable working in this province, if this is the worst recruitment strategy, that is exactly why we need to hoist this bill and give it a six-month cooling-off period. That is exactly why.

Sorry it took me a while to get there, hon. Speaker. I only got two reminders, though, so I'm still doing better than some of my longer-term colleagues, although I think sometimes I was a bit closer in going up for my third.

Speaking to the motion. This motion is absolutely necessary. It is necessary because so many people have been writing to us, and they felt that Bill 21, in this democratic society, is not right. They felt that in this democratic society, where we honour people's human rights, despite what previous members — especially the member for Peace River North, who really has a disdain for the Charter of Rights and Freedoms....

In this democratic society, where we actually believe in people's human rights, Bill 21 was over the top, and because Bill 21 was over the top, that is why we need to slow down, vote for this hoist motion and allow for the government to cool off. Because my goodness, it certainly seems to me that that's exactly what they need to do.

I know that the government has said several times that this is about H1N1 for them. That's certainly debatable, especially taking into consideration a memo from Dr. Mike Wilkinson, who is the director of medical services for VANOC to Stephen Brown and Lee Doney, other government officials.

Deputy Speaker: Member, this is not second reading. This is the hoist motion.

[2125]

M. Mungall: Yes, hon. Speaker. I appreciate that, and I apologize.

I'm again just trying to make a point about why the hoist motion is valuable. Certainly, without any members from the opposite side speaking to the hoist motion, whether they find it valuable or not, I'm left standing here guessing, so I'm making the long argument, providing as much evidence as I possibly can on why this hoist motion is valuable.

Speaking to this hoist motion, it's clear that Bill 21 wasn't about H1N1 when looking at this memo. It's clear that it was about preparing for the Olympics and making sure.... It was about getting paramedics on the ground for the Olympics. But here's the thing: there are paramedics out there who have clearly stated that they are not going to be volunteering for the Olympics after a bill like this.

In good faith, to show good faith, vote for the hoist motion, and give the paramedics some hope that they are respected.

Steve Bremer writes: "If you want, today you can let the Liberal MLAs know that if this bill passes, there will be no paramedics in the province of B.C. that will volunteer to work at the Olympics." He speaks for his colleagues. Imagine that: no paramedics at the Olympics.

For that reason, we need to vote for this hoist motion, to show that we will go back to the table in good faith. Having no paramedics at the Olympics could leave British Columbians and our guests from all over the world in incredibly dangerous situations. The paramedics will come in and save their lives, but if they won't be there, who will? To get them there, this Liberal government needs a way out of something that is unprecedented, something that is deplorable for so many British Columbians, and that's Bill 21.

This hoist motion gives them the opportunity to do just that — to get out of the corner that they have backed themselves into, to come out and say: "We respect our

paramedics. We respect them. We apologize. We did something wrong. We put forward back-to-work legislation just mere days before the results of their vote on this government's offer were coming in."

They put themselves into a very terrible corner. I can understand that they, therefore, feel the need to defend themselves. To the members opposite — nobody in British Columbia would be ashamed of them if they voted in favour of the hoist motion and said: "It's right. We do need to go back to the table."

In fact, British Columbians would be proud to finally see this government actually listen to the people of British Columbia rather than see this government sit quietly and ram legislation through without any sense of accountability to the people of this province. The people of British Columbia would be relieved because not only would they get their valued paramedics back, they'd get a little bit of hope back in the democratic process.

That's what this hoist motion is about at the end of the day. It's about giving British Columbians hope — hope that this government has respect for them, hope that this government believes in being accountable, hope that our democracy is working, hope that somebody on the other side of the House is actually listening.

[2130]

That's what this hoist motion is about. It's about caring for our paramedics who care for all of us — who tonight, in just a few hours, are going to be caring for some of my closest friends all over this province and who are going to be making sure that if they got in a motor vehicle accident, they were going to get to the hospital on time so that their families wouldn't have to bury them, so that we wouldn't have to go to funerals.

That's what our paramedics are going to do tonight. Please, I urge the members opposite. It only takes seven of them to vote in favour of this hoist motion. Give that hope back to British Columbians. Give that hope back to our paramedics.

Give us the hope that this democracy is working, that rights are being respected and that the people of this province actually mean something more than dollar signs. I think that if this government voted in favour of this hoist motion, that's exactly how British Columbians would feel.

They would feel, for once, that they mean more than just dollars and cents and some bottom lines on a piece of paper, that they are the human beings who are cared for who are saved by our paramedics, that this government actually values our health care system and wants to ensure that it's the best it can possibly be and that British Columbians get the best possible care that they so richly deserve.

I hope that by the end of this evening somebody from the opposite side gets up and speaks and shows that he or she believes that they are accountable to British Columbians, that they actually believe they have a duty

to tell British Columbians why they will vote the way they vote rather than just getting up and doing what their boss tells them to do. It's not an unrealistic expectation. In fact, it's exactly what British Columbians expect. It's their job.

Once again, I urge the hon. members to vote in favour of the hoist motion. Come out of the corner. You don't have to defend yourself any longer. You have the opportunity right here tonight to show the people of British Columbia that you respect them, that you respect...

Deputy Speaker: Through the chair, Member.

M. Mungall: Thank you, hon. Chair.

...British Columbians, that you respect the collective bargaining process that has been developed over decades in this country.

J. Horgan: I seek leave to make an introduction.

Leave granted.

Introductions by Members

J. Horgan: Joining us in the gallery are two paramedics, Gary Baggott and Jim Stewart. Gary and Jim are here today to watch their rights be eroded in the parliament that they elected representatives to come and sit — and support and endorse those rights. I want the House to please make them both very, very welcome.

Deputy Speaker: Member, that was.... I would ask you to rephrase that, Member.

[2135]

J. Horgan: I'd be happy to rephrase, hon. Speaker.

Another opportunity to stand in my place and represent the constituents of Malahat–Juan de Fuca and also two guests, paramedics Gary Baggott and Jim Stewart, who have come to join us here tonight to watch democracy unfold in the province of British Columbia.

Deputy Speaker: Thank you, Member. Introductions are introductions, Member.

Debate Continued

M. Elmore: I rise to take my place, to speak to the hoist motion on Bill 21. I'm rising to speak in favour of the hoist motion, which would allow the government six months to reconsider the rationale and the reasons behind Bill 21.

I think it's time, I would suggest, that the other side, the government MLAs, have an opportunity, a time that they would be able to take to consult with their constituents, to canvass the paramedics that live in their areas, to

hear from paramedics themselves what their situation is, and ample time for government to hear from paramedics in their areas and give the rationale to allow paramedics to engage in the collective bargaining process.

The reason I'm in support of the hoist motion and the opportunity to allow for this time for MLAs on the other side, in the government, to reconsider their Bill 21 is also, I would contend, an opportunity to appreciate the context of Bill 21 and to fully appreciate the meaning and the impact that Bill 21 would have.

This time would allow for a deeper understanding of the impact of Bill 21 and how it would undermine the collective bargaining rights of the ambulance paramedics — 3,500 hard-working ambulance paramedics across B.C. that serve us with dedication and commitment — and certainly, with respect to them, not only for the hard work that they do but also to recognize their democratic rights. This is important.

I think, also, that the six months for the government to consider and maybe study and appreciate the meaning, the rights of collective bargaining — what that means to a free and democratic society, the benefits that that brings to our society and the danger of undermining those rights — would allow the government to appreciate that collective bargaining is an opportunity. Workers are able to come together to meet, discuss and negotiate their work conditions — which ambulance paramedics, on behalf of their union, CUPE 873, have been engaged in.

I think it's time to reconsider and appreciate the full scope and the meaning of collective bargaining and also appreciate the contribution that collective bargaining brings to our democracy. To value that is important.

Coming to a collective agreement is basically a contract.... It would represent a contract between the employer and the ambulance paramedics. The opportunity to negotiate, which ambulance paramedics have entered into in an open way with their employer, is being undermined.

I think the hoist motion allows for a full appreciation of the impact that that has in undermining the rights of these workers, of ambulance paramedics, and the need and importance to uphold the principle of collective bargaining.

[2140]

Six months is also to take the time to really appreciate the weight of collective bargaining and what that means as a human right. It's something that is not to be taken lightly and to be considered.

The context of collective bargaining as a human right is not just held here in B.C. It's recognized under the Canadian Charter. It's also held on an international level. It's recognized and upheld by the International Labour Organization as one of the eight core principles governing all citizens around the globe.

It's in that context of the International Labour Organization, as one of the core principles — also upheld at the

UN under the Universal Declaration of Human Rights — that the right of collective bargaining is recognized and is an important contributing factor to our fabric of our society and to the fabric of democracy here in British Columbia.

I think the process for allowing collective bargaining on behalf of the ambulance paramedics — their attempts to negotiate for not only improved wages, benefits and working conditions but also the benefit that that brings — cannot be taken lightly. Additional time through the hoist motion would allow the government to appreciate that the process of collective bargaining, the process of ambulance paramedics bringing their concerns to the table and entering into a jointly agreed negotiation, contributes towards the strengthening not only of the Ambulance Service but of our health care system in B.C.

That is also a high priority for ambulance paramedics, and the collective bargaining process is a venue for that to take place. It's an important contribution, and it's an important avenue for those discussions and negotiations to take place.

Six months to consider this. I would contend that maybe the government hasn't completely appreciated the value of collective bargaining and the process of engaging in the process with paramedics and the benefits that it brings. It is, I would contend, time to consider that and time for them to go back and talk to ambulance paramedics in their constituencies — their own citizens — to consult on the process, to hear, really, from....

Certainly we've been hearing — I've been hearing — from ambulance paramedics and from citizens about their support for allowing the collective bargaining process to carry on. This hoist motion is designed to also extend that to the government and their MLAs. It's to have an opportunity to also respond to the many e-mails that I know are coming into their offices and to engage in a discussion on this issue.

When we talk about the value of collective bargaining, it's the recognition that collective bargaining is an essential right of workers and that it holds an important place in our society.

There's the need to recognize that this is a very serious principle of our democracy. It's a very core fundamental not only of B.C. society. I mentioned that it's upheld in the Canadian Charter of Rights and Freedoms, part of the Canadian constitution, and recognized and upheld at the International Labour Organization and through the Universal Declaration of Human Rights.

[2145]

On the floor, we're discussing the hoist motion to allow the government six months to reconsider the Bill 21, to undertake, I think, a more comprehensive study and appreciation of the value and benefits of collective bargaining and to recognize the rights that workers have — that it's a right. It needs to be upheld. This constitutes a very serious undermining of that fundamental right

and also of the rights of ambulance paramedics by not allowing them to engage in the process.

The six-month hoist would allow, I think, the government to consider that collective bargaining also contributes to.... It brings a benefit to our society. It's not only in the resolution of working conditions, wages and benefits for ambulance paramedics in the work that they do and benefiting the overall health care system, but it also contributes to human dignity, liberty and autonomy of workers.

These are values and characteristics that it's difficult to put a price tag on. This is what I'm concerned that Bill 21.... This is why I'm speaking in favour of the hoist motion. It's for the government to consider the impact to these workers not only in terms of their ability to negotiate their contract but also what it means to them as people. I've heard through e-mails and letters, and it's been read out in the House here today also, about the affront to their dignity and their sense of respect, and that people feel offended by Bill 21.

Those are some reasons that are contributing to my reason to stand and speak in favour of the hoist motion to allow for the other side and government MLAs to also have those discussions and enter into those conversations with ambulance paramedics, some of them with us here, and I know around the province as well.

I think the reason why I'm speaking in favour of the hoist motion is to try and convince the government, and to get the point across, that they need to take this time to reconsider Bill 21. The contention is that we've heard from ambulance paramedics that they feel that it's an affront to their human dignity, that they don't feel respected as workers. It's to allow for the collective bargaining process to unfold and for these workers to be able to practice their democratic rights in our society.

The hoist motion, the six months' consideration that I'm speaking in favour of, is a very important issue and, I think, shouldn't be taken lightly. We have the ability here in these chambers to enact laws that affect the people across British Columbia. It's a very serious responsibility. It should not be taken lightly, and any time legislation is brought forward that undermines democratic rights and freedoms or undermines workers' rights, I think there's a need to take pause and reconsider.

Collective bargaining is a fundamental human right here, and ambulance paramedics deserve that. So it's my contention.... I hope to get the point across to the other side to support the hoist motion, which I think would be an extension and would show support for ambulance paramedics. It would be a measure of showing respect for our ambulance paramedics across B.C. to allow them to undertake the process of freely negotiating their work conditions and benefits here in B.C.

Not doing so is a violation of that social partnership that we engage in, and it's an important recognition. I think it should be fully considered that the fabric of our

democratic society is that there are different interests — workers, management and the government — and we need to have an agreement of working together.

[2150]

The hoist motion will allow time for the government to consider that collective bargaining is an opportunity for all those parties to come together to reach a negotiated settlement, agreed upon by everybody.

The violation of that is very grave, I would contend, and would lead to bad feelings within ambulance paramedics. It's that they're not being respected or listened to — not taken seriously — and that for unnecessary reasons they are experiencing the erosion of their democratic rights. So I think it's important for us to take pause, to consider the amendment and to recognize the importance of respecting our collective partnership with ambulance paramedics.

Also, further to the point of the value of collective bargaining as a democratic right.... The government holds a majority. But I think they should fully consider the outcome of legislating for.... We haven't heard — I haven't heard — many very compelling reasons around why we need to rush through this legislation, and I think that British Columbians would also like an opportunity to hear more compelling arguments.

Maybe we'll hear a little bit more from some of the members on the other side. But also, in six months, with the hoist motion, I would hope that some of these reasons would emerge; that the other side, the government, would be convinced; and that they would hear the compelling arguments from ambulance paramedics, from their constituents.

Maybe they'll be swayed by some of our arguments and points from this side about the need to reconsider Bill 21 and seriously consider the impacts that this would have not only on the ambulance paramedics as they're attempting to negotiate their agreement but also more broadly within society — and to fully consider what kind of message that would send to other public sector workers.

I think that Bill 21.... There's need for the hoist motion to really consider and to appreciate that this is a bill that is also being compared to political tyranny. The other side should seriously consider and have some time to reflect on the impact of bringing down such heavy-handed legislation, and the government should consider that it's also their right and our right here in the chamber to take our responsibility very seriously about our ability to pass legislation. That shouldn't be abused.

I think there's a need to reconsider. The time, the six months in the hoist motion, would allow the government to reflect on the principle and concept that passing regulation or this legislation without representation can also be regarded as a denial of human dignity.

It really is an insult, an insult not only to the paramedics but also to our concepts of democracy and what we hold to be sacred and what we hold to be important

principles governing our society and what citizens expect us to uphold — the principles that citizens expect us here in the chamber to uphold.

[2155]

It can also be the vision of a system, that in terms of Bill 21, we... I think the reason to hoist and to allow the six months to take the time to consider Bill 21 also contributes to allowing the other side to appreciate collective bargaining and to think of it as a principle or as a civic duty. It's an exercise in the strengthening of our democratic institutions. It's something that brings a very positive force to our society and that cannot be minimized or taken for granted.

I'm supporting the hoist motion because I would like the government to appreciate that Bill 21 is seen as also an attack against ambulance paramedics — that it's not being carried out in the public interest. We've heard from a number of constituents and ambulance paramedics, as well, that they don't support Bill 21. So there's a need to reconsider and to allow the hoist motion.

It would allow the government to reconsider Bill 21 and also to appreciate that this would equate to a very authoritarian enforcement, enforcing this contract on ambulance paramedics. Certainly, having this kind of authority, an unaccountable authority... The government should — hopefully, by supporting the hoist motion — take time to consider this and also show accountability to their constituents.

It's an opportunity to have that dialogue, to be held accountable by paramedics in their constituency and also to have a chance to respond to the many letters and messages that I know must be coming into their respective offices.

The hoist motion will also allow the government to appreciate and reflect on... In order for our democracy to thrive, the principle of collective bargaining makes a very important contribution. We've been elected here, and the B.C. government has promised to uphold these internationally recognized standards of human rights. Included in that is the right to collective bargaining.

There's a need to consider the impact — that Bill 21 would effectively renege on that pledge. Therefore, there's need to support the hoist motion and to allow for the government to consider passing legislation that would allow them to comply and live up to B.C.'s and Canada's and also our international obligations. It's opportunity and time to reflect on that and to consider the importance of doing that.

I would urge the members on the other side to also join me and this side in supporting the hoist motion. It's important, also, for the future of democracy in B.C., I would contend. We are seeing that free collective bargaining as a human right is under attack. It's very serious, and I think the six months would allow the government the opportunity to recognize the importance and restore that right.

[2200]

We've been elected here obliged to protect those basic, fundamental human rights, and six months to consider the impact of Bill 21, which is effectively using legal means to ignore these rights. It's a clear distortion of our collective law-making powers, the law-making powers held in this chamber, with the majority held by the government — their ability to impose laws and legislation.

I would contend that supporting the hoist motion for six months and revisiting the rationale for the bill would allow the government to recognize the errors of their way — to show that they do respect ambulance paramedics, the work that they do, and respect the role that unions and collective bargaining play in contributing to a democratic society. Also, recognizing that for democracy and human rights to flourish, we also have to respect workers' rights and the rights of ambulance paramedics.

Recognizing these rights is an important force for democracy, and I think that allowing for the six months, giving that time, would allow the government to consider some of these issues and the, I think, very compelling arguments that they're hearing from us on this side. I know they're hearing from ambulance paramedics, and I know they're hearing from their constituents. That they would... I urge them to also support the hoist motion and to take time to really reflect on these principles, to appreciate the value of collective bargaining and to reconsider their bill.

In terms of the reasons for the hoist motion for six months, it also allows time to recognize that this is a very flawed and regressive piece of legislation — it doesn't address the systematic issues or problems that need to be resolved — and also, I would contend, that the government has the ability to allow the process to continue and the collective bargaining process to flow.

We haven't currently heard many compelling arguments or rationales in justifying Bill 21, so on this side of the House we are raising questions in terms of what are the reasons for this bill. It would have helped to have some of the MLAs speak to that. But in terms of the hoist motion, I think it's also important for the government to appreciate that it's very damaging in terms of the labour relations atmosphere in B.C.

It's not in the public interest, and it's undermining the rights of our ambulance paramedics who serve with the utmost commitment and professionalism in B.C. The very least that this chamber can do, and that the government is obliged and expected to do, is to uphold their rights as workers, to value and respect the contributions that they make, and to also recognize that the collective bargaining process strengthens our health care system.

[2205]

In terms of the hoist motion, there's also the question of why the government is insisting that we have to rush this process. That's a question as well. There are a number of questions and concerns about the speed; the

need to enact this very regressive, authoritarian legislation; the lack of respect for ambulance paramedics. I hope the other side will support it.

B. Simpson: I want to start by congratulating the member for Vancouver-Kensington. As a new member in the House, to be able to deliver a speech on an amendment and to do it as well as she did, both in terms of content and procedure, is excellent.

I want to start by recognizing the paramedics that are in the House, the paramedics that are at home watching this. Lost in all of this sometimes is the fact that we have a group of British Columbians who do a public service well above and beyond the call of duty in most cases, who keep us safe, give people the opportunity to stay alive and minimize damage in cases of trauma and speed recovery. All of the opposition members have made it clear that we want to recognize and thank them for that.

For the paramedics at home — and I know there are lots watching; we can tell by the e-mails we get that they're watching us — I apologize. Apparently, in question period the other day there, my head was glowing so badly, the staff even mentioned that I might consider powdering it. They can go put their sunglasses on if they want to watch the show, if they've got this big, glowing head.

My brother-in-law sent me an e-mail before I came into the House. My brother-in-law is an advanced life support paramedic with the Air Ambulance Service. He typifies in many ways some of the things that we're trying to address here because he started out as a rural ambulance attendant on call, paid for his own training, went through the system and realized that he could not advance in the system living in Quesnel, where I live and where he grew up. He had to move to Vancouver, and he had to go through all of the training. He had to put his own money on the line and has now worked his way up the system and lives in Vancouver and is part of the air ambulance.

He sent me a text message, and the text message says simply this: "Hey bro, sorry you're stuck in the Leg. because of us little people. Fight hard for us." That says it all. That's what we're doing here.

To my brother-in-law and to all of the paramedics: you're not little people. You're heroes. You're men and women who put your lives on the line and who keep many of us in British Columbia alive, so thank you for that.

As to the "fight hard for us," I'm sure it must be hard for the people who are watching and for the paramedics sitting in the House to understand what it is we're actually doing in here — that we're debating an amendment to a bill. I would like to spend a few minutes trying to describe what that is.

When a bill comes into the House, it goes through first reading. According to the *Standing Orders*, first reading is simply the presentation of the bill, and the minister gets a few minutes to say what the bill is intended to do and why the government's bringing it forward. It's not

debatable. The House concedes to that as a part of due course, and then it goes into the order papers for debate when the government decides it's an appropriate time to bring it forward to debate.

We then go into second reading of a bill, and second reading really is when the government must make the case for the legislation. It's up to the government to explain to British Columbians and to all legislators and, in fact in many cases, to their own members on the government side who are often seeing the bill for the first time, to explain to them why the bill is necessary in terms of its content, its intent and the timing of the bill.

[2210]

Now, as opposition members, we have a special obligation to take a look at that rationale and decide whether we agree to it or not. We don't have a lot of opportunities available to us to influence the government, but we do have some, and in second reading that form of influence is in the form of amendments that we can put forward.

I want to speak about the three types of amendments that are allowed and how a hoist amendment fits in our ability to try and influence the government. If we don't put amendments forward, if we believe the government's case, if we believe that they've made a sufficient case — and, as many of the members on this side have pointed out, that is most normal in this House — we then move into third reading.

Both sides do their thing in second reading. Both sides generally speak to the bill — the government, why it's necessary; the opposition, why they're either opposed to it or they think it's reasonable but maybe could have been better.

Then we move into third reading. Third reading, of course — as people in here know but people at home may not know — is when you get into the substance of the bill, clause by clause, the name of the bill, etc. As opposition, we don't have a lot of opportunity to influence that except at the clause-by-clause level. We can put an amendment in on a clause.

Now in this bill... If we allow this bill to go to third reading without doing work in second reading... If we allow it to go to third reading, then we are actually in an awkward position as opposition because we fundamentally do not agree with the premise of the bill. So there's nothing we can do if it goes to third reading that would make this bill better, because we do not believe in taking away the collective agreement rights of the paramedics. We don't believe the government has made the case.

So we're forced to look at the government's case in second reading and do what we can there, because in third reading — if this goes to third reading, and if the government doesn't listen to us and take this off the order paper for six months — we simply cannot in good conscience say, "Here's how you can make this bill better," because it cannot be made better. That's as simple as I can make it.

So as a consequence, we're forced to use the rules of the House to attempt to get the government to change its agenda in second reading, and that's what we're doing now. There are three types of amendments that the opposition can put forward in second reading to try and influence the government's agenda. Hoist is one of them, and I'll come back to that.

The other is what's called a reasoned amendment. So we put something forward that we believe meets the spirit and intent of the bill, but would make the bill better based on feedback that we have as opposition. Again, if you use the same argument that I just made for third reading, there is no reasoned amendment you can make to stripping collective agreement rights in the middle of a vote.

There is no reasoned amendment that we can make to taking away paramedics' rights for the arguments that the government has made, when they're already under essential services legislation and providing service, and when they're in the middle of a vote. We can't put forward a reasoned amendment to the government, because we fundamentally don't agree with what the government's doing.

The third type of amendment that we can put forward is to refer the bill to a committee. According to the *Standing Orders*, we're not clear if it's two types of amendments or three types of amendments. Some jurisdictions don't recognize this. Now, we could consider putting it forward to a committee, but unfortunately, we have a Premier who took climate change and made it a secret cabinet committee. Climate change is some secret that cannot be discussed in an open, public forum.

Our Finance Committee is now in debate about whether or not we can accede to the government's agenda. The Sustainable Aquaculture Committee has made recommendations that the government has not acted on. So it's not reasonable for us to consider putting forward an amendment to take this bill to committee stage, because we don't have confidence that the government will actually even act on the committee because of past practice.

So we have one course of action, and that one course of action is to put forward a hoist amendment, which is what I'm going to speak to shortly — about what that means and how that works. There were, according to the *Standing Orders*, other means by which we, the opposition, could put forward amendments. Even the *Standing Orders* calls them more dramatic means, and for the paramedics in the House and at home, I'm sure that they would like a little bit more drama around this.

[2215]

According to the *Standing Orders*, those now obsolete amendments were two things. One is that we could reject the bill and ask that it be torn up. What the Speaker would do, if the bill was unanimously rejected.... The Speaker would actually physically take the bill and rip it

up in the House to show the disdain that the House had for that piece of legislation. I'm sure the paramedics in the House and at home would like to see this bill torn, but we can't put that motion forward.

The second, now obsolete, motion that could be put forward, amendment that could be put forward, is to actually throw the bill. This one is an interesting one, and I'll read the *Standing Orders*. It says that in this case, even so late as the 3rd of June, 1772 — that ages even me and some of us in this House.... Back then, the Speaker was directed.... A bill was before the House. It was rejected, and it was to be thrown. When the bill was rejected, the Speaker, according to his promise at the time, threw the bill over the table, the Clerks' table, and several members on both sides of the House kicked it out of the House.

Now, that would be interesting, to invite some paramedics to come here and kick this bill out of the House, but we don't have that at our discretion today.

What do we have, and why are we here doing what we're doing? What we have is the opportunity to say to the government: "Take this bill, take a breath for six months, and do some other things instead. Instead of bringing this bill forward, take some time and go and do some more consulting." They could choose to actually put it to a committee, if they chose to do that. But to do some things....

Why are we putting a hoist motion forward? That's the key critical question. Why a hoist motion forward? Well, because fundamentally we don't believe on the second reading debate that the government made its case. What was the government's case? The government said it needed to remove the collective agreement — free bargaining, the collective bargaining rights of the paramedics — because of imminent threats.

We, on our side, have to agree to those imminent threats, to buy that government's argument. The imminent threats, as posed by the government, were: H1N1, the holiday season, the need to get the paramedics back to full capacity. All of those were arguments that the government put forward in the very few speakers that they put forward — the Minister of Health, the Government House Leader, and the Minister of Energy and Mines. The rest of the MLAs have been silent. We can only go from what was said.

We need to examine that and say: "Are those true, imminent threats?" If we believe they are, we don't put amendments forward. If we believe they're not, then we have to make our case, which is....

In second reading, again, the government can withdraw the bill any time it wants to. It can take it off the order paper without an amendment.

We argued back, saying that those were not imminent threats, that the H1N1, that the holiday season, that the need to get the paramedics to full capacity were not the real reasons that were going on. We've been clear in the public, and it's been published that the real reasons that

we believe are going on are not being made clear by the government, and that has to do with the Olympics, and it has to do with other things.

Now, we also — and I argued this in my second reading response — believe the government undermined its own argument in the presentation of its case in second reading, and that was when the minister stated that there have been "no adverse patient outcomes" within the period of the strike.

That effectively negates the government's argument of an imminent threat, of the need to remove collective bargaining rights in order to restore a service, because the service was under the essential services act. Services were being delivered, and the Minister of Health himself said that there were no adverse patient outcomes as a result of the strike. We dispute and we do not agree with the government's arguments for why this bill needs to come in now.

What we want them to do, then, because we don't buy that case, is to hoist the bill. Hoisting the bill simply means taking it off the order paper for six months and doing something within those six months to find an alternate mechanism to resolve this situation.

[2220]

If the government doesn't resolve it within that period of time, they can bring the bill back. It means that the bill does not disappear. The bill can come back if the government proves its case that it's an intractable dispute, that there's been no headway made and now you have a situation where you're more than a year into it. Then they can bring the legislation back, and we can debate it again.

But we dispute that that's necessary, and what we're saying to the government is: "Look, you don't remove collective agreement rights lightly. You don't do that."

We're all wearing poppies because we are remembering the fallen who fought for democratic rights and freedoms. I feel there's a great irony that we're all going to go home next week and go remember our fallen veterans and honour the ones who are still alive and the democratic rights and freedoms that they fought for. It was not just the right to vote and the right to free speech. It was the right to collective bargaining, as well, that they fought for and that many of them died for.

It's a great irony that this government wants to avoid going home, not take the six months that the hoist motion gives them, but avoid going home and hearing directly from the paramedics, which they're all hearing from by e-mail and by phone to their constituency offices, and facing them directly.

They could all, in this six months, go home and put on a coffee meeting with all their paramedics and their families. They could all go home and open their offices and have them come in and directly sit with them.

I believe it is incumbent on every MLA, regardless of political stripe, that if they're doing something to the

public of British Columbia, they should be willing to go into the lion's den and confront it directly. If they're not going to do it in this House, they should agree to the hoist motion. They should go back, and they should do it in their own offices. They should invite paramedics in, and they should hear directly from them one by one, MLA by MLA, because they will have a period to reconsider.

I would hope, then, that the government MLAs would then send a message to the Minister of Health and the Premier's office that maybe this is not the best course of action. Why? Because the paramedics are being reasonable. The paramedics are saying that there are other alternatives to driving this bill through the Legislature in the time frame that it's here.

That reasonable approach is basically twofold. First, appoint a binding arbitrator to resolve the current bargaining dispute. The second thing is an industrial inquiry to review all of the issues that are outstanding, to bring the Ambulance Service back to full capacity.

I find there's a great irony in the Government House Leader's reasoning for why we're going to debate this all weekend. That's another set of arcane rules where the government chose to blow past the standing orders. We should have actually all been home in our constituencies. Every MLA should be home and would have the weekend and next week to talk to people, but we're not. We're here.

Why? Because the Government House Leader last night made a case that we needed to argue this over the weekend. That's why we now have put the hoist motion forward. Because not only do we disagree that the bill needs to be put in just now, we also don't agree with the need — and we debated that yesterday — to debate it over the weekend.

But the Government House Leader, in the argument for both the bill and the timing, said that we need to bring the Ambulance Service back to full capacity. You will not do that if the government proceeds through second reading and negates or votes against the hoist motion, because what you will end up doing is exacerbating the situation. You will make it so that paramedics believe that they are simply pawns in a power game that this government is playing with them and with their union. That doesn't resolve anything. It doesn't settle anything.

We are saying: "Take a breath. Go out there. Talk to people. Take six months, and then if you still need to do this, bring it back in." Now, the reason we're asking the government to spend some time and reflect...

I've given talks around the province since I've been elected, about the state of our civilization and where we're at, the state of our environment, our economy, the loss of the middle-income jobs that used to support families, etc.

One of the things I often ask people in advance of giving my main talk is: "What's the difference between

humans and other species?" Of course you get the opposable thumb. You get the use of tools, etc.

[2225]

But the reality is that modern science tells us that the only difference is that we can think into the future, that we have the ability to reason forward in time and to look at alternate scenarios as a result of actions we take now. There's no evidence of any other species that's able to do that. Unfortunately, we don't do that often enough.

In this case, if the government agrees to the hoist motion, they have the ability to exercise the one defining characteristic of humanity and the human species, and that is to think ahead.

I would suggest that there are two scenarios here. The government decides not to agree to the hoist motion, and the government passes this bill. That may be as early as tomorrow. The alternative is the government passes the hoist motion. So if they use that single, defining characteristic of human species and do some forward-thinking and some scenario-thinking, here's what I believe the two alternate scenarios are.

Should the government fail to agree to the hoist motion, this is what I think is going to happen. First off, they're going to undermine the morale of the B.C. Ambulance Service to the extent that they're going to exacerbate the problems that already exist — the problems with recruitment, the problems with retention, the problems with remuneration, the problems in rural British Columbia. They're going to make it worse, not better.

As a consequence, they are going to not achieve full capacity, which is what the Government House Leader suggested they're trying to achieve. They will not achieve full capacity by not taking the six-month pause and driving the bill through.

They will also, I believe, undermine the B.C. Ambulance Service's ability to deliver full and unfettered service to the Olympics and to what's going to happen here in February, because of them driving this bill through on the time frame that they're doing. So they are not going to achieve what they want to achieve.

Some of the paramedics are pointing out to me that operating under essential services legislation, which is what they operate on now... If the government says yes to the hoist motion, essential services legislation continues, and hopefully, an industrial inquiry is put in place. Then either arbitration or collective bargaining continues, and we get a reasoned resolution that truly does settle this strike.

Failing that, though, what the government has under essential services, as I understand it and have been led to understand it, is mandatory overtime to maintain the capacity of the Ambulance Service. They have mandatory things like training. They've got the capacity under essential services to make sure that the Olympics are fully covered using some of that legislation.

If they go back to the collective agreement, a lot of that becomes voluntary again. Under the collective agreement, the ambulance attendants and paramedics can make a determination of their own free will as to whether or not they're going to go the extra mile.

So in the no-hoist scenario, I believe that what the government is actually doing is undermining the Ambulance Service achieving its full capacity. They will undermine the morale of the Ambulance Service so that they will actually achieve the opposite of what the government is intending to achieve.

I ask the government members of the House to reflect on that very carefully and very deeply. I, like others, would appreciate hearing their thinking during this debate. That's what we were elected here to do — to share our thinking and to represent our constituents. I would appreciate hearing that.

Unfortunately, that doesn't appear to be the case. But think deeply about the fact that what they're doing is actually not going to achieve the government's stated intent, which is to achieve full capacity of the B.C. Ambulance Service.

The only way that the government can do that is to agree to this hoist motion, to take the bill off the order paper, to take the six-month period of time to sit down in a cooperative manner with the B.C. Ambulance Service and with their employer and to actually, I would argue, allow the industrial inquiry to proceed so that they look at the full range of issues, not just the wage, which is what the bill does. It only resolves a small portion of the wage issue. It doesn't resolve all of the other issues that are outstanding.

[2230]

Do that work in a cooperative fashion, and then, hopefully, they get the issue resolved and they get true full capacity, including addressing the issues of recruitment, of retention, of the remuneration, of the training and development and, of course, of rural B.C., where I live.

Those are the two scenarios. On the no-hoist scenario, on the government rejecting the hoist motion, then I believe what they will end up doing is undermining the paramedics and the B.C. Ambulance Service. As British Columbians need to know, after the big party is over — that's all it gets them: an enforced collective agreement to March 31, 2010, a few weeks after the Olympics — we start this all over again. That is unacceptable.

So take a pause. Step back. Take the six months.

Now again, as I start to wind this up, I would suggest that there's a couple of things that the government needs to look at. I think all of the government members need to go back and refresh their memories on collective agreements and what collective agreements really are and the right that they are.

The reason I argue that is because it might help them reflect, if they go and do it tonight... You can just google it. Wikipedia and others have a clear argument for

collective agreement rights. If they go and they look at that, then they might come in, in the wee hours, and stand up in this House and stand for that right.

As other members have pointed out, it's not just a democratic right. It's a human right. It's a human right recognized by the UN Charter. It's a human right recognized by the constitution of Canada. It's a human right that every member in this House should protect and defend and not allow to be bowled over by a government for some agenda that they're not being clear on in this House.

According to one of those webpages — and again, for the members' edification, so that they will support the hoist bill, because this is what they're allowing to be run roughshod over: "the right to bargain collectively with an employer enhances the human dignity, liberty and autonomy of workers by giving them the opportunity to influence the establishment of workplace rules and thereby gain some control over a major aspect of their lives, namely their work." That's what they're allowing the government to extinguish and to take away from them.

The second point that it makes is: "Collective bargaining is not simply an instrument for pursuing external ends" like wages, etc. Rather, it is "intrinsically valuable as an experience in self-government." Any government that uses a legislative hammer to take away the rights of individuals to govern themselves, I think, is doing a disservice, not only to the people of British Columbia but to humanity.

The third point it makes is: "Collective bargaining permits workers to achieve a form of workplace democracy and to ensure the rule of law in the workplace. Workers gain a voice to influence the establishment of rules that control a major aspect of their lives."

I challenge each one of the government MLAs to just simply go and take a look at the history of collective bargaining, the importance of collective bargaining, and at what it is that they're being asked to support, by their Premier and by their Minister of Health, if they support this bill and if they reject the hoist motion.

We're just simply asking for the rights of the paramedics to be respected, for that human right to be upheld. I would argue again, in the spirit of remembrance, which we're all going home to, that that is not something that government members should take lightly or in an off-hand fashion. It's not something they should simply ignore and do their duty in this House.

They should do their duty to British Columbians, do their duty to paramedics, do their duty to the voters who put them in here, do their homework on this bill and say yes to this hoist motion and give the paramedics an opportunity of self-government, which collective bargaining gives them.

J. Horgan: It is a pleasure to rise and support the motion, in the name of the member for Port Coquitlam, that

was on the order paper: to hoist Bill 21 for six months to provide an opportunity for the Legislature to contemplate and reflect on the views of our constituents, certainly on the views of B.C. Ambulance Service employees — and, perhaps, even to reflect internally, for those in the government caucus, just what this all really means.

[2235]

I feel an Aretha Franklin coming on. It's an r-e-s-p-e-c-t night tonight. I'm delighted to see members of the B.C. Ambulance Service in the gallery, and I know there'll be one or two in unit stations right across B.C. with the television on, hopefully. It's a Friday night. It's a rainy night. That's a busy night, by and large, for paramedics.

I'm hopeful that they'll have some time to engage in this debate, although it's odd to say "debate." I know that for most people, when they think of an exchange of ideas, a debate is where one side puts forward a point of view and the other side rebuts that.

My colleague from Cariboo North did a very capable job of laying out for us how a bill becomes law and how we come to this place. But if we were here.... Some of us in the gallery were here not 12 hours ago when our friend the Attorney General critic, the member for Nanaimo, very capably dismantled and dissected Bill 21 prior to the hoist motion that we're debating now.

It all comes down to respect, and it all comes down to putting forward your point of view. In a free and democratic society, hon. Speaker, as you know well, if you have an argument, make it. If it's a good argument, you'll win the day.

What we're seeing, however, is that this side of the House seems to have some fairly compelling arguments. I've been listening to member after member after member stand in this place.

The member for Vancouver-Kensington and the member for Nelson-Creston just in the past hour and a half have stood here as new members, not six months on the job, and given very, very compelling arguments as to why we should hoist Bill 21 for the next six months and provide an opportunity for the public to have their say with government members and with opposition members. We have two members that have been here, collectively, for less than a year, and they stood here for one hour and made the case to hoist this bill.

We've heard during that time not a scintilla of argument from the government side. Not a scintilla. My opposite number the Energy Minister stood today and said, "I'm really sorry" — to the folks back home — "I don't want to do it, but I have to, because I'm a member of the executive council. I'm a member of cabinet, and if I want to keep the job, I've got to do what the boss says, and the boss says that Bill 21 shall pass this weekend." That's why on a Friday night....

G. Gentner: Nuremburg.

J. Horgan: Nuremburg.

Deputy Speaker: Members, please. Will the member withdraw that? Will the member withdraw that comment?

G. Gentner: Nice place to visit, hon. Chair.

Deputy Speaker: Member.
Take your seat, Member.
Member.

G. Gentner: I withdraw.

Deputy Speaker: Continue.

J. Horgan: I'll just thank my colleague from Delta North. I was hoping to get a clean half-hour here.

I know I'm not going to get a heckle from the other side, because they've been sworn to secrecy. Not a word from the government side while we debate this hoist motion or while we debate Bill 21 at second reading.

Aretha Franklin. I made reference to that great singer and her classic song "Respect." I'd tip my hat, if I had one on. If I were allowed to wear one, a fancy one like the Speaker has, I would tip it to the people in the gallery today, and you have my undying respect and admiration. Thank you very much.

Back to the matter at hand, this morning we had the end of a two-hour presentation on the bill that we're speaking to hoist tonight, from my colleague from Vancouver-Kingsway. For two hours he stood in this place and made the argument as to why this bill should not proceed. For two hours he said, articulately and rationally, why it was that the fundamental rights of free and collective bargaining should be paramount, particularly as member after member has said: "We look forward to armistice week and Remembrance Day on the 11th month of the 11th day at the 11th hour."

To stand here now on a Friday night, heading towards 11 o'clock, and being compelled to try and convince the members on the other side.... The government members — elected by people who depend and rely on and respect the very paramedics that we are ordering back to work, the very paramedics whose rights to free and collective bargaining are being taken away from them — need to listen up.

[2240]

It's a wake-up call, member for Abbotsford-Mission. It's a wake-up call to all the members on that side of the House, to recognize that in a free and democratic society, if you've got a point of view, let's hear it. If you've got something to say, stand and say it.

On Armistice Day, on Remembrance Day, just about every single person in this place will be at a cenotaph somewhere in British Columbia. They will be putting down a taxpayer-funded wreath on behalf of the Legis-

lative Assembly of British Columbia. I will be doing so this year, proudly having had the opportunity to stand in this place, the Legislature of British Columbia, and defend the rights that my forefathers and the forefathers of every member in this place put their lives on the line to defend and protect.

It's unconscionable that members on the government side.... If they are so convinced of their argument that the rights of these individuals are secondary to these principles that we should all be upholding, they should stand in this place and say so. They should stand here and say it tonight.

The hoist motion put forward by the member for Port Coquitlam provides a glowing opportunity, an excellent chance for government members to reflect on their views on this matter, to reflect on the respect or lack thereof that they want to provide paramedics of British Columbia, to stand here and say why it is that their rights are somewhat less than everyone else's in British Columbia at this time.

We went through, you will know, a whole series of public sector bargaining not a year and a half ago. It's relevant to this hoist motion only in this sense: at that time there were bonus provisions in contracts that were given to every single public sector worker in the province of British Columbia. The mean-spiritedness of Bill 21 is reflected by the simple fact that there is no bonus in this imposed contract.

For that reason alone, for that fundamental fairness aspect that is missing from Bill 21, the hoist motion provides an opportunity for government to go back, to reflect, to look at revenues. Has the treasury been boosted over the past six months? Maybe the money's there now.

Apparently there's going to be a big boom as a result of the Olympics. Billions of dollars are going to be made. I heard the Minister for Small Business say that just the other day. It's going to be coming up roses. We're going to be paving the streets with gold. We're going to put a \$500 million lid on an archaic stadium in the middle of Vancouver, but we don't have the resources to sit down and fairly bargain with paramedics and other B.C. Ambulance Service employees in the province of British Columbia.

It's pretty difficult for those individuals to take that, individually or collectively. If we've got half a billion dollars to put a lid on a stadium in a very rainy city.... I freely admit that it does rain in Vancouver. But for those nine B.C. Lions games, one of which is being played tonight....

Interjection.

J. Horgan: They got creamed? That's a shame. There you go. They'll have a new lid next year. It'll all be good. They'll play better.

The hoist motion provides an opportunity....

Interjection.

J. Horgan: I wanted a clean speech, Member. Shut up, would you? Stop heckling me.

For the six months that this will give the government members to reflect and to talk to their constituents, this is a motion that I think certainly deserves their support. With any luck.... If the members who are in the gallery and those who are watching at home stick around long enough, we just might get one more member standing up. That seems to be something that they do like to do now and again.

We had the apologist from Peace River South getting up this morning and saying he was truly sorry. He's a decent fellow. I don't doubt that he was sorry, but when you're a cabinet minister, you've got more than just your sorries to give. You can sit at the cabinet table and say to the Premier and the Minister of Health: "This is wrong. We shouldn't be doing this." In fact, the member for Peace River South did do that once. He did do that once in the last parliament. Why not now? What's the difference now?

The difference now is that there's an agenda at play. My colleague from Cariboo North made reference to it. I know that as we give the opportunity to the government members to think about this for the next six months, we will have passed the motivation for this back-to-work legislation. That's the 2010 Olympic Games and Paralympic Games in Vancouver and Whistler.

[2245]

Now, everybody wants that to be a success. Paramedics want that to be a success. Dispatchers want that to be a success. But what they also want is fundamental, basic human rights — a human right that people died for, a human right that we will acknowledge next Wednesday, the 11th — the 11th day of the 11th month at the 11th hour. We will acknowledge that day.

I for one, and I know every single member on this side of the House, will be thinking about men and women who wear uniforms, drive trucks and save people's lives on that day, not just our men and women in service overseas and here in Canada but those who work in law enforcement, those who work in protective services and, most importantly today and next week, those who save lives by driving ambulances and getting people in distress to health-care-provision services in hospitals and other primary care facilities right across British Columbia. Fundamental, hon. Speaker.

I don't want to leave Aretha Franklin too far behind, because I think that that's what I'm going to be humming for the rest of the week and into the wee hours. I hope that it is resonating. Even now I can see a toe tapping from my friend from Burke Mountain over there. Absence an opportunity to stand in his place and speak, he can at least think about Aretha Franklin and the respect that the people in the gallery so desperately deserve.

The public interest should be paramount, hon. Speaker, and you know that. When we come to this place.... We were elected not seven months ago to come here and exchange ideas, to try and find ways to improve the human condition in our communities, in our province, in our country and in our world.

I fail to see how the human condition is improved by taking away rights from one group and class in society at a time when we have given bonuses, generous contracts and improved working conditions to virtually every other public sector employee in the province. The last group, many of them sitting here today, won't have that opportunity.

Deputy Speaker: Remind the member, talking about the amendment.

J. Horgan: We are talking about the amendment, and I thank the Speaker for bringing me to order. I would have thought only my friend from Delta North could have wrecked my clean half-hour, but now I've done it myself, and I appreciate the reminder from the Chair.

The hoist motion, which we're speaking to today, is intended to provide the government with a way out. I know it's difficult to admit you're wrong. I do it quite frequently, hon. Speaker. In fact, I just did a moment ago to you. I was wrong to stray from the importance of sticking to the hoist motion in the half an hour I have at my disposal. I admit I was wrong. I'm bigger than that.

I'm hopeful that there will be members on the other side that are bigger than that as well and that they'll take advantage of this opportunity that my colleague from Port Coquitlam has provided and reflect and support this motion so we can remove this piece of legislation and allow the voting that's going on this week to continue to take place so that free and unfettered collective bargaining can continue.

The labour relations failure of this government is everyone's problem. It's not just the problem of the Liberal administration. It's not just the problem of the wrecking ball that we now call the Minister of Health. It's a problem for all of us.

As legislators, we're providing the government, and as well as ourselves, an opportunity to go back to our constituencies. You've heard, hon. Speaker, from many members about the volume of e-mails and other communications. I was just at an event in my community of Sooke. I had to cut it short to come back to participate in this debate. I was encouraged by the people in attendance at the event to get back here and support the hoist motion, and I do that happily and proudly.

I think it's important if a government runs afoul of common sense and runs afoul of the public interest that we have an obligation.... I've said many, many times that the Queen pays us to be her loyal opposition. We are

doing not just the government but the public a favour by being here at ten minutes to 11 on a Friday night trying to bring some reason and sanity to a debate that we, sadly, are the only ones participating in.

Again I reflect on what people assume when they mark their ballots at election time. They send people to this place to debate bills, motions and hoist motions such as this. They assume that in a pluralistic society like British Columbia there are going to be different people with different perspectives from different walks of life. We've had lawyers. We've had bus drivers. We've had administrators. We've had principals and small business people. My friend the banker from Abbotsford-Mission.... We come from all walks of life, and one assumes we come with different perspectives.

[2250]

The whole point of assembling in a legislature or a parliament is to exchange those points of view, to come up with a collective reason to move forward as a society. How do we do that when only one hand is clapping, when only one side of the Legislature is speaking to a point of view?

It's very difficult for the public to have confidence in a government when they don't have the confidence of their convictions to stand and argue the point with respect to Bill 21 or, more importantly, with respect to why they don't believe that this amendment should proceed.

We won't know until the vote is taken I suppose, and it will come as a surprise to many of us on this side when we're only joined by my friend from Burke Mountain, voting in favour of the hoist motion. I know he's been listening intently to the debate, and I sense a maverick in him. He likes the Aretha Franklin. He's tapping his toes over there. I think he's going to pop to his feet when the vote is taken, and he's going to support this hoist motion. So that's one. We've brought one over with the force of our arguments.

An Hon. Member: A member of great faith.

J. Horgan: Yes. Yeah, I'm nothing but a faithful individual.

I know that my friend from West Vancouver-Capilano has been listening intently to our arguments with respect to the hoist motion, and I'm confident that a man of his experience and depth will take stock of what's been said in the Legislature. He'll reflect on what we've said on this side of the House about the importance of collective bargaining, about the importance of consulting with constituents before we are precipitous in our decision-making.

I'm confident, after he looks and reflects on the perspectives put forward by his colleagues — at least maybe the points of view that are put forward to him privately.... We won't be able to judge what they're going to do based on what they've said — not by their words; only by their

deeds. And their deed is an iron fist slammed down on top of the employees of the B.C. Ambulance Service.

Free collective bargaining has been going on. An arbitrator has been requested and rejected. An arbitrator was requested again and rejected. Yet here we are while a vote is being taken — unprecedented — to have to bring forward a hoist motion so that the government will allow that process to proceed. The intent of Bill 21 is to reduce and eliminate free collective bargaining. This hoist motion provides the government with the opportunity to step back from the precipice, step back from the edge.

I know that Burke Mountain's with us. Oak Bay-Gordon Head — we're working on that. We're working on other members. One and two and three and four and five — I can count them off. We only need ten, hon. Speaker — ten government members to come to their senses, to recognize the wisdom of removing this piece of legislation from the order paper for six months.

Imagine what you could do in six months. Imagine what we've done over the past six months. Many of us were elected, as I said — our colleagues from Kensington, our colleague from Nelson-Creston, newly elected. It's been a pretty hectic six months for them. Extraordinary work has been done by them in this House, in their communities.

Imagine what the government could do if they had six more months to reflect on how we can improve our health care system by ensuring that we have recruitment and retention strategies in place so that we can ensure that people want to work for the B.C. Ambulance Service, not forcing them to work for the B.C. Ambulance Service under conditions that were not freely bargained, for wages that were not agreed to collectively. That's the fundamental issue at play. The hoist motion provides the government with the opportunity to let that sink in.

My colleague from Vancouver-Kingsway was talking about the esprit de corps, the sense of camaraderie within the paramedic service. I made reference earlier on, and I'd like to do it again, to my brother who was a unit chief in Mill Bay for many years in the 1980s. I have a nephew who is now a firefighter but was a part-time paramedic for the B.C. Ambulance Service but couldn't stay in the profession that he preferred because of the policies and practices of previous governments, not just the B.C. Liberal government.

[2255]

The fundamental challenges that exist for people who want to pursue a career as a paramedic are daunting. We've heard in previous debates from members on this side of the House — every single member on this side of the House — how challenging that is and how rewarding it is to know that we have people in our community that are prepared to make those kinds of sacrifices, for the passion and commitment of a career that certainly isn't one that they undertake for riches.

It brings to mind the last piece of back-to-work legislation we had to deal with, which was, again, in the education sector, where it wasn't for love of money that people go down that road. It's for passion and a commitment to a career, and that is certainly what we have with paramedics in British Columbia. They're not doing it for the money, and if you can't give them money, government, why not try a little r-e-s-p-e-c-t? A little bit of respect is what we're looking for here. You don't show respect to people by yanking away their rights.

This opportunity, which the opposition is providing to the government, is one that I strongly, strongly urge government members, aside from my singular friend over there from Burke Mountain, to take up as we go through the night and into Saturday and Sunday, as we proceed with this debate on this motion and other motions that we have in store for the Legislature.

I think that if we had heard even a modest attempt by government to justify why it is that they believe that we need to go down this course.... We've had the theories brought forward by my friend from Cariboo North. There's the notion that we need to be up to full capacity. That was the rationale. As he so ably said, we dispute that rationale. In fact, that's the motivation for us to be speaking to this hoist motion and to have it put on the order paper by our colleague from Port Coquitlam.

If full capacity is the argument, then tell us. To the Minister of Health and to the Government House Leader and to the Premier: tell us how it is that forcing people back to work against their will — without their ability to vote and support that position — gets us to full capacity?

What kind of retention and recruitment strategy is that exactly? "I'll tell you what. Come to British Columbia, paramedics across Canada. Come to British Columbia where your working conditions are not of your own making."

Deputy Speaker: On the hoist, member.

J. Horgan: On the hoist motion. Well, I'd be delighted to do that, hon. Speaker, and again, I thank you very much for bringing me back to the point. I really, genuinely believe that when I say it. There are those here that won't believe me, but I do.

The hoist motion, as we look to next week and we look to the next six months, is an opportunity for the government of the day to do the right thing. Oppositions, as you know, hon. Speaker, have very few tools at their disposal to make points in this Legislature. We have the time available to us in debate, under the standing orders, which I know you are conversant in and learned in those issues, and those are the very tools that we're using today. We're using those tools to make the case to government: "You are the one that writes the book, but we're the ones that read it."

By doing so, all members on this side of the House will be standing in their places making the case that government should support our position, hoist this legislation, take six months to reflect, talk to your constituents, talk to the people in the gallery, answer your e-mails and tell those people at the other end of their computers why it is that you think that their rights should be dragged away from them.

Take advantage of this. We'll give you more opportunities as the weekend unfolds, but you could deal with it right now by standing here and supporting the motion. If we had ten members on that side of the House stand in their place and join the debate, we could get there in no time at all. We could all be home in time for *The Daily Show*.

Interjection.

J. Horgan: You want to listen. Excellent.

Oh, and I see.... I'm not going to tell anyone who just came in, because I'm not allowed to do that, and I don't want to be reprimanded yet again by the Speaker, but I do want to say....

Hon. B. Lekstrom: A week has gone. I've been listening this week.

J. Horgan: It's weak? It's 11:30 or very close to it.

[H. Bloy in the chair.]

Interjection.

J. Horgan: Oh, is that what it is? Okay. We've got some heckling going. That's a step in the right direction. If you can heckle, that means you can reason, which means you might be able to come to the right point of view, which is: support the hoist motion, go back to your constituents, and defend the point of view that you're trying to put forward here.

An Hon. Member: A little heckling is as close as they get to speaking.

J. Horgan: Thank you very much.

Deputy Speaker: All the comments through the Chair.

J. Horgan: Absolutely, hon. Chair, absolutely. I would be delighted to put all my comments through the Chair.

[2300]

I had been speaking about the public interest, hon. Chair, before you arrived and how it is my view and the view of members on this side of the House that the public interest is not served by Bill 21 and, rather, is better

served by removing this bill through the hoist motion for six months.

Now in the four-year mandate of a government, six months isn't a great deal of time. I had said earlier — you might not have had your microphones on in your office before you took the chair — that we've had members who have been here for less than six months who have stood in this place and made very compelling arguments as to why we should take advantage of this opportunity as legislators to remove this piece of legislation from the order paper and allow free and unfettered collective bargaining to proceed.

It's a simple argument. My colleague from Peace River South disagrees with it. I know that I'm winning over my friend from West Vancouver–Capilano. But the challenge that we all have is that when we leave this place sometime over the course of the weekend, we're going to have to go back home. We're going to have to talk to the people who sent us here and justify our actions. I am quite confident that I'll be able to justify my actions when I go back home. There are going to be people that disagree with me, and I'm okay with that.

But I don't believe that the government is doing anyone a service, save and except the member for Peace River South, who stood in his place and made the case. I don't believe that the members on that side of the House are doing themselves or this place a service by letting the opportunity go by. You weren't elected to do what you were told by the Premier and his staff. You were elected to listen to your constituents.

Interjections.

J. Horgan: I'll shine another day. Thanks, Minister of Labour. I'll do lots of shining some other time. Was that the defence of the legislation?

Again, the opportunity is there for government members. Only one has taken that opportunity. I'm hopeful that as the weekend unfolds, more members will stand in this place and make the case for why one group of society, one class of workers in the public service of British Columbia don't deserve the same thing that everyone else was given not a year ago.

Timing is everything in life and politics, and I guess in collective bargaining, and it's unfortunate that the CUPE 873 had the bad luck of not having an agreement signed prior to the commencement of the 2010 Olympics. That's just bad luck. But I think that you've got to look a little bit past that. This is a group of workers that have been at their posts under essential service designations doing the work that they love to do, doing the work not for greed, not for avarice but because they believe in it. That's why we need to respect what they do.

The member for Peace River South said: "We do respect you. We do respect you." Well, show me. Show me. Let

them get back to the bargaining table. That's a demonstration of respect. That's a true demonstration of respect, not: "I'm sorry, I didn't mean to do it."

"I'm sorry, I'm not going to allow it to stand." That would be a courageous thing to do. That would be a principled thing to do. But instead: "Well, I didn't want to do it. I'm sorry. I'm sorry."

An Hon. Member: Just read the *Hansard*.

J. Horgan: I'll go back and look at the *Hansard*. I'm sure my colleague for Peace River South didn't mean to do it. He's not sorry, then, is what I'm interpreting from that.

This is a debate. A debate is breaking out in the Legislature. Stop the presses. It's unfortunate that we don't get to do more of that, and I suppose we will do that later in the week.

Hon. Speaker, I want to conclude my remarks as we get to the end of my time by thanking you very much and thanking my colleague across the way for his attention.

I'm hopeful, again, that when the opportunity presents itself to stand in this place and vote on the hoist motion before us, ten people on that side of the House will have the good decency to think about what they're going to be doing on the 11th day of the 11th month at the 11th hour and think about the men and women who wear uniforms every day, put their lives on the line to save people, to protect their liberties, and do the right thing. Get this thing off the order paper, and let's go on to something that will improve our community, improve our society and make the world a better place.

R. Chouhan: I seek leave to make an introduction.

Deputy Speaker: Continue.

Introductions by Members

R. Chouhan: In the gallery we now have another dedicated, hard-working paramedic, Sean, joining his colleagues in the gallery watching us here. Please join me to welcome him.

[2305]

Debate Continued

N. Macdonald: I stand to take my place in the debate to speak to the hoist motion which proposes a six-month delay to reconsider a very poor piece of legislation, a flawed piece of legislation — six months to, perhaps, allow the B.C. Liberal members to gather thoughts and gather information so that they can participate in a debate. There's no question....

Interjection.

N. Macdonald: A B.C. Liberal member has a comment. She says it's sanctimonious to suggest that there's an expectation that a B.C. Liberal member would come to this place and actually speak and explain why they're going to stand and support a piece of legislation that is indefensible.

Well, it certainly seems to be indefensible, because in four days of debate on the main motion and here with this hoist motion, there's been approximately 15 minutes of explanation from this government. The Minister of Labour has not stood in this House and made any explanation to paramedics in this province why he is going to stand and support a piece of legislation like this.

The fact of the matter is that there are huge underlying issues that need to be addressed and should have been addressed over a number of years, not seven months — four or five years. None of these issues are new. All of these issues were created by a B.C. Liberal government that put in place a series of rules that have not worked.

They certainly have not worked for rural British Columbia. They certainly, with the e-mails that are coming in to us...

I just want to maybe stop before I go too much further and just say to paramedics how profoundly we respect the work that they did, and the opportunity that I had to speak to Bill 21. In the original second reading debate I spent much of the time that I had just talking about that job. It is a job that each and every one of these members should be familiar with.

In 2005, when I first ran provincially, I had the opportunity to meet with paramedics. These were people that I knew in my community, that I had dealt with in my community for many, many years, as I lived in Golden a long time — Ron Oszust, Ian Milroy, others that have served as paramedics for a long time.

If you're in a small community, you are familiar with the work the paramedics do and the challenges that paramedics face. In 2005, running for election, we met with paramedics. The issues that they laid out are fundamentally the same problems that exist right now.

With this hoist motion, we set aside a damaging piece of legislation. We set it aside for six months. We give the government an opportunity to go and actually fix problems that have needed fixing for a long, long time.

There is a presumption within this government that somehow wisdom sits with one person and everything, top down, is solved by that one person. That's the presumption that this government has in each and every situation, and it leads to failure after failure after failure.

The reality is that the wisdom on this issue sits with people on the ground who actually do the work. They know what the problems are. They have identified them for four or five years. They have identified them clearly. They have said what the solutions are — what the solutions are to getting the training and the retention, to attracting people to this position.

They have laid out the situation again and again. Everybody understands it except for members of this government. There have been resolution after resolution that have come from local government. They get it.

They have spoken to the UBCM; the UBCM passes motions. All sorts of organizations from local government pass motions that indicate and lay out the problems that exist for paramedics, the problems that exist for the system as a whole. We need to remember that if it's not working for paramedics, if it is not a system that works for them, it's a system that does not work for the wider population.

[2310]

Why there needs to be a hoist motion, why this legislation needs to be set aside for six months, is because what is at stake is the system, the B.C. Ambulance system. It has been systematically degraded, and the consequences for that are going to be felt. There are consequences to mismanagement — consequences.

In 2005 we used to have an MLA for Cariboo South that actually understood issues, would stand in this House and articulate clearly issues, especially around paramedics. I can remember in 2005, right after we got to this House, where he talked about the Kamloops Dispatch Centre.

The Kamloops Dispatch Centre was responsible for pretty well all of the Interior. It is a critical part of emergency services. Yet there have been problems there that Charlie Wyse and other NDP MLAs pointed out to government, because they were told by paramedics, told by the paramedics union, that problems existed and that unless those problems were fixed, there would be consequences for what we assumed would be the wider public.

I can tell you that in 2006, in May, one of the most difficult days in Kimberley's history was with the Sullivan mine disaster. Of the four victims, two were paramedics. After that there was a push — and it took almost a year by the community, by paramedics, by steelworkers — to get a coroner's inquest.

It points to why you need to understand issues and think about them. Clearly, since there's not one B.C. Liberal... I guess there were three that put out five-minute arguments, and two of them were completely, well... You need to understand these issues. The hoist motion gives an opportunity for people to go, B.C. Liberals to go and actually learn something about the issues so that they can understand.

I'll just give you an example of why it is critically important to understand the failings of the Ambulance Service. Paramedics identified the problems at the Kamloops Dispatch Centre. They identified them clearly. But in May what took place? In May of 2006 you had a call that went to the Kimberley station.

Deputy Speaker: Member, if I could please ask you to draw your comments to the hoist motion.

N. Macdonald: Of course. The hoist motion is an opportunity to take six months so that this legislation could be put aside, so that members can go and learn something about the issue. Clearly, if nobody is capable on that side, capable of standing and speaking on the issue....

Interjection.

N. Macdonald: The member chirps again. If she wants to stand up and speak, she has the opportunity. Each person has the opportunity to stand up and make a speech. If she chooses not to, then that's fine. What she can do with the hoist motion is she can take the time to go and actually fully understand what we're talking about here, because these are critically important issues.

The Kimberley station in May 2006 received a call. Two paramedics were dispatched. The issues that were raised by the union at the Kamloops Dispatch Centre were around noise. They were around working conditions. They were around things that this government has ignored and continues to ignore. They feel that somehow it has nothing to do with making the system work properly.

So what you had is information that went to the dispatch centre. That information was not heard properly, so information was sent to the Kimberley paramedic office with incorrect information. You had paramedics Kim and Shawn, 35 and 21, sent to a site believing that they were going to a tailings pond where there had been a drowning.

[2315]

The information that had gone to the Kamloops Dispatch Centre told fairly accurate information about what the situation was, but because of noise and all sorts of other system problems that had been identified but not dealt with, the information was not heard properly and was instead sent inaccurately to the paramedics.

Now, part of why we need to do the hoist motion is because people need to understand what is at stake here. They need to understand how, if there is a system failure, it affects people. So they went, believing that they were going to a drowning in an open pool, and instead showed up and met somebody who told them that there was somebody inside an enclosed area, a shed on the Sullivan mine site. In those few seconds, arriving with inaccurate information, they were directed into a site which was incredibly.... Well, it had no air, and we lost two paramedics.

When it came time, and when we finally had an opportunity to have a coroner's inquest, there were in total 16 recommendations. Well, four of them were issues that had been raised by paramedics and by the union. There were recommendations that the Kamloops station needed to install soundproofing, deadening material on the walls and ceiling to cut down on the ambient noise

in the dispatch centre. Those were issues that people should have been aware of and the government should have been aware of. With the hoist motion, it gives government members an opportunity to go and fully inform themselves on what's at stake here.

It goes on to say that there needed to be actually breaks for the communication centre dispatchers. Those are things that the union had been fighting for, and it takes a coroner's inquest to point out those shortcomings? It talks about the Kimberley station actually getting a full-time unit chief to ensure training and compliance. Well, that's something that the community was fighting for, that's something that the union was fighting for, and that's something the paramedics were fighting for.

All of these issues are laid out as early as 2005 in Kimberley. They are not dealt with, and the consequences are severe, in this case for paramedics. In other cases it makes challenges, you know, for other citizens. We absolutely depend on the system working properly, and it will only work properly if it is managed properly.

It is this government that is responsible for making sure that that proper management happens, and they have systematically failed again and again and again, right up until this point. This bill represents another complete and utter failure — a complete and utter failure. You know, the amazing thing is that paramedics struggle to make it all work. They somehow find a way to deal with the government's incompetence. They put up with working conditions that are completely ridiculous.

I mean, each and every MLA has received e-mail after e-mail. I have my e-mails from my own community and from people that I know, but I have also received many of the e-mails that have gone to each and every MLA, including B.C. Liberal MLAs. While I say that they should inform themselves, part of informing themselves would be to simply read the e-mails that have been sent to them in the last number of days. But they choose not to.

They choose not to actually stand in this House and make a cogent argument for why they would support this bill. I would think that the bare minimum would be to stand and do that. I say with all sincerity that there was a member that stood and made that argument. I doubt he will agree with all the things I'm saying, and I didn't completely agree with the things he was saying, but he stood and he made his case. That is the minimum, the minimum standards that should be in this House — that you stand and you make your case for what you're going to do.

That we would have a bill like this that impacts a labour situation and not have a Minister of Labour actually stand and express an opinion is absolutely unbelievable to me. It's absolutely unbelievable that the full range of argument that the government has over the course of a four-day debate is essentially five or ten minutes of a case. That that's the extent is ridiculous.

[2320]

In Kimberley the situation with paramedics continues to be problematic. I spoke in my fore speech about things that the people should go and learn about, and that's one of the reasons we have the hoist motion. They should go and learn about it. If they are ignorant about this sort of a situation, go and learn about it. Read some of the e-mails and see what sort of working conditions that paramedics live in.

I went to each and every one of the stations in my riding. There are four of them — four stations. In Kimberley they have an actual, proper station. That's by no means the case in each one of my communities. In Revelstoke and Golden they don't even have a station. At this moment in Golden they're in a motel, and in Revelstoke they have an industrial site. They've gone from a motel into an industrial site, and that's over a four-year period. They're still waiting for a proper station.

At least in Kimberley they have a station. I talked to a gentleman there. He works the equivalent of two jobs. He is described as part-time. He makes less than \$50,000. He has one-third of that that's pensionable. It is a ridiculous working situation. How do you retain people and ask them to do the difficult work that we ask them to do? How do we retain people? Why would they possibly do that?

For the past four or five years all of the problems that we need to deal with have been laid out for the government. They have been laid out for them, and still nothing comes of it.

We put in front of the House a hoist motion, which is a tool to slow this down. We promised that we would do everything we could to stop and slow down this legislation, to make sure that nobody could vote on this in this House without having some idea about what they're actually doing to paramedics. Yet it's not much of a debate, really, is it?

I went to each one of the stations last month. I also participated in elections, and I know... While I doubt many B.C. Liberals went around from station to station in their ridings — I mean, clearly they haven't — during the election they could not have missed some of the issues that have been raised over the last number of years. They couldn't have missed it. There were paramedics at each one of the all-candidates debates, and I know that many B.C. Liberals skipped the all-candidates debates, but some must have gone, and some must have been asked questions about paramedics.

You go back and you look at clippings, and there are even B.C. Liberals that promised to be champions. In fact, there are people that were elected as champions of the paramedic issue. They promised that they were going to come here and solve it, and yet here they are without taking the time to prepare themselves.

Well, I offer a solution: a hoist motion. If you need another six months, I think B.C. Liberals can take that six months. Vote for this hoist motion and learn a bit

more about what they need to understand about the paramedic service and about this issue.

Think back on the commitments they made when they were elected. Think back on what they said to paramedics when they were elected. Did they tell them that they were going to treat them this way in the House? Did they say that they were going to support a bill without even speaking to it?

Deputy Speaker: Member, would you please direct your comments to the hoist motion that we're talking about. Thank you.

N. Macdonald: Well, I'm supporting a hoist motion that would delay Bill 21 for six months. It's a bill that deserves to be not only delayed; it's a bill that deserves to be defeated.

It's not only Kimberley that has issues. In the time that I've had, for the past four years we've also had issues in Invermere. In Invermere the issues relate to retention and to making sure that we keep the paramedics that we need in that community there. For them to stay they need proper working conditions. We absolutely depend upon them.

[2325]

The hoist motion, as I've said many times, gives us an opportunity for other members to inform themselves. There are people that are watching and people in Kimberley — people who understand the situation there, people who know that this is an important issue. There are paramedics in Kimberley that are watching. They know they have the community behind them. They know that the community understands. There are signs everywhere, in front of every house. In many, many houses you see signs supporting paramedics, on the lawns saying that they support paramedics.

With the hoist motion, it'll give an opportunity to some B.C. Liberal members and ministers to go and see if it's not the same case in their community. I bet you it is. I could not imagine that there is any public support for what's going on here at all. There certainly isn't in Kimberley. There certainly isn't in Invermere. You know, they must be getting the same e-mails that we're getting.

I have one from Canal Flats. The first mayor of Canal Flats sent an e-mail just yesterday. He thinks it's outrageous what the government is doing. He's not a paramedic; he's a citizen, and there are all sorts of citizens.

If the ministers or the members of the B.C. Liberal government aren't ready to speak to this, then the hoist motion gives them that opportunity. If they need six months to understand the issue and to prepare themselves to come here and speak, then this hoist motion gives them the opportunity. I certainly know that in Invermere people understand the situation. I know in Kimberley they do. I know in Canal Flats they do.

In Golden we have paramedics that aren't even in a proper station. They're in a motel. They're asked to

work out of a motel. They're asked to protect and deal with situations on the Trans-Canada Highway. They're asked to do all of these things, and with a hoist motion, hopefully there will be members of the B.C. Liberal government that will come to understand some of the problems that are there that haven't been addressed.

You know, the minister, in the one point of clarity that he had, acknowledged that there were rural issues that had to be dealt with, and yet he decided that any work that had been done needed to be thrown away, because there had apparently been some progress made in dealing with these issues.

Deputy Speaker: Member, please restrain remarks to the motion that's on the floor, the hoist motion.

I'll read it for you so that you're aware. It's that "the motion for second reading of the 'Ambulance Services Collective Agreement Act' (Bill 21) be amended by deleting the word 'now' and substituting the words 'six months hence.'" That's the basis of the debate for this evening.

N. Macdonald: Sure. I guess I need to explain the rationale. The rationale is we have the hoist motion. It is a suggestion that we take six months to put in place an opportunity for the B.C. Liberals to understand the issues that are in front of us. I think it makes sense, Mr. Speaker, to lay out that argument without having to say hoist motion every ten seconds. So that's what I'm attempting to do, to put out a full argument about what we're talking about without simply needing to do that.

I mean, it's pretty clear that there is not a full understanding by this government and by government members and that they're not able to articulate it. That we have a Minister of Labour that can't stand and articulate a rationale for supporting it, indicates a need for six months, a need for perhaps an even longer period of time.

In Revelstoke there's not even a proper station. Despite a clear promise from this government that they're going to provide one, they still haven't.

As I've said to the Speaker, I am laying out a rationale for six months. Six months is a minimum. I think other people get it. You know, each one of the MLAs, you're receiving many of the same e-mails that I'm receiving. You cannot be ignorant of the fact that the case that is made by paramedics is a strong one.

[2330]

The opportunity here with this hoist motion is to take the six months, if that's what you need. But the fact of the matter is that the case is compelling. The case is compelling to not move forward with Bill 21, to delay it at least for six months, to sit down and actually solve the problems that have been outlined again and again by paramedics, by local government, by this opposition — to actually solve some of those problems.

That is the obligation that a responsible minister has — to actually solve some of these problems. It is a critic-

ally important service; it is a service that has to function. When it doesn't function, lives are at stake. It is a service where each and every member, each and every paramedic, stands tall in the community. People respect them. People expect a government to treat them properly. People expect the service to work properly, but it can only work if it's managed properly. What we've seen over the past four years, continuing with this piece of legislation, is sheer incompetence.

The very least that needs to happen is that it be set aside for six months. That is the very least that needs to happen. Yet what will happen? Once all the tools that we have are used, what will happen?

Well, I know there are many paramedics that, when they write, talk about the disrespect. Clearly, there's a tremendous amount of disrespect. I don't think paramedics expected anything different from this Premier and from the government that he leads. During the election he flicked a loonie at paramedics that came to speak to him. That's not the act of a respectful person, not really the act of most adults, but it is something this Premier chose to do. So it's no surprise that you get a piece of legislation like this.

It's our intention to try to do everything we can, as an opposition, to slow it down. The reason for the hoist motion is to try to push it aside. But the fact of the matter is that paramedics do have a government that simply doesn't show the service the respect that it deserves.

The opposition knows that. Paramedics know that. The people of British Columbia know that, and paramedics deserve better. The people who depend on the service deserve better.

In Revelstoke it is, again, one of the more difficult places to serve as a paramedic in my experience, but my experience of course is limited by the area that I come from. I'm sure that each and every community would stand up and say the same thing. I know the stories from the people that I represent. I understand the communities that I represent. I'm here to tell their story. That's our job.

One of the reasons I'm asking for an additional six months is to give opportunities for other members, B.C. Liberal members, to stand up and speak. To me it's atrocious. It's unbelievable that we could have four days of debate and approximately 15 minutes of argument from the government. It shows a disdain not only for paramedics. To be honest, you're in good company.

It's a government that shows disdain for pretty well everyone — for seniors, for children that they leave in poverty. It's a pretty long list of people that this government shows disrespect and disdain for, and certainly it's something that is unacceptable.

There is still an opportunity for one more member to stand up and do their job — one B.C. Liberal to stand up and do their job. The very least we expect is to have somebody stand and explain why they're going to vote

the way they are, to try to make the case for why they're going forward with this piece of legislation. The fact that they will not even do it is incomprehensible to me.

The fact of the matter is that if this place had a paramedic contract, the B.C. Liberals would be on standby. They'd be getting \$2 an hour right now. They're certainly not doing their job, not standing up and expressing the opinions that they must be hearing in their own communities. It's a pretty sad day for a legislature when that happens.

[2335]

I've stood here this week, and I've appreciated the member that stood and expressed an opinion. I can respect that. I can respect somebody standing and expressing an opinion, and I mean that sincerely. But to come here and vote on an important issue...

Deputy Speaker: Thank you, Member.

N. Macdonald: ...and to not — that's difficult.

Deputy Speaker: Thank you, Member.

N. Macdonald: So with paramedics....

Deputy Speaker: Member. Thank you.

J. Brar: It is 11:35 p.m. I feel proud to stand up in this House and support this hoist motion introduced by the member for Port Coquitlam to postpone Bill 21 for six months — just for six months. But first of all, I thank the member for Port Coquitlam for coming up with this very creative idea to postpone Bill 21 and bring together both parties and negotiate and find a solution in a respectful, fair and peaceful manner. That's a very good suggestion to think about.

The members of the official opposition are often criticized by the members on the other side. "No matter what you say and no matter what you do, they will just oppose that." But in this case, the member for Port Coquitlam has proven them wrong by making this proposal to amend this bill.

Excellent suggestion made by the member to postpone Bill 21 for six months — just for six months — and go back to the negotiation table with a commitment to negotiating in good faith and reach a settlement that is workable for both parties. What else can the government hope from an opposition member?

I'm very surprised that none of the members from the other side stood up in the House this afternoon and spoke, either to support the hoist motion or oppose the hoist motion — with one exception. That is the member for Peace River South, who did stand up in this House and speak to this motion. No other member stood up in this House and said anything about this hoist motion.

We're elected by the people of British Columbia to come into this House and debate the issues important to the people of British Columbia. What's happening this evening is that only one side of the House is standing up and speaking to this very important hoist motion.

I feel proud to support this very important motion from the bottom of my heart. I urge all members of this House, from both sides, to stand up in this House and support this hoist motion to avoid this deadlock where we are — to give six months, just six months, to go back and talk to the paramedics, to deal with this issue and to come to a solution that will work for both the parties.

[2340]

I'm sure there are many members on the other side who would support this motion if they were given the freedom to support this motion. If they are given the freedom to support this motion, they will support this motion. It does make sense to pause at this stage and give six months to go back to the negotiation table and make a deal. It does make sense. It does not make sense at this stage to impose the settlement in the middle of the process when the voting process is taking place by the paramedics.

There are many reasons why this hoist motion should pass in this House today. There are many, many compelling reasons, and I would like to talk about those reasons.

The first one is this. This amendment should pass because it is about respecting the work of life-savers. It is about respecting the work of paramedics who save lives. Paramedics make us proud in the global community.

Let me tell you, Mr. Speaker, there are about half a million people from South Asian countries in this country, and I am one of them. Half a million people. When I go back to India to visit my friends, my family members, one of the stories I share with them....

Deputy Speaker: Member, please refrain and direct your comments towards the hoist motion that's on the floor.

J. Brar: We are here to debate the hoist motion, which gives six months to go back to the negotiating table and come up with a deal that makes sense to both parties. What I'm saying is that this is one service — we call it the Ambulance Service — that we are all proud of. What I'm saying is that when I go back to visit India, I share the story about the services our paramedics provide to this country and the people of this country, which are superb.

I tell them that the response time is six minutes. It's very hard for those people to believe that if something happens on the road, then in six minutes those people will arrive. It's sometimes hard for them to believe that this can happen this way.

It's not only myself who will share that kind of story. I think almost every newcomer who comes to this country, when they go back, tells this story to the people — about

how great, how timely the quality of care is provided by the paramedics, particularly about the ambulance service. Those stories make us proud in the global community.

Therefore, my point is that we need to pass this motion. We need to pass this motion to show our respect for the extraordinary work these people do — extraordinary services these people provide to the people of British Columbia.

I would like to share a personal story to tell of the extraordinary work being done by these people. By telling that story, I want to make a point as to why it's important at this stage of the game to postpone Bill 21 for six months — just for six months — to find a meaningful solution to this problem.

[2345]

My mother broke her arm, and my brother called the ambulance. At the same time, he called me as well. My office was half the distance, just half the distance, than the distance the ambulance service had to cover. But when I came home, the ambulance had already come and taken my mother to the hospital.

That's the kind of service that these people provide to the people of British Columbia. That's what makes us proud, and that's why I'm saying it's very important for us, for all members of this House, that we pass this hoist motion to give the time to both parties to come up with common ground, a solution that can work for all the people of British Columbia and can work for both the parties. It does make sense.

Just to come back, the services they provide are rare on this globe. For the majority of the people who live on this earth, it is a kind of dream, a kind of dream that is not even close to reality. These people save lives, and we are proud of them, and they deserve respect. That's why it's very important for us to wait for a moment and to pass this very important motion introduced by the member.

It's also important that we pass this hoist amendment because that will demonstrate that this government respects the collective bargaining process. This gives six months, and that will allow the minister to rethink the implications of this heavy-handed bill. This hoist motion will buy time and allow the minister to go back to the bargaining table and negotiate in good faith. This six months will allow the Minister of Health to find ways to resolve this dispute in a respectful and peaceful manner.

This six months will allow the Minister of Health to go through an independent arbitration process that could be very helpful, which could be meaningful. This hoist motion will buy time and allow the Minister of Health to build on the work done by the former Minister of Health. That's why it's very, very important for this House to pass this hoist amendment, because it will show that this government respects the collective bargaining process.

The collective bargaining process — that is the right of the workers. I think that is something that's respectful for any government to do. That's why we in this country are different than many other countries where workers have no rights. The collective bargaining process must be respected. It is the way we find solutions in this country to the disputes we have in front of us.

So the passing of this motion will send a clear message that this government respects the collective bargaining process. That's why it's important to pass this motion.

[2350]

The other reason, which I think is important, that this hoist amendment should pass is because it will allow the paramedics to complete the voting process on the offer already on the table. That makes this motion very important because the reality is this. Bill 21 is an untimely act. It's untimely, and we don't need this bill at this time.

The reality is this. The government has already made an offer on September 28, and the members of the unions are currently voting by mail-in ballot on this offer made by the government. That process is underway at this point in time and yet to be completed. The result is expected this week — just this week. How does it make sense to table a piece of legislation before the completion of that process? How does it make sense?

I wish the members on the other side would stand up to explain that. But unfortunately, that's not happening. The government itself made the offer, and the members are looking into it and asking their members to vote on it. Before that process is completed, the Minister of Health comes in and brings in this heavy-handed piece of legislation to impose the same offer which is on the table. That does not make sense.

It is untimely. It does not make sense, and it does not show respect for the collective bargaining process. It's hard for me to understand why you make the offer if you are not going to give the time to the members of the union to complete the process. Why will the workers believe in that offer in the future anyway? It will be hard. This is a wrong message to send.

This point is very important. This was the offer made by the government itself. Midway, a U-turn was made, and the minister came out and said: "No, you can't even complete your process. We will impose it anyway. We will impose this anyway."

When the minister was asked, I think by the media, the minister said: "I don't believe that's going to pass." It is completely irresponsible for the Minister of Health to prejudge the outcome of the voting process of the membership. So that's why this hoist motion is important.

All members of this House should support this, because it will allow time for both parties to go back, relook, reconsider and find a solution through the process given to the people of British Columbia by the people of British Columbia, and that is the collective bargaining process.

Interrupting the collective bargaining process in mid-process is clearly an insult to the collective bargaining process. That's why we need to stop it, and that's why I would urge all members of this House — this side and that side — to stand up and support this motion. It's more important for the members on the other side to stand up in this House, and that's what we're not hearing this afternoon.

We don't know what they think about this hoist motion. I would like to know why they're opposed to it, if there's any reason for that, because this is a motion in front of all of us. We need to debate that in good faith. We need to debate that openly in this House.

[2355]

People have the right to say they don't support it. That's fine, but they must stand up in this House and say what are the factors because of which they don't support this hoist amendment.

The other factor because of which I think this hoist amendment is important is that this bill does not have any compelling reasons to pass. At least, I don't know of any compelling reason for this bill to pass at this point in time. What I know are the reasons stating that we need to pause at this stage. We need to stop. We need to give time for people to talk and negotiate in good faith.

There's nothing, absolutely nothing, of a compelling reason which forces this government at this point in time to introduce and pass this bill. One of the key claims made by the government for this bill is that this bill is necessary in light of the H1N1 crisis. That's one of the key reasons given for this bill.

Now, the question is this. Is this a genuine reason for bringing down this heavy-handed piece of legislation? Is this the right thing to do? Is there any relationship between the H1N1 crisis and this bill?

The answer is absolutely no. I'm going to repeat. The answer is absolutely no. There's no connection, from my understanding, between the H1N1 crisis and this bill at this point in time.

Let me tell you why. Before I do that, by the way, I have no doubt that the H1N1 pandemic is a serious issue. It is a very serious issue. We know that the provincial health officer is estimating that the H1N1 flu could infect about 20 percent of B.C.'s population. About one million B.C. residents could get the new H1N1 virus during the coming flu season. About one million people. We know that.

Therefore, we need to be more prepared for this. We must take all the important steps to make sure we have the best — and a pragmatic — H1N1 pandemic plan for the people of British Columbia. It's very important. We don't dispute that. But when it comes to H1N1 and when it comes to the paramedics, the minister has offered no clear reason as to why it is important at this point in time to pass this piece of legislation.

That's why I'm saying it's very important to pass this hoist motion — because there's no clear evidence.

There's no compelling reason to pass Bill 21 at this stage of the game.

Let me tell you why. The first one: how many people with H1N1 flu have called for an ambulance? That's the question, and that's the important question. I challenge the Minister of Health to show us the numbers to support his claim that this bill is necessary in light of the H1N1 crisis. There must be some numbers. There must be some sort of study done, and the minister should show us that study.

The reality is that from a commonsense point of view, when people get sick with the seasonal flu, people either walk to the family physician or go to the hospital. They drive their cars. People don't call an ambulance if they have a fever. We know that. The H1N1 flu is not different from the seasonal flu.

[0000]

If somebody gets sick with H1N1, chances are that the majority — I would say the significant majority — of people will not call an ambulance. They will drive or walk to the family physician or to a hospital. We all know that people call an ambulance only when something very sudden and big happens like an accident, heart attack or if somebody fell from the roof. When those kinds of things happen, people call an ambulance, not when somebody has a fever. We know that.

That's why I need to see a compelling reason which shows me the crisis of H1N1 is important and that's why it's important for this government to bring this heavy-handed bill at this point in time. There's no relation which I can see, at least, which this government has put forth.

The other factor to make my point. This minister has not shown any plan to vaccinate the paramedics — no plan at all, and that proves my point. If there's any connection between the H1N1 crisis and paramedics, there must be a plan to vaccinate those people because they are very important to deal with this crisis, and that's not the case. That's why we need to pass this hoist motion, once again, to give the time to both parties that so both parties can sit together and work out a deal.

There's no relationship between the H1N1 crisis and passing this Bill 21. As I said before, we need to ask questions when we talk about the H1N1 crisis. Why has this minister no plan to vaccinate the paramedics on a priority basis? Why? That's a very important question to ask.

Deputy Speaker: Member, please direct your comments to the hoist motion.

J. Brar: My point, Mr. Speaker, is this. One of the key reasons to pass this bill is the crisis of H1N1, and it has been suggested that because of that crisis we need to pass this bill as quickly as possible. What I'm saying is that if we believe in that for a moment, then it's equally important to vaccinate the paramedics on a priority basis, because what happened....

Let us look into a very real situation. Someone becomes really sick with H1N1 flu, and the person calls 911 and says, "My son or my daughter or my sister is sick — has symptoms like H1N1," and the ambulance drives in. It will be hard for the paramedics to deal with that person if they have not received the H1N1 vaccine themselves, because they will be as concerned about themselves receiving H1N1 as anybody else. It's very important that if this relationship is real, they must get the vaccination on a priority basis.

Since the strike began, paramedics have been subject to essential services orders that have required them to provide 100 percent of the pre-hospital care. In other words, they have responded to each and every call that came in. Therefore, I see there's no crisis as far as the H1N1 is concerned. Therefore, it's very important for us to pass this hoist motion to give time to both parties so that they can sit together and negotiate a deal in a very respectful, fair and peaceful manner — very important at this stage.

[0005]

The only visible factor that caused this Bill 21 is a memo sent by VANOC to encourage the Minister of Health to pass this legislation. Other than that, I don't see any other compelling reason for this piece of legislation. But on that one, I would like to make a note that the province is in charge to run the government, not VANOC. The key player in this game is the government.

Deputy Speaker: Before we continue, I'd like to remind members that persistent and tedious repetition of his own arguments or of the arguments used by other members in debate is contrary to the rules of this House. I direct the members to Standing Order 43 and invite the members to direct his or her comments in their own novel argument.

G. Gentner: I rise in support of this hoist motion. I think the last time I rose to do so in the late evening, we had a member, Corky Evans, who stood up and actually broke into song. In fact, I think it was three o'clock in the morning, and the lights were turned off somehow. We got through that episode quite well. But unfortunately, the government didn't listen to us that day, and here we are once again.

I begin by thinking about earlier today and welcoming the Prince and his lovely wife here. It was a great day, and it's a great reminder, too, of how important our jobs are here and how important we fit in within the parliamentary system.

I begin talking about the need to hoist the motion, this need to talk about the need to bring collective bargaining back, the need to give collective bargaining a chance. I'd like to thank the member for Port Coquitlam, who gave us the hoist motion today. It's sort of like: "Give collective bargaining a chance." It's kind of like John Lennon giving peace a chance.

I can imagine that the member for Port Coquitlam probably had long, curly hair years ago, and he was, you know, into very positiveness. Here we are, and it's the same sort of thing. It's to give peace a chance; it's to give collective bargaining a chance. That's why I support what the member for Port Coquitlam brought forward here today. I certainly put forward and support this need for this hoist.

Interjections.

G. Gentner: Thank you, hon. Member, or Chair. I think that it was probably much longer than the member would like to admit, but nevertheless.

There are many issues in this province that come and go politically and that have a lasting impact on our social fabric. This is one issue — the erosion of collective bargaining, why we're here today with this motion — that we have to give time to, for reflection. We have to give time to be fair.

In fact, Bill 21 is really a very hard-nosed bill. It's a bill that, I believe, is about to set the clock back on labour relations in this province. I think it's so serious a bill that we ask, as Her Majesty's Loyal Opposition, and we implore to reconsider.

I look across, and there is hope. The Minister of Labour is here with us this evening, and he is listening. He's giving us his ear, and so I plead to the minister and his government to seriously reconsider this, I believe, hasty Bill 21. That's why I support the member for Port Coquitlam's motion to hoist this thing.

[0010]

It's a time to be reasonable, it's a time for fairness, and it's a time to be prudent. This is not a time to sledgehammer legislation through. This is a major dispute, and there's no agreement. Just on the title alone, what it's called, I think, gives the wrong impression.

The B.C. government, I believe, is making a mockery of the process of collective bargaining, and that is why the hoist motion is here. It is for this government to look at the decent side of collective bargaining — to refrain, take a deep breath and think about what they're doing.

The government doesn't understand the seriousness of these actions and where we're going when we go into further collective bargaining coming up. It's going to set us back. It's going to set us way back, and that is why I think we have to re-evaluate this position.

Six months, I think, is sensible. It gives us the time to retract, to cool off, and it's a time for us to build a province when we come back here in the spring. When the motion was made today, I think it was done in the spirit of cooperation by the opposition. But I have to say that when the opposition House Leader made the hoist motion for six months, I thought: "Well, why six months?"

I mean, why not a year? Why not three months, four or five? Why was it six? There's got to be some reason here.

Knowing the House Leader, there's got to be some reason. Perhaps he's got some numerology here that I certainly don't understand. Maybe he knows something about numbers. Maybe he's a numerologist. But why six months?

That's what this hoist motion is all about. It's six months. How the planets and stars line up, I don't know. Maybe it's all of the above. Maybe it has something to do with anniversaries. Then you know — boom — it hit me. We're dealing with, I think, a very sick B.C. Liberal government patient, a patient devoid of many things.

Six months from today, November 6.... Well, 15 minutes ago it was still November 6.

Interjections.

G. Gentner: It still is — in this world, yes. The Minister of Labour corrects me, and so he should. In this type of world over here in the Legislature, we are still behind the times. So yes, today is tomorrow. And tomorrow, hopefully, will be today.

Nevertheless, when you think about six months from November 6 is May 6, that's a reasonable time. Hopefully, by then, May 6, we'll get a deal done. But of course, how can anybody forget what May 6 is? May 6 is Sigmund Freud's birthday...

Interjection.

G. Gentner: ...and the member's son's birthday. That's maybe just a coincidence.

Deputy Speaker: Member, please direct all remarks through the Chair. If I could ask members to refrain from making comment without being in their own seat.

G. Gentner: Absolutely, hon. Chair.

Siggy Freud's birthday is May 6. Now, we shouldn't extend this for six months. This is to commemorate Siggy's 154th birthday, but I really have to be serious. This is a very serious matter.

It brings to mind that it's time, for six months, to put the government on the proverbial couch and do a little analysis. That's what this motion does — a chance for re-examination, a time to recall.

I mean, there are different methods of psychoanalytical aspects. I'm not necessarily a Freudian. I'm not a neo-Freudian. There are Jungians, and there are existential psychoanalytical approaches. We can go down the gamut. I'm more, of course, in support of humanistic perspectives. But six months — that is what this is about. We could have extensive psychoanalytical views, analysis, and see what the problem is.

I think that's fair. We can even put this government under hypnosis for six months. That would really solve the problem, I think. Six months of psycho-politics.

[0015]

Hoisting is a prescription so doctors can get back to work and find out what's really ailing this government. I mean, six months.

Could you imagine if Freud were here today in this place created in the late Victorian setting here? Could you imagine what Sigmund Freud could do with the group over there? I'd just love to read the case study, when he would be finished, about what he would find — a case study of B.C. Liberal anxiety and why they have to foist so quickly and ram this bill through instead of having a moment of reflection. But I also hate to think of the weird fantasies that could come out.

We've got to give the doctor and the patient time. I think six months is reasonable. They might get to the root of the problem — lose reality, I think. Delusional and a propensity to tell untruths — that's what we've had. A decade of deceit. Giving them six months on this hoist motion not only will give them the time to look at what they're doing relative to this bill but will give them time to reflect where they're going in a larger perspective.

From a psychoanalytical perspective, why are they so hard on the paramedics? I think it's because they save lives. Freud would say: "Well, this is the death instinct. It's about anxiety." They fear their own mortality. Hopefully, by 2013 they'll be gone. But they fear it so much. There's something eating away at their own inner core. Therefore, they must project a sense of immortality and wield pain upon those who are more meaningful to society than themselves. They're here in spite of death.

It's those paramedics that save lives, and the rest of us in society look at our paramedics on a higher level, on a pedestal. That's why we need the hoist motion. It's going to take six months of counselling, true counselling on all sides, to get this done.

The B.C. Liberals, I believe, are weak, and they must compensate for that weakness by projecting their sort of brute-like strength upon others. It's the same way any bully picks on the others. It's usually with the do-gooders, the people who are trying to do their best for society. It's that inner core, where there is something eating away in their inner core. It's the worm inside, and because of it, because of their own insecurity, they lash out at others.

Six months. I think six months is very reasonable, because the government needs six months of therapy — good therapy. We look at this aggression, this need for hostility.

I got a letter from Jennifer, who writes:

"I've been a paramedic for 14 years and served with pride and enthusiasm during this time. I worked hard and under stressful times to serve the citizens of British Columbia around the clock in all types of settings. This strike has left me feeling worthless and devalued.

You know, that's what this government is trying to do, and that's why we need six months to rebuild that morale.

"There is constant discontent within the ranks and disputes with management. It troubles me that I cannot feel good going to work under such negative pressure from the B.C. Liberal government."

Pressure. We need the time to heal, to re-examine. We need those six months. That's why I support the hoist motion.

She goes on:

"This in turn has affected my desire to care and has caused me to miss work due to stress and frustration. My family has suffered, and I battle my emotions to consider a career change. As a result of this, I have endured sick time above and beyond a reasonable amount, which ultimately costs the taxpayer."

[0020]

Let's hoist this thing. To the minister: let's hoist it, and let's go under intensive therapy.

You know, Siggy said this about aggression: "Yeah, here is the problem. The tendency to aggression is an innate, independent, instinctual disposition in man.... It constitutes the most powerful obstacle to culture."

Now, he would have gone on, if he'd come back. He'd say: "In the case of B.C. Liberals, this is a very complex and difficult pathos that may not be reversible." Unfortunately, he is not here, but if he were to lay the patient out, I'm sure he would still insist that we have to go through thorough examination.

May 6 is Siggy's birthday — and, of course, a member here's child. It's an interesting coincidence.

I don't know if he'd think that six months would be enough time, since this is Victoria. Maybe it would be, because it could be possible.

I support this hoist motion. The actions of this government are based on something repressed. It's repressed inside. It's repression. And that is now suffering, and it is ugly. It's aggression. It's hostility.

This is what a paramedic writes, relative to aggression in his own view.

"We trudge along, though, because deep down, as much as we cry and become despondent after particularly gruelling physical and emotional calls, we love this job, and you, Mr. Premier, know this. You have exploited our love and commitment to our job, and all I can say is: 'Shame on you.'"

"All citizens of this beautiful province are deserving of respect. So why have you singled out the B.C. Ambulance Service paramedics and continue to treat us with such contempt and disrespect? I am at a loss. I will be leaving the BCAS after almost 20 years of full-time service, and I am leaving due solely to the disrespect shown to all BCAS paramedics by our employer."

That's Chad Swanson.

Exploited, disrespected and being singled out. That is how a victim feels from a bully. It's that aggression that is pent up inside. It's pent up so severely that it has to find a whipping post. Unfortunately, it is our paramedics who are now feeling the stick.

Why such contempt and disrespect to our paramedics? Why? It's because of guilt, because of their own impotence. They have to be the tormentor. Perhaps after six months they will step back and re-examine what their actions are and why they are doing this.

It doesn't make sense. It really doesn't. I don't see the decency in this. What's the big rush?

You talk about anxiety. They said one thing during the election. They said: "No HST. Hardly will there be a deficit." We're now looking at a deficit that is almost structural.

They knew. We're hearing from the letters that people are starting to hate this government. They're starting to hate them. All of this anxiety is now lashing out at others.

They're running hard and long since the election — angry, and they're taking it out on workers. That's why I support the hoist motion. It goes beyond just simply the paramedics, which we have to address. It's the general, ingrained passion. It's not a very healthy passion. Striking out, lashing out — it's hurtful. That's why I agree in six months.

[0025]

It's deep-ridden. It's eating their insides. I would say it has been a guilt that's been built up for almost a decade, and we're calling it a decade of deceit. Others are questioning their inner selves. I think many members on that side are starting to question themselves.

Of course, I'm not going to get into the ego versus the id, and all that stuff. That was all 19th century stuff. But all this guilt is projected on victims. It's time to heal, and it's time to deal with some anger management. I mean, that's reasonable. That's human nature with all of us, I suppose. Sometimes we get caught in our work, and we're so pent up, we're driving an agenda, that we don't step back. That's why I support the hoist motion.

On the same line, I have another letter that I want to read out from another paramedic.

"I've been doing this job, serving the public of British Columbia, for the last 38 years. When I started we didn't have any protective gear. Over the years I've been exposed to many contagious diseases. My dear wife sat alone many times over the years, eating a meal she had prepared, while I responded to an emergency call. There were many disappointments for my wife and three children, as I couldn't say no to helping someone in trouble.

"I'm not blaming anyone. I chose this profession. Please don't use the flu scare to pass this bill. My fellow paramedics and I have worked through the strike, caring for people in trouble, and we will not stand by and let anyone die. We've worked through the flu many times over the years. The flu doesn't scare us. What does is abuse of power in a free country.

"Remembrance Day is up, and let us not forget what my two uncles died for — freedom and to stop a tyrant."

Passion. There's passion in there. That's the thing that I'm reading in all these letters. There's a sense of passion here. It goes beyond just a political agenda. People are genuinely upset. Their whole lives are being stepped on. So support the hoist motion. It's not that hard to do.

I'll go on. "This bullying...." And the word "bullying" is coming up all over the place in the correspondence. I'm sure the members opposite are receiving the same kind of letters. I'm sure when they go back into their constituency.... Maybe it's a godsend that they're here right now, I don't know, to get away from the pressures. Maybe that's how they're thinking.

I go on:

"This bullying of one of the weaker unions, by ramming this bill through before the vote is counted, is an arrogant act. All the unions in B.C. and Canada should rally behind us, as they could be the next one. How about a little respect?"

"Signed Bob Kopp, paramedic."

Now, Bob Kopp also holds an exemplary service medal of honour. I mean, how can you treat our front line that way? It's despicable — absolutely despicable.

I plead and I ask, again, for a little rationality here, to be a little reasonable and support this hoist motion. A little respect: that's what the paramedics are asking. We need a little time for the government to reconsider.

What's wrong with six months? It gives us all November to negotiate, a month of sober reflection. November — well, we're going to have a little rain. I think of Shakespeare: "The quality of mercy is not strained. It droppeth as the gentle rain from heaven upon the place beneath. It is twice blessed. It blesseth him that gives and him that takes." A month of mercy and compassion, November. What's wrong with that?

Next week, in rain, we'll stand by the cenotaph remembering and reflecting, November. That is what the hoist motion is about — giving us November, a time to reflect and work towards peace.

[0030]

I have another letter to read here.

"My name is Vanessa Howard. I am a primary care paramedic. I love helping people and enjoy working as a paramedic. In order to do so in British Columbia, however, I work for BCAS. When I applied, I was told that I could only apply to work as a part-time paramedic and would only be able to get hired on to a remote station. My husband I decided to make the sacrifice financially to enable me to work at something I loved."

These people love their job. They love what they're doing. It's a workplace that could be filled with real worth, and it's being ripped apart.

She goes on: "Helping people...." I won't go further. There are so many letters here, hon. Speaker. But helping people.... Give us November. At least give us November so that the government and the union can come and work together. That is why I support this motion.

I support the motion because it also gives us December, a joyous time. Think about it — three good weeks to resolve this dispute in December. While many of us are entering Christmas parties and cheer, the paramedics will be out there in the snow. Many of them won't even see Christmas Eve or Christmas Day. They're there for you and me. Give them December. Let's get this thing done. We can work together. Hoist this motion. Join us.

That's why I support this motion — out of respect for our paramedics. They should get a break at a time when everyone else gets one at Christmas. They're working long, weary nights, giving up their family at a very special time. You know, we get December to hopefully go through the spirit of goodwill. We have a chance for a resolution.

January is another month. Janus, according to the Romans, is the god representing opening the door. Well, here's an opportunity. We can do something in January.

Samantha Wilbur writes:

"Quesnel is where I had my first critical incident stress. I was almost blown up by someone who made a makeshift bomb to

kill himself. Although I was unhurt, I was just messed up. Taking time off work as a part-time employee means you get no pay until WCB approves your injury. After just a week and a half of being off work with no pay, sleepless nights and no appetite, I lost ten pounds and forced myself to get back to work so that I could pay my bills."

To all the Samantha Wilburs out there.... Imagine a homemade bomb. That's what these people have to deal with. We owe Samantha her January. That's why I support giving six months to build the goodwill and to say thank you.

February. Well, that's kind of a tease during the early spring — isn't it? It's also the games.

I have another letter.

"We're not against the Olympics. We don't have any issue with the Olympics. We think the employers are the ones who haven't been negotiating, have been stalling, have brought this fight to the Olympic doorstep, so to speak. There's no plan that we've been made aware of for the paramedics during the Olympic Games. We don't know how many ambulances we have to provide. We're going to and coming from. How many paramedics will be working or where they're going to stay and eat — we don't know."

That's from Steve Bremer, paramedic.

I want to wrap this up with an appeal again. I don't think it's very unreasonable at all, what we've asked here today. I don't think it's unreasonable at all. I think it's very reasonable. I think it's principled, and I think it's a decent thing to do.

I started quoting Sigmund Freud. I was having a little fun with it, but this is a very serious issue. Like I said, I'm not a Freudian; I'm a humanist.

In the neo-Freudian genre, another famous psychologist once said: "The great question that has never been answered, which I have not yet been able to answer despite my 30 years of research into the human condition, is: if the patient is unwilling to seek analysis or any type of counselling in order to deal with his or her aggression to others, if he or she is unwilling to take sufficient time to consider what is behind their motives, is the patient completely beyond hope and will he or she continue to hurt others?"

Six months, Mr. Speaker, is not that much to ask for.

[0035]

R. Fleming: I rise in support of this hoist motion this evening — or morning — for a number of reasons. Before I begin, though, I wanted to introduce a constituent of mine who is in the gallery this evening, Dave Robertson. He is an ambulance paramedic and is watching this debate with interest, as it affects him and his family a great deal. I want the House to please make Dave welcome for being here.

Just from the aroma in the gallery and in the halls, we could very easily be discussing a bill on ambient air quality this evening with the Minister of Environment. But I digress.

I will do my level best to confine my remarks to why I am speaking in support of the hoist motion this evening. There are a number of reasons.

I want to say from the outset of this debate that I very much appreciate the member for Port Coquitlam for introducing this motion. I think that he offers it in the spirit of wisdom and experience that he has as a member of this assembly.

I think he offers it, also, as a way for government and both sides of the House to emerge from an unfortunate situation, a situation that has real repercussions for the province of British Columbia in terms of its industrial relations and labour management regime. I think that very sincerely this is a motion that members from both sides of the House can support.

A number of members have referred to it as a chance for the government to exercise sober second thought on the legislation that they introduced in the form of Bill 21. That is exactly what the hoist motion intends to do. It is a chance for government members to reconsider what is a very bad and dangerous piece of legislation for the province of British Columbia.

The hoist motion, which we're considering and which I'm speaking in favour of, makes Bill 21 completely redundant and unnecessary over the next six months. That's something that both sides of the House should look at very seriously.

By hoisting Bill 21, government members on that side of the House can vote to make completely unnecessary a piece of legislation that makes them and their party appear and actually emerge as hypocritical to principles that they once espoused in this very place and in the public realm.

Once upon a time, the B.C. Liberal Party — hard to believe now in its current incarnation — and leading members of that party, like former House Leader for the Liberals Gary Collins and others, spoke against legislation exactly identical to what is being tabled today. Not identical but legislation similar to what is being tabled today, which the government proposes.

I would invite people who are following this debate to check *Hansard*. Mr. Farrell-Collins chastised and warned them — when he was an opposition member — that any government that would use imposed settlements, especially on groups of workers designated as essential services.... He warned them that any such action by government would signal that it was abusing the very essential service designation to avert real bargaining.

[0040]

It would leave workers who already have surrendered, effectively, their right to strike and their ability to withdraw their labour — in this case, for reasons of life safety — with no honest bargaining process available in British Columbia. These are public sector workers. We are talking about the government as the employer who is the party at the table on the management side.

That was a prescient warning from Mr. Farrell-Collins. I have heard no member in this debate so far from the government side take heed of that warning and rise in this house to acknowledge it.

Now, it should be said, for the record, that when Mr. Collins was making these points, the legislation that was on offer was significantly different than what was introduced in the form of Bill 21 — significantly different, because the legislation he was opposing was legislation introduced by the then government, a New Democratic government, that didn't impose a final collective agreement but required in law that there be an arbitration process. That's a very significant difference, and I want to point that out at the outset.

Nevertheless, the motivations, the reasons for opposing even that legislation given by the government are reasons that we are not hearing from the government today. The B.C. Liberal Party in opposition stated very different principles than the ones that they won't even get up in this very House to defend on this evening or morning, or whatever we're in.

Mr. Farrell-Collins warned that political interference could be the result of legislation, even legislation that just recommended an arbitration process. He warned that things like, frankly, laziness could set in, and at worst, abusive high-handedness could set in by a government that did not take seriously free and fair collective bargaining but dangled the threat of imposed settlements over the two parties that happened to be at the table.

Now, it is kind of interesting that a leading member of the B.C. Liberal Party spoke in this House not that long ago and said those very things, and no member of the governing party, his same party, will acknowledge that that in fact is occurring on this very day. In the interest of pure consistency — and for that reason alone I would appeal to members of the government side just to be consistent with what the B.C. Liberal Party has said over many years — they should see ample reason to support the hoist motion that is on the floor of the assembly tonight.

I would be very interested to hear from members opposite, whether they acknowledge that that is, in fact, a principle they hold dear, whether they see the wisdom of those remarks and could come around to joining with this side of the House in supporting the hoist motion.

Now, it could be that the fair warning that Mr. Farrell-Collins and the late Fred Gingell, who was an excellent legislator of this House and whose contribution to the assembly has been acknowledged on many occasions, and other Liberals.... It could be that that's a bygone era of liberal Liberals, a sentiment that doesn't exist within this party anymore — a party that once at least recognized, as most democratic parties across the political perspective and across many jurisdictions subscribe to.... They are enshrined in pretty critical documents, like the United Nations declaration of rights and freedoms, for example.

I go back to the point that when the Liberal opposition at that time was criticizing a bill introduced by the then NDP government, which didn't seek exactly to impose a final settlement that government had solely determined,

they were, in fact, criticizing a bill introduced by the government that recommended and would have required a binding arbitration mechanism.

[0045]

Government had the opportunity to do that in this dispute, and they didn't. They once suggested that that was an appropriate course of action. They quibbled about exactly how it would take place and what mechanism would make that occur — frankly, a fairly semantical argument about what the terms were for that — but they've abandoned that now. They don't speak in favour of that at all.

We've got a very parallel situation to disputes that have occurred in the past that were resolved very differently — very protracted disputes. You could argue, I suppose, that this one is — although I think the circumstances of the ambulance paramedic service and how we got to where we are today are very different than on previous occasions — but they don't. They don't make that argument.

They're seeking a completely different remedy to the dispute between the emergency services — the Health Services employer side and CUPE 873. They're seeking the easy way out, quite frankly. They're seeking a heavy-handed way out. They're seeking a way out that parliamentary jurisdictions generally, almost always, never pursue but, certainly, other types of regimes and states pursue all too frequently, unfortunately, and even some of our trading partners pursue, which we condemn on occasion for pursuing remedies like this.

We're seeing it right here in British Columbia this past week and tonight. That's an embarrassment to the tradition of parliamentary democracy in British Columbia. It's an embarrassment to rights that we have said are guaranteed in our province.

In seeking, through its actions, the passage of Bill 21... I am proud to be on this side of the House with a number of members who have made this point. In seeking passage of Bill 21, the B.C. Liberal Party, the government side, is showing contempt for the principles of free and fair collective bargaining. Because that is such a serious matter, that is why this side of the House is making a constructive proposal to hoist this motion for six months' time and allow collective bargaining to take place, because we want it to succeed, where that side of the House wants it to fail and make it fail in finality through the passage of Bill 21.

We don't want that to happen. We want other alternatives to be pursued, and there is time to do that. I'll return to that point. There are a number of avenues available to this government that they could take that they've so far chosen not to and that the hoist motion makes possible again over the next six months.

We're actually trying to help this government be consistent with principles they once said were their own core principles. We're trying to help them avoid the accusation of political hypocrisy. Some members might

not believe that, but that's a by-product of the hoist motion that's on the floor for debate.

They once spoke very passionately, in some cases, against political interference in public sector disputes like this one. They spoke against interference like this in industrial relations in the province. But now, today, they introduce legislation that epitomizes the heavy hand of the state and the imposition of settlements that were not freely arrived at.

[0050]

On this side of the House our motion to hoist this bill is offered as a means to make the legislation that they introduced a few days ago completely unnecessary. It also, as I've mentioned, allows the B.C. Liberal Party to, if not find a soul in itself, at least allow it to be consistent with things that they once said they stood for here — and not even a decade ago. That would be a good outcome.

Now this government, who has shown disdain for working people and for professionals like ambulance paramedics, on a number of occasions over its almost nine years in office, could repair itself. It could repair its reputation, by permitting and supporting this motion which would allow ambulance paramedics and the Emergency and Health Services employer to find a better solution — a better solution to the draconian and heavy-handed one that they have proposed.

I would urge members on that side of the House to listen to the arguments being advanced that would allow government to consider the positive implications of supporting the hoist motion.

There are a lot of reasons to believe that hoisting Bill 21 for six months will actually pave the way to a successful outcome and conclude a collective agreement that is not imposed upon our ambulance paramedics. I would like to give a few reasons.

The first reason is that the parties involved — and acknowledging that they bargained for a relatively long period of time, some seven months, unsuccessfully to date — bargained, nonetheless. They did, in fact, exchange offers and proposals. In fact, each side exchanged and offered at least six different unique proposals, differing from the other.

So there was bargaining. There was some process of give-and-take. Probably not as much as there should have been, because quite frankly, the management side was always given the encouragement and the political interference from the Minister of Health and others — a nudge, nudge, wink, wink arrangement that they didn't really have to try that hard because post-election a scenario like we are seeing unfolding could happen. They didn't have to really give and take too much. All the same, I think there was some sincerity on that delegated management agency, and certainly on the part of the union that represents ambulance paramedics, to engage in collective bargaining.

Now, when you take the cumulative total of the six offers that were exchanged by each party, that is a fairly

thorough record of discussion, a very thorough record of talks, that both parties could resume — next week, in fact. We could pass this motion — I guess it's Saturday now; according to the parliamentary session schedule it is Friday, but we'll use the calendar the rest of the world uses — and bargaining could resume forthwith. In a matter of days both parties could return to the table if the hoist motion was supported by a majority of legislators in this House.

I think bargaining could resume very productively by postponing this draconian, imposed contract legislation for six months. Set that aside and allow bargaining to resume, and we could achieve an outcome. That is one scenario that I think is realistic, is based on experience to date in the bargaining process and could build upon seven months of discussion.

[0055]

Even if that scenario failed, there are other options that at least one of the parties has spoken in favour of that is an alternative to imposed contract legislation — binding arbitration. The union has spoken in favour of that. Even the government has suggested that they would perhaps consider some form of arbitration, but they have never actually pursued that option seriously.

[L. Reid in the chair.]

They've never said, as is the case in most negotiations: "Let's advance a list of suitable arbitrators we would agree to and exchange them and find a name in the middle that both parties can trust and adhere to." That wasn't done. That could happen — easily — within six months or within the shorter period of time, if the hoist motion enables and unfetters both parties to be able to do that.

Now, what would be interesting, if we passed the hoist motion, Madam Speaker, is to see whether this more desirable outcome, a normative outcome that is expected of parliamentary democracies, expected of governments independently negotiating with civil servants.... It would be interesting to see if the signal that passage of the hoist motion would send would be a powerful impetus to make that occur.

I'm willing to take the chance on that. I think all the signals in the bargaining process to date support that. I think if you look at the dire implications of what this legislation means — that it is worth us as legislators taking that chance — it is entirely supportive of the hoist motion that we are debating tonight.

That's a message that the government could send, but it is one that so far, because we've heard so little from the government, they are unwilling to take. That's unfortunate — very unfortunate.

There are a number of reasons why it is important — to us as a society, to us as a people, to us as a Legislative Assembly — that collective agreements should not be imposed. I think there are some that are very particular

and illustrated extremely well by the fact that in this case we are talking about ambulance paramedics.

There are a lot of professions that fall under essential service designation, but I think it deserves our recognition and respect that in this case we are dealing with ambulance paramedics, who even management and the government acknowledges are underpaid and deserve some kind of parity with other front-line responders. It is an extremely unfortunate circumstance that we are dealing with this group of workers, because they deserve the respect of government. They are facing issues that require serious negotiation and give-and-take in that process from government in order to achieve a number of public goals that benefit not just ambulance paramedics but all British Columbians.

We need to take very seriously the working conditions that ambulance paramedics labour under. A number of members have talked about the situation for rural paramedics. They've talked about the poor working conditions for those working in urban settings. I have, in second reading debate. It would shock most members of the public to see what passes in this day and age under this government as a certified ambulance paramedic station, where the call-outs to save lives and respond to calls occurs. It would shock people.

[0100]

I have heard directly from people who work in the BCAS who don't have access, after servicing trauma calls, to showers or a place to change their clothes properly, who have been punted about in temporary stations for seven, eight years, who have been told that the next temporary station they may serve in is an Atco trailer. Or the station that serves this catchment area by the Legislature, where government, in its wisdom, has paid a private hotel to be the ambulance station serving this area, at the price, I might add, of \$140,000 in rent a year. Talk about waste of government resources.

These are things that deserved to be talked about at the bargaining table. They're not straight wages-and-benefit issues, and I think the union acknowledges that. They are things that need to be sorted out that speak to the overall mismanagement of the BCAS under this government. Those are things that the public would certainly benefit from, as would the men and women who wear the uniform and perform the job of ambulance paramedics in B.C.

It's important that a collective agreement for this group of workers — for all workers, but I think tonight we're speaking to this group of workers and their dedication in particular and the work they do — not be imposed.

Now, I think there are a number of reasons — I've illustrated a few; I want to pursue them further — why it is better for this assembly to hoist Bill 21 at this time and allow alternatives to be pursued over the next six months. First of all, imposing an agreement in this manner is an outright admission of failure by the government.

I would pose the question to the members opposite. Do they want to make that statement? Do they want to make that admission to the people of British Columbia? Do they want to send a signal to a number of collective agreements that expire next year, in 2010, that cover other essential service-designated workers like nurses, police officers, firefighters; like people who work for B.C. ferries corp.? Do they want to send a signal to them that this is what they can expect from this government?

"Go ahead and bargain, but we will always reserve the right to settle a dispute in the manner of Bill 21." That is a dangerous signal to send to tens of thousands of people who work hard, who are dedicated in our public service, and who help British Columbians who work in life-saving occupations, as in this case, in B.C.

This is a precedent-setting bill that shouldn't be taken lightly, and the hoist motion allows government to say, in essence, "We're not taking this lightly. We are not jumping over the cliff this week and going down that road and setting a precedent that will affect dozens of other bargaining units and tens of thousands of other public servants," who are in some cases front-line workers who respond to critical life safety issues in B.C. Government should consider that very carefully.

Resumption of bargaining can occur next week. It can carry on for several weeks and can expect a satisfactory conclusion, a much more satisfactory conclusion than the one that government is seeking to impose in a one-sided and heavy-handed manner.

If government fails, upon voting for this hoist motion, to conclude a collective agreement freely between both parties, then they still have a better option than the one that Bill 21 contains. They still have an option of engaging in a venue and an appointment of an arbitrator to seek binding arbitration to end the dispute.

[0105]

That is by far a more orderly and, frankly, civilized way to proceed for a democratic jurisdiction like this, than the one that's being proposed. For that reason, we should look at it very seriously. The hoist motion allows government members to do just that.

I will conclude my remarks there.

M. Karagianis: I would like to preface my remarks, first, by offering my greetings to those members of the gallery who are sitting through this debate. I thank them very much for being here. We sincerely appreciate their attention to this.

I'd also like to extend a special thanks to all the staff members who have had to extend their hours here to join us, and I deeply appreciate the fact that they're doing this. We're doing it for political reasons and because it's our job, and they've all been forced to sit through the night as well — this protracted Friday, which seems, at this point, to be kind of endless.

However, I would very much like to offer my very strong support for this hoist motion that we have before us here. I think it does offer us the opportunity to pause and take another look at the rather rash decisions of the government to use Bill 21 to impose an agreement upon the paramedics.

I know that we often think, while we're here in the House debating around the clock like this, in the middle of the night on one of these endless days, that no one is really paying attention, no one is really listening, no one is really watching. But I think, rather remarkably, there are e-mails coming in even now from all over British Columbia, from people who are watching this debate and who are in fact supporting this motion to hoist Bill 21. I have found a number of these letters to be profoundly compelling, and they offer extraordinarily strong rationale for why this motion should be hoisted and why all members of this House should support it.

I would like to actually read a few of these comments, because I think that they are very moving. I think that they are very rational and reasonable requests from the public, not just from members here in the opposition who are standing up debating this hoist motion and hoping to convince government to support it. In fact, our job is to represent our constituents and all the people in British Columbia, and so when they are sitting listening to this debate now, out there, and sending in their voices, it's important that we listen to that.

A couple of the letters that have come in here in the last couple of hours are deeply moving and, I think, speak very strongly to why government should support this hoist motion with us and give themselves an opportunity to go back to the bargaining table with paramedics and to treat paramedics in a more respectful and fair way.

I have here a letter that was actually sent to our colleague from Fraser-Nicola, who is not in the chambers with us at the moment. This is a letter that was sent earlier this evening, just shortly after debate started. This was sent from Norene Park, and she says:

"In my life as a paramedic I have seen it all. I've picked up a 3½-year-old girl who was raped by someone. I have picked up spouses unrecognizable in the beatings that they have sustained. I have been punched in the face. I've done CPR on someone who was dead and ended up coming back to life. I had the most unpleasant honour of going to the scene of a tragic car accident in small-town B.C., where the teenager that had died was a dear friend of my daughter's who had sat at my dining room table the evening before. I had to deal with that scene, and then I had to go and tell her parents and go home and tell my own children.

"I think the job we have been asked to do is one that we do with pride, honour, passion and a lot of tears; that it is a job which is filled with diverse expectations and unknown dangers; that our job has merit beyond monetary gain. We need the support and we need the respect and we need the dignity afforded to all British Columbians.

[0110]

"I urge each and every one of you to support the amendment to second reading of Bill 21 and to hoist the bill. Hoist it high on

your shoulders like you do a soldier that you are taking home from war or an athlete winning the gold at the Olympic Games. We truly deserve it."

I think that speaks very strongly to the reason why we should be hoisting the motion here in the House and why government should take the respectful time to go back to the table with paramedics and treat them with fairness and dignity.

I'm going to actually hold onto the comments that this woman, Norene Park, has made about "hoisting this motion high on your shoulders like you do a soldier returning safely home from war." I think that's pretty profound.

A couple of hours later we have another letter from someone participating in this debate, and I think that these are really wise words to the government, as well. This is from Antoinette Halberstadt, and these are lessons from a paramedic about a hoist motion.

"The first thing we paramedics always have to do when we arrive at the scene is scene assessment. A major part of this assessment is to identify any possible dangers to our patient and ourselves, and to react accordingly.

"Depending on what we find, sometimes we pause and retreat until the scene is safe. For instance, it only adds to the disaster if we don't back off when a gas tank might be about to explode or a patient in the room we've just entered turns out to have a gun or a knife in their hand. We wait until people with the right expertise rectify the situation.

"The B.C. Liberal government should seriously consider stepping back before rushing in with heavy-handed legislation that will only turn the present impasse into a disaster, which will utterly destroy the trust and respect of paramedics."

Interesting observation on what a hoist motion means to a paramedic, about scene assessment, and I think wise words about the fact that this hoist motion offers government an opportunity to reassess Bill 21 and reassess their approach to how they've treated paramedics. It offers the opportunity to take that assessment to its fullest extent and sit down and work at the bargaining table to make Bill 21 a redundant action on the part of government.

Now 10:03 p.m. As the evening has worn on, people are watching and listening. She said:

"I want to thank all of you for attempting to put the motion before government to allow six months for both parties to work together. I only hope and pray that someone in the back bench will be listening. I fear that the B.C. Liberal Party needs to save face and win this one.

"I would like to say that CUPE 873 has tried to bargain, but when the other side of the table has their hands tied by this government, there really is no middle ground.

"Thank you once again for standing up for us."

The letter did go on to talk about the circumstances of this particular individual. This is Patricia Gillies.

"Below is a letter from my mother, which she took time to write. My mother, who is proud of what I do as a paramedic, who has suffered listening to my partner and I being assaulted and rescued on a radio scanner some years ago.... I am sure that every day she remembers my partner's cry for help and the brave police who came to rush in to our rescue. I know that my job scares and worries her, but both of my parents are supportive."

Her mother, Janet, goes on to say:

"My daughter is a very devoted paramedic that cares for all of those that she helps. In the early years we had to help support her so she could follow her dreams. She worked part-time stations from Port Alice, Port Hardy, Chemainus and Prince George. She is now a full-timer."

This mother goes on to ask that this House support the hoist motion and support going back and honouring her daughter and making sure that she is treated fairly.

[0115]

She says:

"My daughter has been shot at, spit on, threatened with knives, needles. She's treated people when the gang members that shot the person did not want him to have treatment. How can you stand there and say she's not in as much danger as a police officer, a fireman or anyone else in this kind of job?"

The rest of the comments here are difficult to read, Madam Speaker, but it is about supporting the hoist motion, from the mother of a paramedic.

"Hoist Motion" at 10:12 tonight. This is from Stewart Meyers in Nanaimo.

"My name is Stewart Meyers, and I'm an advanced-care paramedic who currently lives and works in Nanaimo. I've been employed by the B.C. Ambulance Service for over 20 years. On April 4, 2009, my wife and I celebrated the best time of our lives when we welcomed into this world a baby boy. Coincidentally, it was close to the time when our union went on strike.

"As I watched this debate with my son sleeping in my arms, I have to wonder: at what time did our democracy in British Columbia become a dictatorship? At what time did we stop using common sense, and at what time did we allow the vested interests and egos of a small minority, bent on protecting the corporate image, overrule what is best for our society?

"My profession has always been about time and the race against the clock — response time, scene time, hospital time. It all comes back to me. It all comes back to time. We respond when time is often the difference between life and death. Heart attacks, trauma, strokes are all examples. Coincidentally, it would appear that the government caucus has suffered a collective stroke, since they appear to have aphasia, the inability to speak — a common and devastating symptom.

"While I sit and watch this debate, I can only ask that the government consider this legislation and give their support to the hoist motion. Now is the government's time to speak, to provide evidence to the people of British Columbia that in fact this legislation is critical and that it is not introduced as a result of pressure by VANOC."

Support for the hoist motion at 10:12.

At 10:36, another, Tanya Rookes from Fernie, B.C., has e-mailed us.

"I am a paramedic and have firsthand experience meeting paramedics as an injury survivor. I suffered a fractured pelvis, four C-spine fractures, a skull fracture, rib fractures, ruptured spleen, lacerated liver, bruised lungs, massive facial lacerations. I owe my paramedic career to the amazing B.C. paramedics who saved my life in 1993. I owed them for holding my hand and telling me I was going to be okay.

"I felt once again a sense of meaning when I became a paramedic. I followed the path full of passion to work as a part-time medic in a small community in 2002. I loved it and started to work the part-time job for \$2 an hour and \$10 an hour, with hopes that the pay would get better and that the working conditions would improve. I put in six mandatory years to finally get extended medical health, hoping the benefits would get better.

"I work tonight, a Friday night, for 14 hours at \$10 in the Best Western hotel in Fernie at a cost to the B.C. taxpayers of thousands

of dollars, hoping that my working conditions get better, hoping we get better pay."

This individual is asking that we in this House, that all members of this House, support this hoist motion and give the government an opportunity for a second sober look at the collective agreement for the paramedics.

This was from Jason Perry, and this was at 10:38.

"To whom it may concern:

"The government should consider the hoist motion. If they look no further back than September 18, the paramedics were asked to work only their scheduled shifts and not volunteer for overtime, as they've been required to do under the ESO. Once voluntary work was withheld, there was a 40 percent drop in ambulance coverage within six hours of the direction coming from the executive.

[0120]

"Utter chaos will follow if they force Bill 21 on us. There will be no volunteering for a government who ignores the fundamentals of justice and democracy. Support the hoist motion."

Madam Speaker, it seems to me that we do have.... That was 10:38 p.m. I'm sure more letters have come in now. It's 20 minutes after one. I'm sure that the letters continue to come in, and if they're coming into our offices and our hands right now, round the clock, they are coming into government members' hands as well.

I think that there is, definitely, a voice of the people at this point being delivered to government members. Hundreds of letters have come in over the past few days regarding Bill 21, but letters are now pouring in regarding the hoist motion, asking for government to please support the hoist motion. This is the opportunity for government to actually hear the people and listen to what's being said by the people.

I know, often, the government likes to turn deaf ears in here to the opposition, and that's unfortunate. But I'm not sure that government would be advised to turn a deaf ear to all the people in British Columbia who are standing behind paramedics. The social networking is abuzz, whether it's Facebook or Twitter. The message is spreading across British Columbia that this is an opportunity, in this hoist motion, to stop the damage that's being done by Bill 21.

I think it's very clear that the people of British Columbia support the paramedics here in the province and are demonstrating that by the kind of mail that's coming in to us right now.

I've been hearing from my own constituents for the last number of weeks, and I think in the time that I have been an MLA, this, for me, is one of the biggest issues, the biggest campaigns, I've seen. I've seen many campaigns, as we all have here, where families, whether they be families protesting autism cuts, families protesting health care cuts that the government has levied.... This has been, for me, an explosion of messaging into my constituency office. I think it's continuing now — through the night, even — on Facebook, on any of the tools that I and my colleagues use to stay in touch with our constituents.

The message is very clear. British Columbians are saying to the government: "Support the hoist motion. Take this time. Take this opportunity to use the tools here in the Legislature, this hoist motion, to pause and look again at how the bargaining with paramedics can be resolved in a better and more respectful way."

I know that the kinds of messages I am getting from my constituents tell me that this is the right thing to do. I would hope that government is getting the same kind of messages. Often we think that the job we do is thankless, but I have had such tremendous support from my community in the debate that we've had opposing Bill 21 and now, the hoist motion.

You know, when people in my community write to me and say, "I want to give you a big hug from all paramedics in British Columbia," that is a good thing to hear, Madam Speaker. It means that I am standing up for my constituents and that they are responding. These are people right from within my community that are involved with or just plain supportive of the paramedics in our communities.

[0125]

This one, from John Vincer in Colwood, says: "If the government is supposed to represent the people, they, the government, are not representing me, because I would not act in bad faith and prevent the collective bargaining process between paramedics and the government to continue."

John absolutely sees the rationale for having a hoist motion and for our efforts to try and convince the government that the right thing to do is to support this motion here.

I know that for people like John in my community, his support is there for this hoist motion. That, for me, is very reassuring — that I am, in fact, representing my community and the voices of my community.

Bob Mainwaring says here: "This legislation should be stopped." Bob supports the concept that a hoist motion would give an opportunity for government to spend some time away.

I know the hoist motion is for six months, but I sincerely believe that it would not take six months for the government to sit down with paramedics, allow a fair and democratic collective bargaining process to ensue, go back to negotiations here, let the vote be completed, sit down with paramedics and find a way to resolve this in a respectful and thoughtful way. I think the government has the ability to seize upon this hoist motion now and make that possible.

I think all of us find ourselves at some point, perhaps, having talked ourselves into a corner and looking for a way out. Well, this is that for the government. They have talked themselves into a corner. British Columbians are speaking out and saying they do not support the direction the government is taking with Bill 21.

Now the opposition has offered a way out of this — a graceful way out for government, which is to support

the hoist motion and take the time to go back and ensure that our paramedics get fair bargaining opportunities, a fair collective bargaining process. Government can solve this without having to use a hammer like Bill 21.

In fact, that's not healthy for the province. It's not healthy for the future and certainly is not going to be healthy for all of those collective agreements that are going to need to be dealt with right after the Olympics. The chilling message that Bill 21 has sent to all labour unions here in the province and to all those who would want to sit down and expect fair and respectful treatment after the Olympics.... I think the message is very clear.

The hoist motion now offers government a way out — a graceful and respectful way out. They can support this motion and then take the opportunity to allow the process to continue with paramedics and, in fact, send a clear message to all of the contracts that were signed by a previous Finance Minister, who did a very good job here in the province of British Columbia of settling a whole number, a whole wide range of collective agreements in a manner that was respectful, that was positive, that extended those contracts past the Olympics — all but this one.

All but this one got that fair treatment. Unfortunately now, under the current government members, they're not being treated in the same respectful manner as the previous Minister of Finance treated the contracts.

I have a number of paramedics that live in my community who have spent extraordinary amounts of time and energy and personal commitment to remain being paramedics, even in the face of the kind of low wages that they're being paid — \$2 an hour on call, and wages are \$10 an hour in the station. I've got paramedics that have had to work a full-time job in order to be a paramedic part-time on the weekend, hoping to eventually get to the point where they could earn a reasonable living that would allow them....

Deputy Speaker: Member, you will know that you're revisiting second reading debate.

M. Karagianis: Absolutely, Madam Speaker, I will keep my remarks very strictly to the hoist motion.

[0130]

For the individuals who have gone through this entire sacrifice of working towards the goal of being a very proud member of the B.C. Ambulance Service paramedics, this hoist motion offers an opportunity for government to treat them fairly — those people who have put in all the years, all the time, worked through all of the very, I think, unfair wage structure that they have been given by this government.

This hoist motion is an opportunity for the government to go back and take an opportunity to repay these individuals for the sacrifice they've made on behalf of all British Columbians, ensuring that that 911 is there — that the 911

call for all of us is there, is reliable, is providing the kind of safety and emergency treatment that all of us expect.

This hoist motion, I think, is the opportunity for the government now to revisit this issue and to approach this in a reasoned and logical way. Why would we not want to see the government do that? If reason and logic is behind legislation here in the province, then why is that missing from this debate that we are having here? Why would the government not seize upon this opportunity of the hoist motion to undo what I think has been some rash and hurried action on their part around Bill 21?

I think the government may have an opportunity to see that in a different light now, given the kind of public response there's been. They've been hearing from their constituents.

For many of the members — who during the election only seven months ago promised paramedics in their own community that they'd come to this House and stand up for them and help protect their rights and make sure they got fair and democratic collective bargaining — this is their opportunity, as well, to put pressure on all government members to support the hoist motion. It gives them an opportunity to try and make good on the promises they made to those paramedics.

I think that the time that's been offered under this hoist motion does give government a chance to rethink this. It's unfortunate that the lack of debate in these current hours while we are talking about this hoist motion.... The lack of debate or defence from the B.C. Liberal members is startling. Silence actually speaks volumes.

You know, we have people in the gallery. We have people watching, e-mailing us here in the middle of the night. You only have to look on the social networking to see that there is conversation going on right now about support for this hoist motion.

The fact that the government members don't even feel compelled to defend their position is very interesting. I think that it indicates very strongly that the government is not prepared to engage in this. They are not prepared to be open-minded about this. They're not prepared to take an opportunity for sober second thought.

I think that's really disappointing for all of these people who are watching and e-mailing, for all the families of paramedics out there. It is really unfortunate that the government does not even feel compelled to stand up and defend their own behaviour or to debate this.

I would hope that that means that government is actually being thoughtful about this, that they are thinking this is their opportunity, this is their out-clause, this is their escape route from the unfortunate and, I think, poorly thought-out and poorly planned Bill 21.

This is the opportunity for them to stand up and support this hoist motion, give themselves that out opportunity and make sure that then they are better representing their own communities — all the communities that are expecting the government to support this, are expecting

the government to give paramedics a better opportunity to fulfil their collective bargaining.

I hope the silence over there means that government is ready to stand up with us at the end of this debate and support the hoist motion. I know members on this side of the House are keen to do that, and are very hopeful. I know that paramedics are certainly hopeful — and their families.

[0135]

L. Popham: I feel it's necessary at this time in the morning to speak with passion about supporting the hoist motion before us. I'd like to reflect on the fact that it is 25 minutes to 2 a.m., and we're all in a very safe building. We're all patiently listening to each other. At the same time that this is happening, everywhere in British Columbia there are 911 alarm bells happening. There are paramedics responding to people in crisis. There are emergency workers that are keeping this province together.

Although we're probably all getting a little bit tired, it's nothing compared to what our emergency response teams are doing. The paramedics are heroes in my eyes, and this is a small token compared to what they're doing for us.

I absolutely think it's important to support the hoist motion. The hoist motion is an opportunity for the members on the opposite side of the House to consider what consultation means, what democracy means, what collective bargaining means in this province.

Consultation, alone, says it all. It's a process by which the public input matters. This input is assessed, and how it affects them is sought out. The results would be sought out. That doesn't happen if you barge through legislation. So the hoist motion gives us time to reflect on those consultation processes.

The hoist motion would give time for the members on the opposite side of the House to reflect on what collective bargaining means. Collective bargaining is simply a tool in place that allows workers to meet with their employers and figure out what their workplace will look like, what their wages will be, what the conditions will be that they're working in. A contract is put in place, and it's respected for a certain amount of time. That's what collective bargaining is all about.

The only way to understand what the paramedics need is to go out and consult with them. They've been asking for a fair trial. They want to go to the bargaining table. That's all they want. So when you cram some legislation through that allows them not to do that, it's slapping them in the face. It slaps democracy in the face, collective bargaining in the face and consultation in the face.

It's not my intention to get up here for 30 minutes and rail against the government, but I have to say that this government is quite guilty of neglecting the consultation process in a lot of areas in British Columbia. This is just one of them.

You know, I hope that they understand what consultation means. I'm going to give them the benefit of the

doubt that they do. I think that if we were to sit down in a room that was more conducive to having a conversation rather than being in opposition to each other, we would probably be able to sit down and talk about what consultation means in British Columbia and come to an understanding that people need time to do that, and they need respect to do that.

If you give them that, people are happier in their workplaces. They're safer in the workplace. They get to make a living wage. And what's the matter with that?

We're standing up here supporting a hoist motion that will add six months onto that consultation process. Six months isn't that long.

Part of that consultation process means listening to the people that are writing letters to us all evening. They've been doing it all week. Supporting the hoist motion reflects on those letters, so I'm going to read a letter that I got that shows how much information can be gathered in a consultation process, which completely supports the hoist motion.

[0140]

It's to the member for Saanich South.

"I work as a full-time paramedic in Vancouver, with 16 years of experience. Last year alone, I worked in excess of 70 overtime shifts, and I could have worked more if I'd wished to.

"I did so to pay for an advanced life-support course that I plan to take in the near future. In March of this year, the admission requirements changed for the course, and I now have to complete one year of university prior to enrolling.

"I am presently in contempt of the Supreme Court order because I refuse to work or submit overtime availability as I have done historically in the past. I have always worked my regular scheduled shifts, and I will always continue to do so. But now I am expected to work two overtime shifts, study and try to fit in some time for myself and my family before starting the cycle all over again.

"Many of my colleagues are in similar circumstances for different reasons. It's not our fault that we are short of paramedics on the streets. We have been short historically for years."

That's the type of information you get from a consultation process. That's what you get when you add six months. That's why we're supporting this hoist motion.

There's a lot more information you can get when you support this hoist motion, such as:

"Paramedics work, for the most part, 12-hour shifts — two day shifts, followed by two night shifts, with four days off. The overtime we are being asked to do isn't an hour or so; it's a full 12-hour shift.

"My overtime rate is 1½ my base rate: \$30.01. If my regular shift runs into overtime because of a late call, I receive \$45.02 per hour. If I work an overtime shift on my days off, I receive only \$37.51 per hour, instead of my true overtime rate of \$45.02. That's a difference of \$7.51 per hour."

You have to speak to the paramedics to get that information. That's what takes time, and that's why I'm supporting this hoist motion.

Some more information you can gather is to take a look at the annual pay cycle:

"This year through my pay cycle, I am to work 2,340 hours. On my pay form I receive the salary rate of 70 hours and a shift adjustment totalling \$2,451.43 every two weeks. I receive 26 pay-

days in a year, totalling \$63,737.18. I consider this to be quite generous. But if I was to be paid my true hourly rate, my pay would be \$70,237.44. That's a difference of \$6,500.26."

That's the type of information you get when you ask.

"The B.C. Ambulance pay system is complex but somehow has changed over the years and doesn't equal the hours we actually work. On average, 15 ambulances are staffed with paramedics, overtime costing the taxpayers approximately \$9.8 million to \$15 million a year, depending on how they are staffed. This doesn't include sickness or injury incurred by working these extra hours.

"To staff these ambulances normally would cost approximately \$7.8 million. It makes more sense not to staff ambulances with as much overtime."

How else do you get that information, without spending the time in the consultation process? It's absolutely necessary. So there's only one choice, and that's to support this hoist motion.

"Paramedics are, for the most part, very busy, especially within the metro areas. I work at a busy station and seldom return to it during my shift. Shift changes are, the majority of the time, while calls are waiting, and there is no time to check the vehicle or its contents.

"I usually go from call to call without a break. If I do, it's to restock the ambulance, organize supplies, clean the station, terminally clean my ambulance and attempt to find time to eat and use the washroom. We are not allowed to eat or drink in our ambulances per WorkSafe B.C. rules."

That's interesting information — information you would only get from a consultation process.

"As embarrassing as this is, there are times that I have almost asked the patient that I am attending to if I can use their washroom. Replacing broken equipment and putting my ambulance out of service to replenish supplies has become commonplace.

[0145]

"Being pulled off one call while en route and placed on a higher priority call is now the norm."

That's critical information. That's information that members on the other side of the House could find out if this hoist motion was supported and six months was granted. They could go into their constituencies, and they could find that out from the paramedics in their areas.

"My travel times have increased because I'm responding to emergency calls in other communities — an average of four a shift. Covering two or three communities at once as the only available ambulance occurs, on average, three times a day.

"A time-sensitive call such as heart attack, arrest, respiratory emergency, abdominal emergency, hemorrhages, births and traumas all require a nine-minute-or-less response. I feel guilty arriving on the scene 20 to 30 minutes later and find myself compelled to apologize that it took so long to respond.

"My patients are an extension of my family while in my care. I expect nothing but the best for them, and I will advocate their issues as best I can.

"There are only 3,471 paramedics in the province, working out of 470 ambulances, including spare vehicles. We did 534,688 calls in 2007 and 2008, excluding hospital waits and area standbys. If you take these numbers into perspective, paramedics have made contact with one in eight people living in the province of British Columbia.

"If you are to compare the B.C. Ambulance Service with any other ambulance service, you will see very quickly that we are by far the busiest."

That, again, is information that you can get if you go into your constituencies in the next six months, if we support this hoist motion tonight.

"Please take a moment to think what you would want if you were ill or injured. It's something we never give much thought to

until you need it. Help me and my fellow paramedics provide the best possible care that British Columbians deserve."

That's from a constituent named Alex Worry. I think Alex would appreciate a visit from the opposite side of the House. Maybe let Alex share that information, really sit down and listen.

The only thing that would make you not support the hoist motion on the other side of the House is that you might be afraid of that consultation process. But you know what? I would think that you would find that you would be embraced by your constituencies if you took that time.

There are a lot of opportunities and different ways to consult. It's easy to do. You can do it if you're in a grocery store. You can do it by organizing an open house, public meetings, forums, debates — all other manner of consultation that will empower the members on the opposite side of the House to fully engage with their constituents and better represent their views in this House. That's what you need to do.

The hoist motion may lead the members on the opposite side of the House to vote against Bill 21, because after the hoist motion has run its course, they will have a more informed perspective, a more balanced view, a more nuanced understanding of the matters at hand, a more enriched education.

Supporting the hoist motion doesn't mean that this side of the House wins. As a new member, it's hard for me to understand why we wouldn't work together on this issue, why we couldn't just agree instead of going through this debate tonight.

Why could we not just agree that...? Sitting down and saying, "Yeah. Okay. Fine, let's support this hoist motion. Let's do six more months, and let's just see where we are when we get there...." I'm sure that would show a lot of respect for the paramedics. It would show a lot of respect for the people of B.C., who are sending us endless and endless e-mails tonight. I don't understand why we can't do that.

[0150]

I'm really hoping, when we get to the end of this process that we're in right now, that we can. You know, there are some things that are obviously partisan and some things that are not. I don't think consultation should be a partisan situation. You don't lose anything by doing this. The hoist motion doesn't cost any money, and in tough economic times getting six months for free is actually a pretty good deal.

The hoist motion will allow the time to ensure a proper democratic process. As I stand here, it's hard for me not to think about the paramedics right now that are at work. They're treating people in great pain. They're treating people who are suffering. They're treating people who are in crisis. There are people that are turning to paramedics this very second. All we have to do is agree to listen for six more months and let them get to the bargaining table and figure out with their employer what they need. Let them tell us what they need.

It seems like it's such a simple thing for us to do. It seems like what we need to do is so insignificant compared to what they're doing right now. Yet the decision that's made tonight is so significant. So let's just do it. Let's work together in this House, support the hoist motion and let them figure it out for six months.

It's a challenge as a new MLA. I'm coming in here, and I would like to work with the government. I didn't come in here to fight non-stop. But there are things that we have to do to work together that would help British Columbia be a better place. I know from sitting on this side of the House that I hear a lot about B.C. being the best place on earth. We're having a party in less than a hundred days where we want to show the world how amazing we are. Well, that's fine. You know what? Less than a hundred days. I'm with you. Let's do it. Let's do it right.

Part of doing it right is making sure people in British Columbia are treated fairly, making sure we have the utmost respect for the democratic process, making sure that we respect collective bargaining and consultation. When people come to B.C. to visit us, they're going to want to see happy residents. I know the government wants to be proud when people arrive. As opposition we want to be proud. But if we don't support this hoist motion, I'm not going to feel very proud.

If we can work together this evening and support it, I'd have to tell you that I would be proud of this government. I don't think that you're probably going to hear that a lot, but I'm going to go out on a limb and tell you that. If we can sit down and agree on this, then I'd be proud of you guys on the other side of the House. Just checking to see if you're listening.

I'll be voting in favour of the hoist motion. I think everybody on this side of the House will be as well, hoping that the other side will. I don't think there's anything to lose by doing that, only things to gain.

I'm going to read you another letter that proves that supporting the hoist motion is the right thing to do. That means that we get six more months to listen to these people, to support them as they go to the bargaining table. That's what they're asking for — support. Why not? Why not some support?

"I'm a paramedic, and I have had firsthand experience needing paramedics. As an injury survivor, I suffered a fractured pelvis, a c-spine fracture, a skull fracture, rib fractures, ruptured spleen, lacerated liver, bruised lungs and massive facial lacerations. I owe my paramedic career to the amazing B.C. paramedics who saved my life in 1993. I owe them for holding my hand and telling me I was going to be okay.

[0155]

"I felt once again a sense of meaning when I became a paramedic. I followed the paramedic path with my heart full of passion as I started my part-time work in a small community in 2002.

"I loved to start this work, and this part-time job, for \$2 and for \$10 an hour, with hopes that the pay would get better and the working conditions would improve. But I loved it so much I was willing to wait for that. I put in the six mandatory years to finally get extended medical care, hoping that the benefits would get better.

"I worked tonight, a Friday night, for 14 hours at \$10 an hour in the Best Western hotel in Fernie — at a cost to the taxpayers of B.C. of thousands of dollars — hoping my working conditions get better and hoping we get better pay."

This is an absolute reason why the consultation process needs to happen, and that's why we're supporting the hoist motion tonight.

This constituent goes on to say that if Bill 21 passes, they're not going to be able to live in their community anymore. That's interesting news. You can only find that out during consultation. The only way we're going to find that out is if we support the hoist motion and we go into our communities for six months and figure out what's going on and support these people. Support them in getting back to the bargaining table, because that's what they're asking us for: support.

I'm really hoping.... Again, I'm going to reiterate to the other side of the House.... You guys are sitting patiently, listening. You're yawning. I know it's tough to listen to us go on and on, but this is the only way we know how to do it. This is the only way we can do it. You know, you were given a chance to listen to the paramedics. You didn't listen, so now we're here, and you have to listen to us, because you don't have any choice.

But instead of having us go through this, all you have to do is support the hoist motion and give them six months to finish their own bargaining. That's what they want. That's why they're here tonight, because they're wanting to see what happens. Are we all going to support it together? Are we all going to support this hoist motion? I'm really hoping we will.

I'm going to tell you a little bit more about what would happen if you went in and talked to a paramedic who's struggling with the working conditions now, who's hoping for a change, who's waiting for a change. This paramedic is worried that they're not going to be able to stand beside people trapped in mangled cars in ditches and tell them that they're going to be okay. They don't want to stop doing that. I don't know how much more you have to know. Reading that one sentence — absolutely, I'm supporting this hoist motion. How can you not?

She goes on to say:

"I will not be able to talk to emotionally distraught teenagers who are on a wall. I don't want to stop begging them not to jump, and telling them with pure emotion that I care and that I will cry and be devastated if they die. This is what we're doing."

This is what we're saying no to? This doesn't deserve support of a hoist motion? You've got to be kidding me.

"I will not ever again hold hands that are so soft they make your heart melt, as they are over 90 years old and have seen harder work than you and I will ever know. I will never again be able to hold the warm, soft head of a newborn baby in my hands and watch as the miracle of life fills that blue little being that turned pink as I watch him breathe for the very first time."

This is why we should all, in this House, support the hoist motion. There should be no doubt. Six months is nothing.

These people are dedicated to us. We sit in this safe House. We sit here, protected. If something were to go

wrong, I know that there are paramedics in the gallery who'd be down here in a second, whether it was on that side of the House or on this side of the House, because they're committed.

[0200]

So just let's show a little commitment to them, and support this hoist motion. I'm asking you.

I'm going to wrap up now. I now move adjournment of this debate.

Deputy Speaker: Hon. Members, the question is the motion that second reading of the Ambulance Services Collective Agreement Act be amended by deleting the word "now" and substituting the words "six months hence."

To restate, the motion is adjournment of the debate.

[Mr. Speaker in the chair.]

[0205-0210]

Mr. Speaker: Hon. Members, the question is adjournment of debate.

Motion negatived on the following division:

YEAS — 24

S. Simpson	Fleming	Farnworth
James	Ralston	Popham
B. Simpson	Karagianis	Brar
Hammell	D. Routley	Horgan
Dix	Mungall	Chouhan
Macdonald	Gentner	Elmore
Donaldson	Fraser	B. Routley
Trevena	Coons	Huntington

NAYS — 42

Horne	Letnick	Stewart
I. Black	Coell	McNeil
Chong	Polak	Krueger
Bennett	Hawes	Hogg
Thornthwaite	Hayer	Lee
Barnett	Bloy	Reid
Lekstrom	Falcon	Heed
de Jong	Hansen	Bond
Abbott	Penner	Coleman
Thomson	Yap	Cantelon
Les	Sultan	McIntyre
Rustad	Cadieux	van Dongen
Howard	Lake	Foster
Slater	Dalton	Pimm

On the amendment (*continued*).

D. Donaldson: I rise to continue debate on the hoist motion.

Mr. Speaker: Member, continue.

D. Donaldson: I rise in favour of the six-month hoist motion.

First I'd like to acknowledge the member for Saanich South who preceded me in this debate. Like me, it was her first time speaking to a hoist motion in these circumstances. I congratulate her on her performance, on her performance as Agriculture critic, on her performance in that portfolio on aquaculture and in her performance in doing the best to prevent....

Mr. Speaker: Member. I want to remind you, we're speaking to the hoist motion.

D. Donaldson: I'm sorry, hon. Speaker, I acknowledge that's not a great start. Not like my colleague and friend from Saanich South, who wasn't reprimanded once.

I rise in favour of the six-month hoist. That's 180 days that the hoist would represent. Some months have 30 days and some months have 31, so it could be 180 days; it could be 186. I don't think it could be 186, but I can never remember the months, if there's 30 days or 31, depending on.... There's a rhyme that goes with that, but I don't remember that one.

So I speak in favour of the hoist motion, and let's look at that for a second. Back in Stikine, people who might be watching at this time on Hansard television might be wondering what we're talking about here. "Hoist" can be a noun. Back home a hoist is something oftentimes we put a car on and lift it up to look at what's going on underneath the car. It's a mechanism for lifting or lowering a load. We talk about "put it on a hoist."

But that's not what we're doing here. We're hoisting. It's a verb. The verb "hoist" can mean something different from what we're doing here. We could have something hoisted up. In fact, I was back home in Stikine about a week ago, and we had some sheep we were slaughtering. After we slaughtered them, my sons and I, they helped me hoist them up to skin them and gut them.

Mr. Speaker: Member. Please, we are talking about the hoist motion. Do you want me to read you the motion?

Continue, Member.

[0215]

D. Donaldson: What we're talking about.... I wanted to refer to what hoisting is, so people back home.... We're talking about the motion. It's one of the tools the opposition has to discuss something of substance, and this bill is something of substance — or this motion that refers to this bill.

So why the hoist motion? The hoist motion gives a break. It gives a break to reflect. It gives a break for the government to reflect on what's going on with this bill and with this situation with paramedics. A break is fine, because at this point there's no dire interruption of service. The paramedics where I live are still working.

You know, I hear the sirens every day when I'm at home. It's a small town. I don't live right on the road, but I live close to the road, and you can hear the sirens going out. They're undertaking job action — that's for sure — but there's no problem with a six-month hoist. They've been ordered as an essential service by this government, so there's no dire interruption of service.

They're being responsible in carrying out their duties. They're being much more responsible than this government in its behaviour of not getting up once to speak to the hoist motion, so the service isn't an issue with this hoist motion.

My friend Mike Weeber who is a paramedic is also a counsellor with the municipal district of New Hazelton. When I was on council with the village of Hazelton for ten years, I got to know Mike quite well. He's written a letter that I'd like to read from, part of which describes the kind of service that they're providing during this time: "Just a quick note to let you know that, as a paramedic, I feel that the province is really letting us down with Bill 21. For the most part, I just don't think that people know what we really have to do in our job. Stuff like picking up dead bodies, young and old...."

Mr. Speaker: Member, I'm not going to remind you again. This is on the hoist motion, please. If I have to remind you again, I'll ask you to sit down.

D. Donaldson: This is what the government would hear if they supported the hoist motion.

I'll continue speaking in favour of the hoist motion, and what I would like to speak about is what could happen during this time. We're talking about the hoist motion here and the six months that it entails — the six months that are part of the procedures of this House and part of the ability that we have to ask the government to reflect on their actions.

What could happen during these six months? Well, the government could get to the table. They could attempt to bargain in good faith. That's what this hoist motion could do. They haven't been bargaining, to this point, in good faith with the paramedics. They tabled an offer to the union, and while the membership was voting, they ordered them back to work. That's not showing good faith. This hoist motion gives them the opportunity to get back to the table and show some respect.

That's what we're talking about here: hoisting the bill called Ambulance Services Collective Agreement Act.

[L. Reid in the chair.]

That's a misnomer, because what we're talking about is taking away collective agreement, collective bargaining rights. It's a misnomer that we're talking about here.

What we're going to do is talk about hoisting a bill so that true collective bargaining can occur. That's what can happen during this six-month period that we're looking at. I just want to read a letter that directly relates to what could happen during this six-month period while this hoist is in place.

[0220]

What could happen is true collective bargaining on behalf of the government with the paramedics. There's a letter here from a paramedic that describes what the bargaining has been to date. This is what's been happening:

"I read with great disgust that the Liberal government would enact back-to-work legislation on us. I also watched the Legislature TV over the past few days. First, I'd like to thank the NDP and the independent MLAs for standing up. Your efforts are appreciated. You raised many great points.

"The Liberals claim this is a result of prolonged, failed negotiations. Well, it's hard to negotiate when one party shows up with the same contract offer over the past seven months. That isn't negotiating. That's forcing your terms."

Deputy Speaker: Member, you're in second reading debate. You need to address yourself to the motion.

D. Donaldson: Thank you, hon. Speaker.

I'll bring these remarks into context. That's a letter regarding collective bargaining. What this hoist motion does is it gives a chance for collective bargaining to occur.

Now, this paramedic was outlining some of the reasons why collective bargaining should occur and why we should have a hoist motion in place — to give the government some time to go back, show good faith, and overcome some of these situations and circumstances that this paramedic is talking about and that he describes in this letter about collective bargaining not occurring and collective bargaining that could occur if we had the time that this hoist motion could present to the government. So that's what we're talking about here — the hoist motion.

What is happening by not taking the time to bargain in good faith is it's flying in the face of what collective bargaining is and of what could be done during this six-month period. What could be done is to undertake the collective bargaining process.

As we all know, collective bargaining, in a broad sense, is the coming together of workers to negotiate their employment, and that's not what has been happening to date. That's why the hoist motion is important. It gives the breathing space for that kind of activity to occur. It lets people cool down. It lets time be taken for the important, democratic principle of collective bargaining. This is a very democratic principle, collective bargaining.

In fact, as we discuss this motion to hoist.... The hoist motion will give us six months and will give this

government six months to get back to the table around collective bargaining. As we discuss it and discuss collective bargaining.... Collective bargaining is one of the cornerstones of democracy, and the hoist motion will allow us to discuss that — allow the government to get down to the table again.

As we look at what's coming up, we look at Remembrance Day. People sacrificed their lives for democracy, and collective bargaining is part of that. In fact, my mother's youngest brother was lost during the Second World War, and that's the kind of sacrifice that took place so that collective bargaining could take place. That's why we're introducing this motion to hoist — to give the breathing room for the government to get back to the table and talk to the paramedics.

We have many letters coming in, in relation to the hoist motion and in relation to why it's important around collective bargaining. Here's another one from a paramedic — it's very short — saying: "Just wanted to write to thank you for your opposition and support collective bargaining and support the motion to hoist." So there's a letter from a supporter back in my area.

[0225]

But this motion to hoist also gives the government a chance to send a signal to the paramedics. What would that signal say? That signal would be a signal of respect — respect to the paramedics. It would be a signal to respect paramedics if this government would support this motion to hoist. It would send that signal out to the paramedics that they mean something, that they are respected.

Paramedics in Atlin, in my constituency; in Dease Lake; in Hazelton; Gitwagak; Smithers; and Stewart.... Those are just some of the paramedic stations in my constituency, a very rural and geographically large constituency. But by supporting and voting for this motion to hoist, the government would be sending the message to the paramedics in those communities that they're respected.

These paramedics are earning \$2 an hour for being on call. Tonight it's cold, and it's snowing. Instead of relaxing, they're not at home. They're on call. They're waiting. By supporting this hoist motion the government would say: "We respect that, and we want to get back to the table, undertake the collective bargaining process and address the issues like a \$2-an-hour on-call wage, which is absolutely pitiful."

If the government members on the other side would rise to support this hoist motion, then they would indicate respect for the paramedics — not like now. We haven't seen any member on the other side rise to speak to this motion. If they could at least speak in opposition to it, it would show some respect for the democratic process.

This motion to hoist gives them that opportunity. Earlier in the day a member from the opposite side, for Kelowna–Lake Country, wanted to listen to this debate but told me that he couldn't get the mute button off in

time to listen to one of my colleagues from the Cowichan Valley. Couldn't get the mute button off quickly enough.

All the members on the other side have the mute button on. They have the mute button on, on this debate. They will not get up and speak to the motion. That's not acceptable — not acceptable to the people I represent. I find it hard to believe that it would be acceptable to the people they represent in their ridings.

This motion to hoist allows government members to stand up and explain why they don't want to take a break for six months, 180 days — or 186; we're not sure about that — for a chance for collective bargaining to take place. Collective bargaining is part of the democratic process, part of the democratic process that was fought for and lives were lost over. As I said, my mother's youngest brother, the uncle I never knew, 19 years old, was killed in the air over Sicily. He is buried in Tunisia. I've never been to his grave. I hope to someday get to Tunisia to speak at his grave.

Here he was, fighting for democracy, for the democratic right, for collective bargaining, for what this hoist motion gives — the opportunity for this government to engage further in.... What we see here, as well, is the ability for the government to stand up and support this motion as a means of respect — respect for the paramedics as well.

[0230]

We know the kind of tough job they're doing every day, especially in the rural areas where I live, where they're out on extensive stretches of highway coming across all sorts of terrible and horrific accidents, where they're faced with entering situations where there are some dire socioeconomic conditions and all the social fallout....

Deputy Speaker: The member will bring his comments back to the motion.

D. Donaldson: I will, hon. Speaker.

This is why we're presenting the opportunity to this government to vote in favour of the hoist motion — the hoist motion that, if they support it, shows respect for the paramedics. This is why I'm explaining what the paramedics face on a daily basis.

Speaking in this House is one of the greatest privileges that we have — one of the greatest privileges and one of the greatest democratic privileges. When I was elected people said: "You go down there, and you speak up for us. You speak up for us in all sorts of ways."

I'm encouraging the government, members of that side of the House, to stand up in support of this hoist motion to show respect for the paramedics, for this House and for a democratic tradition by taking advantage of the free speech that we enjoy because of the sacrifice that was made in previous decades — and the sacrifice that paramedics are making right now, working for a \$2-an-hour wage, an on-call wage.

I encourage the members on the other side to stand up and at least speak to this hoist motion. Yet none of the members on the other side are availing themselves of this opportunity to speak to the hoist motion. That's unfortunate. It's unfortunate because this is the reason that we're in this House — for this democratic tradition.

I'm speaking in favour of the hoist motion because it gives some time. It gives some time to address the fundamental issues around collective bargaining that have been missed so far. It gives the MLAs a chance, on that side as well as on this side, time to go to the constituencies and not just talk to constituents who aren't involved in this issue — although I would say that almost everyone is involved, because of the service that's provided by paramedics — but actually talk to the paramedics, to sit down in an unpressurized situation, not at the bargaining table but as people, one to one in the communities that we have.

We have relationships, especially in the smaller centres, direct relationships. If we don't, then we can make those relationships by reaching out, by extending a hand and saying: "You know what? We know that we can come to an agreement without forcing you back to work."

This is what this motion to hoist does. It gives that breathing space for members on the other side to go to their constituents and to their paramedics. They could even go to the stations where the paramedics are working out of. There's nothing like going to the people where they are to show that you care and to give some respect.

This issue is worth going more than halfway. In this situation you could go more than halfway by using the hoist motion that we're presenting here. With your support, it will pass and give you, members of this Legislature, time to go and speak with the paramedics.

It also allows time to avoid the negative aspects of what the repercussions could be by not supporting this hoist motion. That would be what we've heard from the members on the other side — to order people back to work.

[0235]

This hoist motion prevents that from happening in the short term. It gives a six-month break in order to get back to the bargaining table, show some good faith, create an improved climate of respect and the ability to discuss this in a unpressurized, non-pressure cooker way.

[Mr. Speaker in the chair.]

I say that it's time to support this motion. I say it's time to take a break, a six-month break, which this valid procedural motion gives us. It's going to mean no dire impact on services, as I've outlined.

The paramedics are working today. They're working tomorrow. They're conducting job action, but it's not preventing them from providing the services in a re-

sponsible way. This hoist motion will not have an impact on services in communities such as mine, in Stikine.

We've heard no rationale to do otherwise than to support this hoist motion. We've heard no rationale about negative implications of this hoist motion. In fact, we haven't heard anything from the other side about this hoist motion. I'm encouraging members of the government to get up and give us a rationale why they would not vote for this hoist motion. Why would they oppose this hoist motion? It gives you the chance to do that as well.

The hoist motion also gives the opportunity for collective bargaining to take place, which we all know — as everybody knows, as studies have shown — is the best way to resolve issues. Collective bargaining is the best way to resolve issues. It gives people a chance to sit down, find the common ground that they have. And when we get to common ground, we get to consensus. The hoist motion allows that space, that time, for people to be able to do that. It's time to support this motion for collective bargaining.

It also shows the respect that the paramedics deserve: "Look, we'll give you six more months to sit down and talk. We know you have important issues on your table. We have an obligation as government to sit down and talk about that." The hoist motion gives that ability. The hoist motion gives the time to do that.

At this late time of the night, the time that we have to talk, I believe, is now. The time for members of the government to get up and talk is now.

I will be voting in favour of this hoist motion. I encourage them to vote in favour of this hoist motion. I encourage them, if they're not going to do that, to stand up and explain why, and I look forward to hearing that. I look forward to this motion passing. I will be voting in favour of it.

Thank you, hon. Speaker, for your tolerance in my first hoist motion address. I've learned a lot from your rulings and will continue to do so and will strive to have my comments be more focused, with your guidance and with your rulings.

Mr. Speaker: Member for Surrey-Whalley, on the hoist motion.

B. Ralston: Mr. Speaker, I certainly appreciate, as do all members, your guidance on procedural matters.

I do want to quickly state the position of the opposition in bringing this particular motion, which is formally an amendment. I'm going to quote from *Parliamentary Practice in British Columbia*, the 4th edition. As coincidence would have it, the author, the distinguished Clerk of the House, Mr. MacMinn, is in the House at this very moment. That's a happy coincidence, and I'm able to refer to the text that he's written at this very moment.

[0240]

On page 201, in the book that I've just quoted the title of, second reading... We're speaking of "Proceedings on Public Bills," "Debate and amendment — public bills," "(2) Second reading — This stage of the bill is subject to three forms of amendment: (a) Six-months' hoist... (b) Reasoned amendment... and (c) Subject matter of bill referred to a committee...."

Now, the six-month hoist — the learned author has annotated that with reference to Erskine May, which is called Erskine May's *Parliamentary Practice*. He begins with a reference to the 17th edition. I'm going to quote from page 526, which I think expresses very clearly. I think it's significant that the learned author, the distinguished Clerk of this House, chose this particular passage.

I think by simply reading from Erskine May and then making some brief reflections on it, the position of the opposition in bringing this amendment to the bill will become clear. I'm quoting from page 526.

"The ordinary practice in opposing the second reading of a bill is to move an amendment to the question by leaving out the word 'now' and adding the words 'upon this day six — or three — months.' The amendment 'upon this day three months' is usually employed in a normal session after Whitsuntide. The question proposed upon such an amendment is that the word 'now' stand part of the question. The postponement of a bill, in this manner, is regarded as the most courteous method of dismissing the bill from further consideration, as the House has already ordered that the bill be read a second time; and the amendment, instead of reversing that order, merely appoints a more distant day for second reading. The acceptance by the House of such an amendment being tantamount to the rejection of the bill, if the session extends beyond the period of postponement, a bill which has been ordered to be read a second time upon that day 'six or three months' hence is not to be replaced upon the notice paper of the House."

Then there's a reference there to a bill in 1882.

What is clear that this amendment does to...

Interjection.

B. Ralston: I thought I heard some chatter elsewhere, but I....

An Hon. Member: You're hearing voices.

B. Ralston: Well, I hope members don't have their earplugs on at this point, and I hope they're open to listen to the debate. That would be commendable, and in ordinary parliamentary debate one expects a certain exchange. The members opposite seem willing to chirp from their places but don't seem willing to enter into the debate in the formal manner that's required by the rules of this House. That's regrettable.

I'm not quite sure whether it's an individual decision, a collective decision or just what is going on here, but I will continue. Mr. Speaker, thank you for recognizing me as the speaker and asking me to continue.

What is clear — and I think this is why the learned author has chosen this passage — is that moving this

amendment is a way of, as Erskine May says, "the most courteous method of dismissing the bill from further consideration." In other words, moving this amendment by the device and the wording that's chosen, asking that it be read six months' hence is really in effect — and Erskine May confirms this — a manner of dismissing the bill. So when one comes to discuss this motion, this amendment, the purpose of the amendment is to dismiss the bill, and debate is relevant if it's part of that intention.

I appreciate the guidance of the Speaker, as always, and I will endeavour to follow Standing Order 40, which gives the House the power to and the Speaker the obligation to limit debate where it is irrelevant. But given that the purpose of this amendment is to dismiss the bill, I would respectfully reiterate my understanding, based on Erskine May, that the ambit of the debate would, therefore, accordingly be very broad in the sense that arguments must be marshalled that are in favour of dismissing the bill.

[0245]

That would appear to be the conclusion of the learned author of *Parliamentary Practice in British Columbia*. Since he's here, I'm sure if I've misinterpreted what is in this text, he will certainly advise the Speaker.

I wish to continue in that spirit. The bill that is before the House is Bill 21. What this amendment seeks to do is to dismiss the bill in the most courteous method possible. That is a procedure that the opposition has put forward and that I intend to speak to in the time that's allocated to me.

The bill that's before the House — and I think a number of speakers have reflected on this — has not been supported by substantial argument by the other side. Indeed, in opposing this motion, this amendment, the purpose of which is to dismiss the bill, the government members have not entered the debate, at least as far as I'm aware from my quick review of *Hansard*, the preliminary record of the proceedings of the debate thus far.

Ordinarily, one expects in a parliamentary debate — the very word "debate" implies an exchange of ideas, an exchange of speeches — not necessarily an alternation but some effort, through the processes of debate, to illuminate the subject and come to a mutual understanding of the position of each party.

It's not clear at all, given the absence of government members in this debate on this particular amendment, just why there is such apparent opposition. Although one cannot be sure, I somehow doubt that they are sitting silently and merely waiting for the opportunity to vote with the opposition on this motion. But one never knows, I suppose, because certainly the silence could be interpreted that way. Somehow I rather suspect that the government members have chosen not to enter this debate and have chosen not to participate for reasons of their own.

It certainly diminishes the debate, and it diminishes the opportunity to have some understanding of the government's position. It's important in an amendment that seeks to dismiss the bill. One would have thought that the government members would want to stand up in opposition to that amendment and explain why they think dismissing the bill is wrong. But there appears to be no response whatsoever.

This bill, in the measures that it takes, does constitute a blow to some very important principles in Canadian democracy, and those have been commented on by the Supreme Court of Canada in the case that considered Bill 29. This bill, which the opposition proposes the amendment to, the Ambulance Services Collective Agreement Act, proposes to end a process of collective bargaining and impose a contract by legislative means.

In other words, rather than continuing collective bargaining, this bill imposes a collective agreement and dictates the terms of that collective agreement in the clauses in the bill. The imposition of this bill... Particularly in clause 6, section 6, the bill really continues the collective agreement only until March 31, 2010, so the time horizon of the bill is very limited.

[0250]

The motion that's proposed by effectively proposing a reading of the bill six months hence does obviously, in its effect, dismiss the bill. If this motion were to be passed, the entire act would become academic.

That's why the opposition has one of the three standard amendments, and I suppose we're only perhaps halfway through this debate at least on this particular amendment. There are other amendments at second reading, as the learned author Mr. MacMinn has pointed out, which could be brought at some later date. We shall see what the decision is collectively of the opposition in that respect.

At this stage the amendment that's before the House would have the effect of rendering the bill completely academic. In other words, the bill would no longer have any validity whatsoever.

It's important in considering the bill and this effort on our part, the opposition, to dismiss it, to consider what it seeks to do and why we seek to dismiss the bill. The bill would end collective bargaining by the union and the employer, and impose a contract on that particular labour relation.

The value of collective bargaining is a value which is held very highly in Canadian democracy. Although members opposite may think these are mere platitudes that are being uttered by members of the opposition, in fact, in the Supreme Court of Canada case which considered Bill 29....

There was a very extensive parliamentary debate here beginning on a Friday and ending on a Monday morning with the Lieutenant-Governor arriving. The entire debate on that particular bill took place over a weekend

with some of the debate, as here today, on a Saturday. The bill was introduced on a Friday, second reading was on the Saturday, committee stage was on the Sunday, and the Lieutenant-Governor came in on the Monday morning.

In that case and that legislative action of the government, the statute that was passed was later considered by the Supreme Court of Canada. That gave them reason to consider the place of collective bargaining, which is the very process which this bill seeks to end, to give some sense of its place in Canadian democracy and its value as a right in relation to the Canadian Charter of Rights and Freedoms.

I'm going to quote from a summary of the majority judgment.

"The history of collective bargaining in Canada reveals that long before the present statutory labour regimes were put in place, collective bargaining was recognized as a fundamental aspect of Canadian society emerging as the most significant collective activity through which freedom of association is expressed in the labour context."

That's why that's important in considering this amendment — which seeks to dismiss the bill which seeks to end collective bargaining — to state strongly, in quoting the Supreme Court of Canada, the value of collective bargaining, the value of the right that is being ended here by this legislation.

I want to continue quoting from this passage, if I might. I might just briefly pause to take a sip of water.

"Association for the purposes of collective bargaining has long been recognized as a fundamental Canadian right which predated the Charter. The protection enshrined in section 2(d) of the Charter may properly be seen as the culmination of a historical movement towards the recognition of a procedural right to collective bargaining. Canada's adherence to international documents recognizing a right to collective bargaining also supports recognition of that right in 2(d). The Charter should be presumed to provide at least as great a level of protection as is found in international human rights documents that Canada has ratified. Lastly, the protection of collective bargaining under 2(d) is consistent with and supportive of the values underlying the charter and the purposes of the charter as a whole."

This is again quoting from the summary of the decision of the majority of the Supreme Court of Canada. This is not political rhetoric. This is a legal decision. This is the law in this country.

[0255]

"Recognizing that workers have the right to bargain collectively as part of their freedom to associate reaffirms the values of dignity, personal autonomy, equality and democracy that are inherent in the Canadian Charter of Rights and Freedoms."

What this bill seeks to do and why we move this motion is... We seek to dismiss a bill which ends what is regarded, in the words of the Supreme Court of Canada, as "a procedural right to collective bargaining," which is enshrined in the highest legal document — the most authoritative, precedential value, the Canadian Charter of Rights and Freedoms.

That's why... It's the part, in my view, that explains the passion that members of the opposition feel — certainly

inspired by the situation of the ambulance paramedics, their negotiations and their dealings with their employer — that collective bargaining is a value that has been recognized as a value of extreme importance in the Canadian legal environment.

It's something that is not simply a matter of political rhetoric. It's not something that's a question of a political football. It's not a question of making political points. This is something that's recognized by the Supreme Court of Canada.

To take a legislative measure that seeks to end collective bargaining, in these circumstances, is something that this motion seeks to dismiss. By bringing this motion — this amendment to the bill — we seek to dismiss this bill. We seek to dismiss this bill because the assault, the attack on the procedural rights to collective bargaining here are, in our view, not justified in these circumstances.

We are not saying that there is never a circumstance when such legislative action might be taken, but legislative action of this type should be used very, very sparingly — very, very sparingly indeed. This circumstance is not a circumstance where the government has made out a case that supports the legislative action that has been taken by the government here. So that's why we seek to dismiss this bill.

When one looks at the bargaining that has taken place in this particular context, there are some very troubling conclusions that one comes to.

The ambulance paramedics launched their strike on April 1, and they are bound by the Essential Service Disputes Act, which effectively means that they, for the most part, and in some cases provide.... Their service is required to continue, and in some cases they are required by the Essential Service Disputes Act to provide as great if not greater service than they would if they were not on strike.

Ordinarily, the process of collective bargaining and the weapons that are designed to enforce and bring pressure on both sides to settle — one of those is a strike.... But in these circumstances, the operation of the Essential Service Disputes Act gives the employees very little leverage on the employer because, effectively, things continue very much as before with some limited gestures available to the union in pursuing what is legally called a strike but effectively continues the service, since the ambulance paramedics and their union and their leadership have respected the requirements of the Essential Service Disputes Act, as they've been instructed to do.

[0300]

Mr. Speaker: Hon. Member, just as we're going along here, I think that we're looking also at this, and I think the result of passing a hoist motion is to dismiss the bill. The quote does not permit a recanvass of second reading. It does not deal with the scope of debate. I understand

where the member is going, but I just want you to be very cognizant. And I'm sure you're trying to lay the groundwork for future speakers, but it does not deal with the scope of debate.

The member can continue.

B. Ralston: Certainly, I thank the Speaker for that intervention. I'm seeking to follow what I regard as a reasonable and fair interpretation of the learned author himself and of Erskine May.

My purpose in speaking is to dismiss the bill, and I've directed my comments to that. I appreciate the Speaker's drawing to my attention the scope of debate, and I'm certainly intending to respect the scope of the debate as I understand it. If the Speaker and I are not in agreement as to what the scope of the debate is, I'm sure that you will set me straight on that, Mr. Speaker.

Mr. Speaker: I'm sure, Member, that you're trying to lay the groundwork for future speakers. I understand where you're going, but as long as we both understand that it does not deal with the scope of debate.

B. Ralston: Well, I understand that and respect that, Mr. Speaker.

Mr. Speaker: Continue.

Interjection.

B. Ralston: We seem to have some other alternate legal opinion here in the chamber, Mr. Speaker. Where did the learned member opposite receive his legal training, I'm wondering.

Interjection.

Mr. Speaker: Just continue, Member.

B. Ralston: I'm obviously hitting a nerve here. I have the attention of what were previously silent and sleepy members. I obviously appreciate that. They're wide awake and bolt upright in their places, although unwilling to stand and take their place in the debate. Perhaps we may have inspired some of the members opposite who like to intervene in this fashion but don't like to stand and speak on these sort of matters, particularly at this hour. But we shall see. We shall see, but somehow I doubt it. I think that's as far as their willingness to enter the debate goes.

In any event, what that decision also clarified, I think, in cases where government.... This case is about government action by this Legislature in imposing a collective agreement, very much as this bill does, and was canvassed in legislative debate in this very assembly. It does set out that the government has an obligation, if such ac-

tion is to survive an ultimate legal challenge.... I'm not sure, given the process that's taken place here, whether there will be a legal challenge to this legislation, but there might very well be. One doesn't know.

One of the obligations — this is the reason why I support the amendment here so strongly — is that in that case the government....

"A range of options were on the table, but the government presented no evidence as to why this particular solution was chosen and why there was no meaningful consultation with the unions about the range of options open to it. This was an important and significant piece of labour legislation which had the potential to affect the rights of employees dramatically and unusually. Yet it was adopted rapidly with full knowledge that the unions were strongly opposed to many of the provisions and without consideration of alternative ways to achieve the government objective and without explanation of the government's choices."

So the importance of that passage and its relevance to the motion that is before the House here, the motion to amend which seeks to dismiss this bill, is that it is incumbent upon the government to consider and explain alternatives, to consult. It's very clear in the legal environment — and the minister of aboriginal affairs will know this — that the duty to consult on the part of governments is an expanding legal category before the courts.

[0305]

The government in this particular case and this particular piece of legislation is, in the view of the opposition, acting arbitrarily, capriciously and without consulting fully the union involved and without considering other alternatives.

In fact, the reason that we support this motion to amend the bill and the reason that it is important, from our perspective, that this amendment pass is that there has not been consideration of alternatives — nor of the impact, nor of the damage that this particular legislation will do, if it passes, to the whole bargaining relationship.

There is an option, if the government chooses and government members choose to support this bill, not to damage the bargaining relationship.

It is rather remarkable that the logic that's presented to the House in this bill — and the reason that we support this amendment — is that a piece of legislation is going to be passed, it's proposed, imposing a collective agreement. That very agreement will expire at the end of March next year, less than five months away.

The round of bargaining to begin upon the expiration of this imposed collective agreement, should it pass, will have to begin early in January. Really what this bill does, and the reason why we propose this amendment to dismiss it, is propose to suspend the bargaining process for a month and a half or so, maybe two months, and start again in January.

The assumption is that nothing will have changed. This won't damage the bargaining relationship. That really is a foolish conclusion, completely unsupported by any evidence and by anyone who has any practical experience of collective bargaining.

I see that my time is nearly up. I'm pleased to have been able to provide a few comments in the limited time that's available to me under the rules here. I know there are other colleagues that, as we approach the halfway point in this debate, will want to offer further reasons why this particular amendment that seeks to dismiss the bill is one that we strongly support.

I want to thank the Speaker. I'd like to thank Mr. MacMinn for any elucidating comments that he's provided in the course of this debate through the process. I certainly appreciate that, and I appreciate your guidance.

Mr. Speaker: Just before we continue, I want to remind the member speaking that the motion on the floor is that "the motion for second reading of the 'Ambulance Services Collective Agreement Act' (Bill 21) be amended by deleting the word 'now' and substituting the words 'six months hence.'"

I just want to make sure that the member understands to stay within the confines of the hoist motion.

S. Hammell: Again, I rise to join the debate on Bill 21, the Ambulance Services Collective Agreement Act.

[C. Trevena in the chair.]

Today I am supporting the hoist motion, a motion that will allow a sober second thought of six months on Bill 21, the Ambulance Services Collective Agreement Act, a bill that is intending, in its current state, to impose a collective agreement on the paramedics of B.C.; a bill that is forcing the paramedics to go back to work; a bill that is imposing a settlement in a labour dispute — at least temporarily or at least until the Olympic party is over.

[0310]

There was an infamous member of this House, a former Premier, who enshrined the notion of a sober second thought as a strategy to deploy when a decision that had been made was going sideways. W.A.C. Bennett — or Wacky Bennett as he was affectionately called by many — used the notion of a sober second thought strategically and with great effect.

It's actually a delightful concept, the notion of a sober second thought, which this hoist motion is suggesting. Although a sober second thought implies that perhaps the initial or original decision was done in haste or in a moment of exasperation or even perhaps under pressure, it does not mean that just because a decision was made, the decision cannot be unmade or undone.

I'm not suggesting for a minute that the decision to force a settlement on the paramedics was done in haste or in a moment of exasperation or under pressure. I'm just suggesting that this is the time to pull that old chestnut out of the fire, as all administrations have done at previous times to save the day. A sober second thought is what this hoist motion is paving the way for.

This government is not without the experience of a sober second thought, which again is what this hoist motion is asking the government to do.

The Minister of Housing and social services just recently had a serious second thought and thought twice, maybe even three times, about breaking three-year contracts with non-profits and community groups earlier this year. The announcement had been made. The letters had been written — in fact, the letters had been sent — and the decision was made. But it was reconsidered after a sober second thought, which is what this hoist motion is all about. It's just saying: "Hold it. Let's wait six months. Let's think this through."

That sober second thought was a decision.... I'm not suggesting that cancelling those contracts was a decision made in haste or without deep forethought, but I bet those lawyers in the government were quick to advise that the tactic of a sober second thought should be employed, like, promptly. As we all know, the decision was reconsidered, and the funding was restored — a perfect example of a sober second thought, of taking a moment, stepping back, looking at the consequences, thinking through that maybe this isn't the right road to take or the right decision to make. It is the ability to reconsider a decision, which is exactly the opportunity this hoist motion is providing.

There was another moment earlier this year when the tactic of sober second thought was used strategically by the government. The Solicitor General was about to cut services to women and children who had experienced domestic abuse or violence. Now, who would have imagined that would have been a good decision? However, the decision had been made.

They were about to cut the funding to a partnership program in New Westminster that had a successful record of working to prevent violence against women for 14 years. The chief of police made it very clear that if the program was lost, lives would be lost as a consequence. Again, the decision had been made; the letters had been sent; the announcement was in the press.

Well, we can again thank the notion of a sober second thought and, I would imagine, the pressure from the community. There again sometimes pressure is brought on, and there is a sober second thought. The pressure of the community allowed the Solicitor General to have an about-face. The decision was reconsidered, and the funding was restored.

[0315]

A sober second thought. It's exactly what this hoist motion is about — six months to reconsider an action that is very doubtful as being a good decision.

The most famous sober second thought of this Liberal government was in their last term — not this term but in their last term — when they were going to privatize the Coquihalla Highway. The decision was made. Tenders

were out. The signs were on the highway: "For sale to the highest bidder."

When the pressure of the community was felt full force in opposition to that decision, out came that old chestnut — the sober second thought. The decision was reconsidered, and the For Sale signs on the Coquihalla Highway were removed. That highway has remained part of the public highway system in British Columbia since — a great example, just a perfect example of the effectiveness of the sober second thought.

That is exactly what this bill is putting forward as an opportunity for the government to consider — in fact, to reconsider — the action and the direction they are going in with Bill 21, a bill that forces a collective agreement on our paramedics, a bill that forces a settlement in a labour dispute. I linger over the notion of the sober second thought because I do think it is time to pull it out and for the government and their members to support this hoist motion and go back to the bargaining table with the B.C. paramedics.

The history of the Ambulance Service of B.C. is one that every member in this House can be proud of. Every party and every ideology had a role in building that service. This hoist motion would allow the members opposite, as well as ourselves, to reflect on the contribution that each political party, all of us, participated in building the British Columbia Ambulance Service.

The hoist motion would allow us to reflect that although the Ambulance Service was created in 1974 by the Minister of Health of the time, the late Dennis Cocke — and I had the pleasure of knowing Dennis Cocke casually — the need was in fact detailed in a report of the previous administration. Again I go back to the wise man, the former Premier, the former member of this House, who used to use that whole notion of the sober second thought as a very, very effective tactic.

The Foulkes report, which was commissioned not by the NDP government of '72-75 but by the Social Credit government before it, was the one that foreshadowed or described the need for a modern ambulance service in the province of British Columbia.

Some of you in this House may not remember the '70s. It's the odd one, I think, that might not remember the '70s, but most of us in here, except the very young, were around at that time. Having this great service, the Ambulance Service, for over 30 years may be something that we as British Columbians very much take for granted.

It's almost like we can't imagine a world without our Ambulance Service. It's hard to imagine a world where we could not call 911 for an ambulance and have our call responded to and help dispatched.

[0320]

Deputy Speaker: On the hoist motion.

S. Hammell: Hon. Speaker, I am taking you down this thought process so that we can think about how this

hoist motion.... When we're considering the hoist motion, we need to consider where this service came from and how it arrived here in British Columbia.

One thing I do know for sure — and perhaps this is the biggest reason why we should consider this hoist motion — is that the people of the province take for granted that their government will ensure the ambulance service is there when they need it, and that the front-line men and women, our paramedics, are treated with the respect they have earned.

That respect is not reflected in Bill 21, because the government is using force to get its way with a group of people who have been on the front lines for us and have often put themselves in danger doing so. That is a reason in itself to step back from this precipice and pull back from enforcing a labour settlement on a group of workers in this province that are so precious to us and provide such an important service.

I believe we should support this hoist motion so that we can get back on track with our paramedics. This report, the Foulkes report, recommended that we take that ragtag bag of services that were supplying ambulance service in the past — some volunteers, some private, some run by municipalities and, in fact, some pay as you go — and create a new coordinated ambulance service that had standards and was integrated into our health care system. The hoist motion will allow us to reflect on the difference between now and then and to sort out in our minds what is so important to us in our ambulance service.

Today the Ambulance Service employs over 1,000 full-time paramedics and dispatch personnel. So 1,000 full-time paramedics will be affected directly if we support this hoist motion. Not only that, there are over 2,000 part-time staff members who will be directly affected by the action of reconsidering this bill and supporting the hoist motion.

Our B.C. Ambulance Service is one of the largest ambulance services in North America. I've heard through this debate from paramedics who risk their lives in rough weather to fly to an injured person along our rough coastline. Hon. Speaker, I think, in fact, I received a letter from a member in your constituency that described how, just recently, he had gone into a very risky situation but did so as part of his job.

I have heard through many, many e-mails, which I'm sure all of us in this House have received, from paramedics in urban areas who risk their lives or injury as they tend to people who are acting out or on drugs. Every one of those letters has informed me in terms of supporting this hoist motion.

I have heard from paramedics who have gone through years of training to work on the advanced life support unit and infant transport teams. Through these e-mails and descriptions I have gained a much, much greater sense of the lives and the job and the work of the paramedics in our community and in our province.

Every single one of those e-mails has informed me and should inform every member in this House that before you impose a settlement, you need to take a step back and reconsider your actions.

[0325]

There are some things we do together because we do them better, and I submit to you that the Ambulance Service is one of those. We only need to imagine, and I guess most of us will imagine, what the pre-1970 era looked like. Up until now, every government has agreed that we need to maintain and keep that Ambulance Service together. So we need to take time out. We need to pass this hoist motion and solve the problems that surround this dispute, not exacerbate them.

As we only stand on the shoulders of those who have gone before, if we in this House pass the hoist motion, there will not be a break in the role of governments past and present that supported and built this great Ambulance Service, which has saved the lives of thousands and thousands of citizens in this province. Then the government would have the opportunity to again sit down with the paramedics and settle some of the outstanding issues.

The hoist motion will give the government time to reconsider their actions. Forcing people or a group of workers who are under an essential service order back to work, while they are voting on the latest offer by the employer, is more than a little over the top. Most would say that it's way over the top — in fact, an act unprecedented in Canada.

The paramedics went on strike with one hand tied behind their back, which is why I think we should be reconsidering the motion and supporting the hoist. Some people would say that one hand is not an adequate description, that their two feet were also tied. All of us have seen ambulances going by with "Strike" plastered on the back of the truck. The paramedics were on strike and at work at the same time.

The essential service order has protected the public from the withdrawal of ambulance services. That is because very few in the union were not designated as essential. In fact, as I heard the speaker ahead of me say, the essential service order required a larger contribution of time of work than beforehand.

We need to think about this. We need to think about the fact that this is not a balanced dispute. We need to support the hoist motion because we are witnessing, after showing the courage of their conviction, after going on strike under the most difficult of conditions, our paramedics being forced back to work.

I think, given those circumstances, that we need to step back and reconsider what we are doing in this Legislature. We need to support the hoist motion. The members opposite need to support the hoist motion, and we all need to step back from forcing a settlement on the paramedics. The government needs to stop resorting to force and listen to the concerns of the paramedics.

Certainly, there is a better way to settle the dispute. By relying on or resorting to these heavy-handed tactics, the government is undermining the principles of free collective bargaining. That should be enough to at least bring to the forefront the notion that this hoist motion should be supported. Trust and respect are the key principles of free collective bargaining. When you have forced a settlement under the conditions that exist with the paramedics, then I think there is need to reconsider.

[0330]

It is also a profound and revealing admission of failure — failure to bring to the task the skill and creativity needed to find a settlement. Bill 21 is an admission by the government of their failure to manage the health care system.

I have ready many of the e-mails being sent to us in the House. Those e-mails have taught me much about the conditions that the paramedics are operating under. A sober second thought is certainly needed. The government needs to support the hoist motion and think about the needs of the paramedics.

I want to highlight what I'm talking about, so I want to share a letter that I think is very articulate in describing the nature of the grievances of the paramedics.

Deputy Speaker: Member, while I understand the train of your thinking and the train of your argument, I would urge you not to revisit the line of debate that was held in second reading and concentrate very much on the motion, which is to give a six-month reconsideration on this act.

S. Hammell: Hon. Speaker, I don't think there is anything more important than for us to consider.... When we think about this hoist motion and about how we're going to vote about it, I don't think there is anything more powerful than the words of the paramedics as they inform us on how we can make a decision.

I could give you an example. The letter writer.... In fact, the person's name is....

Deputy Speaker: Member, Speakers throughout this debate have urged members to stick to the hoist motion, to the amendment, and not to revisit the arguments that came and the letters that came, which were debated in second reading, but to restrict themselves to the amendment.

S. Hammell: Hon. Speaker, if I am correct, the amendment is to hoist this bill for six months. So I will speak directly to the hoist.

When you have paramedics who work in small communities throughout this province and are on call and get \$2 an hour — and then when they are out, they are getting \$12 an hour, — and they have to do it for year

after year before they qualify to even be an official part-time paramedic, then I think we in this House need to consider that information as we consider a hoist motion.

I think we need to consider that a paramedic has to often travel outside of their home place to an outpost to get the experience needed to be a paramedic and that they have to take on much of their training at their own expense.

Hon. Speaker, these are things that I need to consider, and I am sharing with the House in considering the hoist motion that we will be voting on some time shortly.

Many, many paramedics consider that working in the Ambulance Service.... Although they work hard, spend long hours and are dedicated to their job, they are not recognized or appreciated. That does inform me and will direct me and assist me in voting, in terms of this hoist motion.

[0335]

I would hope that the members throughout this House would consider the conditions, because the conditions are what are partially being dealt with, and the wages are being dealt with, in terms of the collective agreement. We are having an agreement forced onto the paramedics, an agreement that was less than a prior offer. The offer was on the table. It was being voted on when this bill was put into the House. I think that, in good conscience, this House should reconsider that action and hoist this bill for six months so that we can think about it.

Many of the paramedics take a long, long time to qualify.

Point of Order

Hon. G. Abbott: The issues the member is raising may well be germane to second reading debate. They are not germane to the motion that is currently before the House, which is to hoist this bill for a period of six months.

Deputy Speaker: Thank you, Minister.

If I might remind the member and all members who are speaking on this motion that the motion reads: "I move that the motion for second reading of the 'Ambulance Services Collective Agreement Act' (Bill 21) be amended by deleting the word 'now' and substituting the words 'six months hence.'"

I think all members would agree that we've had a lot of debate on second reading, and a lot of latitude has gone into the debate on the hoist motion, allowing members to talk about issues that they consider to be relevant. But I would urge all members who are continuing in this debate on the hoist motion to restrict their comments to the hoist motion, the words of which have just been read into the record.

Debate Continued

S. Hammell: I would then like to direct my comments to the hoist motion. If I understand, the hoist motion is to have this settlement set aside for six months and that the government then engage in free collective bargaining up until that point and reconsider the actions to date.

This settlement that has been imposed on the paramedics needs to be rethought. The motion that we need to hoist the bill and allow the government.... My argument is that the government should reconsider their actions around the paramedics. I think the paramedics and the government need to sit down and take six months to reconsider their actions. The actions of the government should be reconsidered in terms of forcing a settlement on the paramedics.

The forcing of a settlement is precedent-setting. It has never been done in Canada. It is something that we should not be proud of in this House to impose, especially when it has been taken while a vote is in progress.

My issue is that this government needs to reconsider the actions they are taking. They need to reconsider those actions of imposing a settlement, of forcing the paramedics back to work, of forcing them back between now and March 31, which just happens to cover the Olympics, and using excuses like the H1N1 and that management is tired. What we need to do is have the paramedics and the government sit down. A binding arbitration could be brought in and a different way could be found.

[0340]

I'm in support of the hoist motion. I feel that the hoist motion is exactly what we should be doing when it comes to this particular issue. I think six months is a good amount of time to reconsider the actions of the government. I will take my seat after supporting the hoist motion.

A. Dix: Pursuant to the procedures of this House, I just want to advise you that I'm the designated speaker for the official opposition. I don't intend to take two hours with that. We just wanted to have the opportunity for the government to hear our full argument in favour of the hoist motion in hopes that they will change their position, although we really haven't had the opportunity to hear their position on the hoist motion. It may be that they are in favour of the motion; they just haven't given us much of an indication as of this time.

We wanted to have the opportunity to make the full argument to the government in hopes that they will be convinced to change their position and to agree with us that Bill 21 should not now be read for a second time and should be read six months hence.

As the member for Surrey-Whalley indicated earlier, the purpose of the hoist motion is in fact — and to follow

Erskine May — the postponement of a bill in this manner, as the manner described in the motion put forward by the member for Port Coquitlam: "The postponement of a bill in this manner is regarded as the most courteous method of dismissing the bill from the...consideration of the House."

And indeed, that is our effort, hon. Speaker. Naturally, all of us would expect to be courteous, even though the legislation that we would be dismissing is, of course, not courteous.

I think that one of the things that I'll be using to guide me in developing this argument in favour of the hoist motion, in favour of delaying second reading of this bill for six months, is the debates that have taken place, really, over the last 20 years on hoist motions. Indeed, there have been a number of hoist motions that are directly relevant and, in fact, deal with some of the same issues as this hoist motion.

There have been hoist motions put forward by members of other parties, of the Social Credit Party, of the B.C. Liberal Party in its period in opposition in the 1990s — perhaps they will be able to avail themselves of the technique again soon — and, of course, the New Democratic Party, which, while not recognized by the current government as a party nor as the opposition in the period from 2001-2005, nevertheless put forward hoist motions at that time.

Interestingly, given the view of the member for Shuswap earlier, members of this House, including many members of the current government, took a wide-ranging view of the scope of debate under hoist motions. I, however, do not take such a view. I take a much narrower view, and we're going to make a different argument here today on this motion than we did yesterday, all of us collectively and myself as the designated speaker yesterday, on the motion put forward by the government that the bill now be read a second time.

I've sort of honed down the arguments in favour of the hoist motion. I've distilled them. We've given it a lot of thought. I've talked to my colleagues. I've talked to ambulance paramedics. I've talked to people who have expertise in the area of parliamentary debate.

[0345]

I've decided to hone and simplify my argument in favour of the hoist motion down to 13 separate arguments. I started, I'll have you know, with approximately 22, and I've managed to bring it down to 13 for the purpose of brevity and simplicity of debate.

I just want to list them off at the beginning, and then we'll go through them one by one, because I think they will help the government come to terms with the clear error of their ways with respect to Bill 21 and the fundamental need, in fact, to delay second reading of this bill for six months.

The first argument in support of the hoist motion is that the bill is in specific legal danger. The government

needs the six-month period, implicit in the hoist motion, to assess that danger, which is a danger that fundamentally affects the treasury of the province.

Secondly, in addition to that danger, there's a specific danger involved in the way these particular negotiations have taken place. The government has clearly bargained in bad faith — I think we've established that — and that will have a specific impact in the next six months, again, on the people of the province and their interests.

Thirdly, the government, in fact, in making its argument to proceed immediately with the legislation — indeed, we're sitting here on a Saturday morning — engaged in, I think, arguments that were not accurate and that were not.... Those inaccurate arguments will, again, place the government in jeopardy before the courts and the Legislative Assembly of British Columbia in jeopardy before the courts.

Fourthly, the government's position to proceed with this bill — this anti-labour bill, this anti-collective bargaining bill, this anti-ambulance paramedic bill — is potentially in violation of international law. I contend, and it's clear, that the government has not assessed the implications of that for Canada in the international community and that the next six months' delay would give them an opportunity to do that.

Fifthly, if I may summarize quickly, because we want to get into each of these arguments in detail, I think. I know members are anxious to do that, but I want them to see the scope of the argument that we're putting forward.

In fact, the immediate impact.... I think we make a distinction between the debate on second reading and the debate here on this hoist motion. We make a distinction between opposing what is in the bill and opposing the need for the bill to be passed now — in fact, advocating the position that the bill be advanced six months from now. It is our contention, and I will make this specifically, that the decision to go ahead with the bill now as opposed to six months from now will have real impacts on public safety in urban areas. I will proceed to make a specific argument about that in a moment.

Sixthly, in rural and remote communities, where there is a crisis now, the impact of the legislation passing now will make it impossible for the Ambulance Service to deal specifically with a crisis now in terms of the staffing in rural and remote communities. Again, it's not a question of being opposed to the legislation. It's being opposed to the legislation passing now, indeed arguing that this six-month period will be critical in addressing those needs.

Seventhly, I would argue that passing the bill now will constitute and bring about a waste of human resources.

Eighthly, I will argue that the public of British Columbia is on the side of the ambulance paramedics, and the next six months will provide the public with the opportunity to see the bill, discuss the bill, engage with their

MLAs on the bill and in fact deal with the bill. In fact, by supporting the hoist motion, we will advance the cause of democracy, because the public will have an opportunity, having seen the bill, to pass its comments on to the government and allow the government to respond more appropriately.

[0350]

Ninthly, I will contend that this piece of legislation will put at risk the cohesion of the workplace of ambulance paramedics at a critical time. The government has made the argument that this is a critical time to bring in back-to-work legislation. I will make the argument that the six-month delay, in fact, is necessary, that the esprit de corps and the capacity of the Ambulance Service to function will be put at risk in a period of important events taking place, including within the next six months the Olympic Games and the conclusion of the mass-vaccination campaign around the H1N1 pandemic.

Tenthly, I will contend that the government is currently engaged in a plan to reform the Ambulance Service in a fundamental way, a way that will affect all ambulance paramedics, and that the delay in the legislation will give the ambulance paramedics themselves the opportunity to participate in that process.

In my 11th argument, because I hesitate to say "elevantly," the president of the B.C. Ambulance Paramedics Local 873, John Strohmaier, yesterday — or, should I say, Thursday — at 6:10 offered to resume negotiations with the government. This is an argument for delaying second reading of this legislation. In fact, the government has before it, since the introduction of this legislation, an opportunity to sit down with ambulance paramedics and resolve their differences. I think that that would be a smart thing for them to do.

Twelfthly, I will argue that the ambulance paramedics have worked during this period in good faith and that the introduction of this legislation without a delay that allows for consultation with ambulance paramedics and a true discussion about the virtue of the legislation with ambulance paramedics — given that it represents less than the offer provided by the government in negotiations in March, then in June, then in September — will damage the Ambulance Service fundamentally within the next six months unless we delay second reading and support this hoist.

Finally.... Well, not finally, because there's one more argument that I'm going to save to the end because I know that members will want to stay till the end of the speech in anticipation of argument 14. This is argument 13.

Argument 13 suggests that right now as we speak in the fall of 2009, November of 2009, the Ambulance Service, based on evidence-based performance indicators, is in fact in crisis; that this is the wrong time to bring the instability that will flow from the passage of a legislated agreement that the ambulance paramedics don't agree with; and that, in fact, given the crisis in the Ambulance Service, all of us

would be better off as a result, in this 13th argument, with a delay in this legislation for six months.

That is a brief summary of the 13 arguments that I'll be bringing to bear during this brief speech in favour of this hoist motion.

As I said, I had.... I don't know if it's fair to call it the privilege, but I had the duty to review previous debates on hoist motions. There's one debate on hoist motions. This has to do specifically with argument No. 1: namely, that there is a necessity now, given the specific circumstances of the dispute, for the government to consider its legal options in advance of the passage of this legislation. There is a profound parallel between this hoist motion and a hoist motion that was brought on January 26, 2002. It was brought, as it happens, by the very distinguished member for Vancouver–Mount Pleasant.

At the time, as many of us in British Columbia will remember, it was, in fact, a dark day in British Columbia. This is a dark day in British Columbia, but that was maybe a darker day. That was the day when a number of bills affecting the labour rights of citizens of British Columbia were introduced, January 25. On January 26 a hoist motion was introduced in the House. January 26, 2002.

I just think one of the interesting things about this, because it has a direct parallel to the hoist motion here and to the argument I'm making — argument No. 1, that is — in favour of the hoist motion, is this, hon. Speaker. As you know, in that case the government introduced the piece of legislation without consultation, as was the case this time.

[0355]

On January 26 the MLA for Vancouver–Mount Pleasant introduced a hoist motion — exactly the same hoist motion as this, except of course the name of the bill was different. At the time, the government had moved their labour legislation. There had been no consultation. They fundamentally changed collective agreements and the nature of work in the health care sector.

Only three members of the Legislature spoke to that hoist motion that day: the member for Vancouver–Mount Pleasant, the current member, who of course was then, as well, the member for Vancouver–Mount Pleasant; Joy MacPhail, who was then the leader of the NDP and the member for Vancouver–Hastings; and the then Minister of Labour, Mr. Bruce, who spoke briefly on behalf of the government.

The member for Vancouver–Mount Pleasant said at that time.... And her words proved to be prophetic. I think the parallel here is this. Had the government of the time listened to the words of the member for Vancouver–Mount Pleasant, had they at the time listened to those words, they would have saved themselves, but more importantly the people of British Columbia, from an enormous amount of grief.

What did the member for Vancouver–Mount Pleasant say in support of that hoist motion — which, again, is

a parallel, exact argument to the one I'm making here? She said:

"I think it is essential that we support the amendment, that we stop the proceedings on this bill and allow for every one of the government MLAs, including myself and my colleague the member for Vancouver–Hastings, to go out and talk to our constituents, to receive their feedback with respect to this piece of legislation and come back to the House to have another debate on this matter at another time. I urge the members to support this amendment."

Sadly — sadly for the people of British Columbia, that is; sadly for the government of British Columbia, that is; sadly for everyone in British Columbia, that is — that motion that day was defeated by a vote of 72 to two. Members will remember that the member for Peace River South actually voted against the third reading of the bill, but he did not vote in favour of the hoist.

Mr. Bruce, the Minister of Labour, responded for the government to that hoist motion, which, as I say, has an exact parallel to this one, suggesting that it was not necessary. He claimed, and I'm sure we'll hear something like this from the government today: "We're not going to delay. Work needs to be undertaken. We're here this evening, and we'll carry on with the work that's before us." And so the hoist motion was lost in that case. The bill was passed the next day at 3:55 a.m. with only three opposed.

What happened? This is directly relevant to a piece of legislation that cuts new ground in terms of labour relations. What does this piece of legislation do that is problematic legally and will put the government, potentially, in jeopardy and require them, I think, to go back and consider over the next six months their legal options? What does it do?

Well, as has been discussed at second reading extensively, but it's an important.... And I don't make the argument here to say yea or nay as to whether the government should or should not have done this. I just say that what they've done is unprecedented and puts them in legal jeopardy.

They have imposed an agreement before the agreement that they offered to the union has been voted on. This is unprecedented. In fact, it potentially puts them and us in legal jeopardy. It requires us to wait, as responsible members to the public purse, for six months and in fact requires us, I believe, to support this hoist. Well, what happened in that case, because you look at the parallels here....

In the case of Bill 29 and the hoist motion there, had that hoist motion passed, the government would have been spared the following embarrassment: losing in the Supreme Court of Canada; costing the taxpayers of British Columbia \$75 million in compensation; a five-year court battle; the need for further legislation, which we debated in the last parliament to correct the government's errors because they didn't accept the hoist motion; legal humiliation for the government, probably

the least important; and the most important of all of them, of course, the largest layoff of female workers in Canadian history and the consequent damage to patient care and safety in the province of British Columbia.

That is not, of course, the key issue here. The key issue here is that the government acted rashly. They acted without consultation. And what have they done in this case? They've acted rashly, and they've acted without consultation. The consequences of that are serious for the people of British Columbia.

[0400]

By breaking, really... The code of behaviour in negotiations is that you make an offer, the other side votes on the offer, and you allow their democratic voice to be heard. That is the code of behaviour. By violating that code of behaviour, they have in fact put themselves in legal jeopardy.

I would argue that they need to take the next six months to consider their legal position and reconsider their decision to go ahead in this really undemocratic way. I believe that a strong argument can be made that this violates....

We're going to get back to this, because it's very important law that we're talking about. This returns us to the law that guides us here and strengthens the argument here, the law that was in fact set by the government by going ahead with a bulldozer on Bill 29, going to the Supreme Court of Canada and losing. What did that law say? I think it's a very interesting question to reflect upon.

It said in part that the government had a duty to bargain in good faith. I'm quoting from the decision. It was, of course, presented by a very distinguished set of Supreme Court justices who took the government's legislation at that time.... They failed to hoist it when they should have hoisted it, and sadly, they put all of us in jeopardy, I think, at that time.

Here's what it said, that legal ruling. It has direct relevance to our decision to go ahead and proceed with a yes vote on this hoist.

"A basic element of the duty to bargain in good faith is the obligation to actually meet and commit time to the process. The parties have a duty to engage in meaningful dialogue, to exchange and explain their position and to make reasonable effort to arrive at an acceptable contract. However, the duty to bargain in good faith does not impose on the parties an obligation to conclude a collective agreement; nor does it include a duty to accept any particular contractual provisions."

However, what it does impose, and this is absolutely critical:

"...failure to comply with the duty to consult and bargain in good faith should not be lightly found and should be clearly supported on the record."

In this case, it is and it will be, hon. Speaker. And in the case of Bill 29, as the case goes on to say, it is and it will be.

What else does the Bill 29 decision say? The very issues we're talking about are central issues in that decision and

suggest to us that there may be a very important principle that is being violated by the decision to proceed with second reading in this way.

Let me just quote, because I think it's important for people to understand sometimes that what happens in this Legislature has real legal implications for the legislation that follows. What is said here, how bills are explained, the debate that happens here and the way it happens here is very important.

Let's compare and contrast here with this bill, which in fact put the government in legal jeopardy, and the bill we're proceeding with today.

Deputy Speaker: Member, if we're comparing and contrasting the two bills, that's second reading debate. Please make sure that this is relevant to the amendment.

A. Dix: Okay, hon. Speaker. There's no question. We won't compare and contrast. We'll merely quote from the bill and look at its relevance to the hoist motion. I take your admonition seriously, and I thank you for it.

I quote from page 21. "The act was quickly passed. It came into force three days after receiving a first reading as Bill 29 before the British Columbia Legislature."

It goes on to say: "The Minister of Health Services telephoned a union representative 20 minutes before Bill 29 was introduced in the Legislative Assembly to inform the union that the government would be introducing legislation dealing with employment security and other provisions of existing collective agreements."

Hon. Speaker, the fact here is that this gives us serious pause when we're dealing with a bill which was brought forward without consultation. It's important to understand this, because this is on the record of the government. Last Thursday the government formally came to this House, and they said: "That's the last bill we're introducing in the session." As of last Thursday, nine days ago, the government was not proceeding with this legislation.

The key question here is the question raised by my colleague from Surrey–Green Timbers: has the level of sober second thought been enough, or does, in fact, the government need six months and nine days from that decision?

[0405]

Nine days ago, on the record, the government was not proceeding with this legislation. Suddenly — shazam! — last Monday they were.

I think that these are significant issues because the issues touched on in this legislation are issues that have been touched on before. We see this, in fact, in this particular ruling of the Supreme Court of Canada, which should guide us a little bit because it's the law. It reflects a reaction to the law of the people of British Columbia and a bad experience we had with a decision not to proceed with a hoist motion.

What this suggests, what this ruling suggests fundamentally, is that the government's failure to consult and their

decision to go ahead with unprecedented legislation was "a virtual denial of the...right to a process of good-faith bargaining and consultation." The ruling had previously established, as part of the right to association under the Charter of Rights, a right to collective bargaining.

The Supreme Court of Canada concluded that that legislation constituted "a significant interference with the right to bargain collectively," and hence violates 2(d) of the Charter. That is what the Supreme Court of Canada concluded in the case of Bill 29.

I would argue that the decision to proceed with legislation on short notice — we know it was short notice, because nine days ago they weren't proceeding with it — and with no consultation has in fact put the Legislative Assembly of British Columbia, the government of British Columbia, in legal jeopardy and that they should review that decision legally before we get into another mess as we did with respect to Bill 29.

This is no small matter, I might add, because as you know, hon. Speaker, the decision to proceed with this legislation — and this is one of the issues, I believe, that would be dealt with in this hoist motion — took place while the government had an offer of a vote.

Secondly, and just as importantly, I think, for the government's legal position, for their sense of honour in the negotiations and for the need to hoist this bill for six months — to not pass this bill now but to pass it six months from now — are the differences from offers the government has previously made. It is also unprecedented, I would argue, to actually have, then, a government offer that is subject to the legislation — a government offer to a union local, in this case the Ambulance Paramedics of B.C., CUPE 873 — that then is not allowed to be put to a vote.

It is in turn being put to a vote but not allowed to be put to a vote because the government has proceeded with this legislation. But the legislation itself represents less of an offer than they have on the table, which is being put to a vote. That in itself represents an act of bad-faith bargaining. That again is something, I think, that the government needs to reflect upon in the coming six months if this vote in favour of the hoist motion is accepted.

Of course, this view, and I'm glad.... I will follow in a consistent pattern the rulings that have been made with respect to the reading of letters, hon. Speaker, though not in previous debates on hoist motions but in this one. I will just read from a letter that actually specifically relates to the hoist motion. The letter is in fact about the hoist motion. It's from a constituent of my colleague from Columbia River-Revelstoke, who writes:

"Lessons from a paramedic re hoist motion:

"The first thing we paramedics always have to do when we arrive at the scene is scene assessment. A major part of this assessment is to identify any possible dangers to our patient or ourselves and to react accordingly.

"Depending on what we find, sometimes we must pause or retreat until the scene is safe. For instance, it only adds to a disaster if we don't back off when a gas tank might be about to explode

or a patient in the room we've entered turns out to have a knife or a gun in their hand. We wait until people with the right expertise rectify the situation.

[0410]

"The Liberal government should seriously consider stepping back before rushing in with heavy-handed legislation that will only turn the present impasse into a disaster, which this utter destroying of trust and respect will bring about. They should take the time to bring in an expert — namely, an arbitrator — to cleanly and fairly sort things out.

"Bill 21 will create a pandemic of mistrust that will result in unstable labour relations for years and even the mistrust of the general populace, who will not believe anymore that our government has a shred of belief in the democratic process. It's time to step back and ensure no danger."

Again, it's our job, I think, as members of the Legislature, whatever our views on this piece of legislation, to step back and see the danger that comes from breaking new precedent-setting ground, new dangerous ground, of imposing collective agreements before votes are taken, when the dates of the votes are known, without consulting the trade union involved. That's reason No. 1, and it's partly reason No. 2.

Reason No. 2 — it seems to me, anyway — is that that very bargaining in bad faith puts in jeopardy this legislation and is something the government should review after we've accepted that, once this hoist motion is successful. Otherwise, setting aside the impact in the workplace — which we know will be profound — of that bargaining in bad faith.... It will have real impacts over the next six months, I would argue. It will also potentially put all of us as legislators, and the government in particular, in legal jeopardy.

Remember that in this case — and we don't need to dwell on these facts — in March 2009 the collective agreement offered to the ambulance paramedics included a signing bonus.

In June agreements were reached with ambulance paramedics on better integration of paramedics into community health care, an agreement that has been lost; improved benefits for part-time paramedics, an agreement that has been lost; issues of staff training, an agreement that has been lost; local hiring provisions, an agreement that has been lost; and the reworking of hour and payroll status for on-call paramedics, an agreement that has been lost.

In other words, in June a whole bunch of agreements came on the table, agreed to on both sides, and then the government withdrew them from the table, for reasons known only to themselves.

As I think I've noted before, although there was one significant event that happened in June — the replacement of one Minister of Health by another Minister of Health — that, at least in terms of these negotiations, has proven to be a sad thing.

Even the September collective agreement — which the government has now not allowed to come to a vote but that has been at a vote before the members of CUPE Local 873,

the Ambulance Paramedics of B.C. — has more in it than the legislation we are passing in this House. In other words, there are serious issues of bargaining in bad faith.

There was an intervention in this process, and that had real impact on people and on the negotiations. It puts the government in jeopardy that they should reflect upon, I think, before passing this legislation.

That is why I'm urging the government to support this hoist, which will allow them to: (a) consider the legal issues with respect to what they've done — not allowing the vote — and (b) the legal issues involved in what I would argue, and what we have argued before — we won't go over these details again, hon. Speaker, because as you know, they were argued at second reading — is bargaining in bad faith.

The third reason that we should proceed with a six-month hoist is really the reverse of the position the government has taken in terms of proceeding quickly on the legislation, which is that the reasons given for the introduction of this legislation and the speed of its passage and the need for its passage now have been proven to be different than the reasons given elsewhere by the selfsame government.

Before the Labour Relations Board this week, since the bill was introduced and since the second reading debate has been undertaken, management of the B.C. Ambulance Paramedics has confirmed that in fact a principle issue in this matter was the issue of the timing of the Olympic Games. I don't know why they are embarrassed by that. It is a significant issue in B.C. I don't know why they wouldn't have been straightforward about that, but it undermines, again, the necessity to proceed now, I would argue.

This desire to hide that fact.... Before the Labour Relations Board, the government has had a different position than that presented by the Attorney General in this House and by the Minister of Health in this House, both of whom did not mention the Olympics. But clearly, the government's position before the Labour Relations Board was quite the contrary of that.

[0415]

I think that that's a key question — and a key question that has to be addressed now. I would argue, as I have before, that in fact all of those reasons that the government has put forward for proceeding quickly are actually arguments in favour of this hoist. In fact, the chaos that will come about as a result of passing this legislation now, as opposed to six months from now, which the hoist envisioned.... Presumably that would not be necessary, because there would be negotiations.

All of those conditions that the government has put forward: the Olympic Games, the H1N1 pandemic.... We'll be worse off in dealing with those issues — even, I dare say, the tiredness of certain managers of the B.C. Ambulance Service. We respect the hard work that everybody does, whether they be workers or manage-

ment. But even all of those issues will be, in fact, less well off if this legislation is passed now as opposed to six months from now.

I just suggest that once the new contract is imposed and the essential services order is lifted, the government will, in some ways, have less ability to compel paramedics to work overtime than they do now. Since the system runs on overtime, something that during the dispute the government disputed until they applied to the Labour Relations Board to force the ambulance paramedics to do overtime....

Since they've done that, you've got to ask: "What contingency plans in this difficult period does the government have to ensure that British Columbians have the ambulance service they require during a very difficult time, given how much the government has demoralized paramedics?" In other words, I'm arguing that the very facts that the government has brought forward to support this legislation are the reasons why we should actually be supporting this hoist.

Reason No. 4 — hon. Speaker, you see, we're making progress — is international law. Given the unprecedented nature of the government's action to impose a contract in the middle of a vote.... Can you imagine it, hon. Speaker? What analysis has the government done — this is the question I would ask, and I think the answer is none — of the implications for Canada's international treaty obligations under the International Labour Organization?

Canada has ratified the ILO covenants. There is no analysis — none — because none has been done. We know this bill wasn't going to be brought in nine days ago. They haven't done any analysis of this. What analysis has been done that Bill 21 doesn't violate our ILO obligations?

As a reminder, hon. Speaker, as you know, the ILO found Bill 29 to be in violation of those very covenants. That is a significant issue that the government hasn't addressed. It is about Canada's international reputation in the days and months prior to us hosting the world at the Olympic Games, and that is why this bill should be delayed six months.

Those international obligations.... This should be the time when Canada is embracing its international obligations and an internationalist view of the world at a time when we're welcoming the world. Instead, I believe that these actions clearly violate, in a similar way to Bill 29, Canada's international obligations under its labour agreements. Those are four crucial questions.

I'll just continue on, because I think — again, in this critical time and as I've said — the system runs on overtime right now. We know this because of what happened during the strike. So the decision to create chaos in the ambulance service at a critical time will have an impact, I would argue, in urban areas, on public safety.

Already, as we've discussed.... We will not discuss again — this is not second reading debate; it is a debate on the hoist — British Columbia's goal of getting to nine

minutes as response time in urban areas, an urgent response, 90 percent of the time. The current average is nine minutes, which means that half the calls miss that response time target, and half the calls don't. In some areas, be it.... In Mission, for example: 10 minutes 49 seconds; Port Coquitlam, the home of....

Deputy Speaker: Member, if I might say, you just said that you would not be revisiting this, because it's a second reading debate, and we are talking about the hoist motion.

[0420]

A. Dix: That's right. The point is, hon. Speaker.... I absolutely follow your ruling in that regard. I just say that the decision to proceed now in these difficult times will make response times worse in the next six months, and I would argue that rather than proceed with the legislation now, we should proceed with it in six months.

Reason No. 6. As we know, under the status quo there is a serious situation in rural and remote communities. I would argue that in the next six months, given this decision to impose legislation that does not address those critical questions, those issues will get worse.

In fact, the hope of a collective agreement negotiated over the next six months will give us the hope of responding in some ways to the serious situation where we're having almost the impossibility of recruiting the ambulance paramedics we need.

If we don't, in fact, keep these collective agreements open and give people the hope that something may change — as opposed to what has happened here, which is changes that were put on the table and then withdrawn — then that situation in rural and remote communities will get worse.

It is a profound and real argument for the hoist that matters to real people — that the situation in rural B.C. will get worse if we don't hoist this bill. In fact, it will get worse if we don't hoist this bill because there's nothing in the bill. Very interesting, hon. Speaker. There was a lot of discussion in the negotiations around this — discussion over the last four years on the question of rural and remote ambulance stations — but nothing in the legislation except for a one-line mention in the minister's second reading speech.

What that says to me is that the passage of this legislation will close the door on changes and hopes that were opened by the previous Minister of Health when he engaged with ambulance paramedics in May and June. So it is a strong argument, in fact, to delay this legislation for six months.

Reason No. 7. All members of the House, both in response to Bill 21 and in response to the hoist.... Many of us have heard from ambulance paramedics, who have, I think, made an enormous sacrifice to become ambulance paramedics. We've heard this over the period. We've heard that it takes years working part-time to move up to full-time.

What we've heard as well from ambulance paramedics, and this is specific to the issues raised in the hoist, is that many of them, as a result of this dispute, are considering leaving the profession. There's not a member of this House who hasn't received correspondence about this. I know because all of us were included on many of those e-mails — every single member, whether they be an NDP member, independent member or government member.

I believe that the passage of this bill now, given what we know, represents a waste of human resources and that the passage of the hoist motion represents something different, which is the hope for something better that will keep people in the Ambulance Service at this critical time, this critical juncture in the history of the province when we're facing the Olympic Games and when we're facing the H1N1 pandemic.

In other words, I believe that the passage of this bill now as opposed to six months from now as envisioned by the hoist will bring about a significant waste of human resources.

Number 8. The public is on the side of ambulance paramedics and wants us not to proceed now. We've heard from many members of the public who have made this clear.

One of the reasons I think that we need to have this hoist — as I noted and as is clearly stated in the House record — is that nine days ago the government wasn't proceeding with this piece of legislation. They had closed off legislation for the session. They weren't proceeding, and now they are.

A critical decision about the future of an important public service in British Columbia will be made now without significant public consultation. It's not just lack of consultation with the ambulance paramedics; it's lack of consultation with the public.

In fact, if you look at.... In whatever community you go to in British Columbia — whether you go to Vernon or Salmon Arm or Kamloops, where I've been, or Kelowna or all around the city of Vancouver or, in my travels over the last few months, to Penticton or Osoyoos — we see lawn signs of regular people in favour of ambulance paramedics.

[0425]

I think what this hoist will do, will permit all of us to do, is what should have been done before, which is to talk to the public about what the future of their ambulance service is.

As you know, hon. Speaker, significant changes are occurring to the ambulance service outside of this collective agreement process. I believe that the involvement of the public in this process is necessary because of the centrality of the B.C. Ambulance Service to the public spirit and to the province of British Columbia. It is a central part of province-building. It is a common service from Fort St. John to Sooke.

Because the consequences of this legislation are so central to the future of the ambulance service, the six months provided by the passage of this hoist will have

a critical and positive effect. We should pass this hoist, and all of these reasons alone, I believe, cumulatively make an overwhelming case. I'd suggest that all of these reasons alone, including this one, are sufficient — given the centrality of the ambulance service — for us to want to pass this hoist and allow the public, which supports the ambulance service and supports the ambulance paramedics, to have their say.

Just tonight, asking me to support the hoist, a constituent of mine named Timothy Chu told a personal story he had from his youth about being saved by an ambulance paramedic. He said:

"From the story, I wanted to show how professional, well-trained and respected the paramedics are. Well-trained professionals ought to be treated with dignity and respect.

"I understand it's going to be a long night for B.C. NDP MLAs. So I want to share with you my beliefs and experiences with paramedics. Our government needs to talk to the paramedics, not just ram an agreement down their throats. I am not a paramedic, but I fully support them."

Mr. Chu reflects, I think, a voter in British Columbia who understands the centrality of the ambulance service. Perhaps we should ask him and thousands like him what they think of the future of the ambulance service that will come about if we pass this legislation. Therefore, it is another fundamental reason why we need to accept this hoist motion and delay this legislation for six months.

Reason No. 9 is that the government has put at risk the workplace. This is not a normal workplace, the workplace of ambulance paramedics. This is a workplace where seconds matter in terms of response. This is a workplace that has developed over time an extraordinary esprit de corps. It is not an ordinary workplace, and this is not an ordinary labour-management situation.

Paramedics have made enormous sacrifices to get where they are. If anyone has ever met a paramedic.... I know people on both sides of the House will agree with this. Their belief in and their sense of ownership of their service is something that's central to the reason why they perform the services they do.

They think it's their service, and that can be irritating to management at times. But I suggest that because of the central role that plays — that unity, that movement between people, the teamwork required to make it happen, the teamwork required to save lives between dispatchers and ambulance paramedics and, yes, even management and even the government — this tearing of that relationship will damage our ambulance service fundamentally. That's why we need six months to reflect on this decision that the government is making.

I would note that it is sometimes necessary to review changes before they happen. If someone had reviewed the changes that the current of Minister of Health had brought to TransLink and B.C. Ferries, we might not need a comptroller general's report today. That's what we should consider doing in the case of the Ambulance Service, before he wrecks that.

Reason No. 11. Ambulance paramedics have worked in good faith during this period of the strike. This is central to the need to delay this legislation, the need not to pass it now but to pass it six months hence.

Ambulance paramedics have continued to do their job. They've continued saving lives. They've gone above and beyond the call of duty. They've met essential service levels that are in many cases above existing service levels. They have courageously done their job even though they have been repeatedly and systematically poked in the eye by the government.

[0430]

I think that kind of service, if not responded to in kind, will have a profoundly damaging effect on that workplace. The very fact that ambulance paramedics have done that job and that task with such dedication is, itself, reason why we should pass this hoist — that one good turn deserves another. One good turn does not deserve contempt. One good turn deserves another.

I would argue that that is a strong, strong reason why we should pass this hoist and give the parties six months to work together on a real solution, a bargained solution, a solution where there aren't winners and losers but both sides give and take and both sides feel ownership in the deal.

Reason 12. The head of the ambulance paramedics union on Thursday asked to go back to the bargaining table. That means there's hope, and when you consider what ambulance paramedics have gone through, I think that's an act of generosity that requires a response other than passing second reading now.

There's nothing in this.... It's true that at second reading I opposed the provisions of this legislation, but nothing in passing it six months hence takes this off the table. What it does is allow the government to respond to that olive branch with serious negotiations, rather than legislation.

I think that's the right response. There is so much at stake that even though the government has behaved this way towards the ambulance paramedics, the president of the ambulance paramedics union yesterday.... This is a critical question in terms of the need to pass this hoist. I suggest that that very reason, that offer, gives hope to these negotiations. That hope should be reciprocated by the government, and instead of passing this legislation and cutting off hope, they should work with Mr. Strohmaier and ambulance paramedics to develop a settlement.

Finally, in the list of the original 13 reasons.... There's one more, and it's my final reason. I'm keeping my colleagues in suspense about it — and even the Minister of Health.

Interjection.

A. Dix: Oh, it's the former Minister of Health. That's right. It's the Minister of Health who was on the road to negotiating an agreement with ambulance paramedics

before he was sadly — and I can't believe I'm saying this — moved from the portfolio. It just shows how determined we are to seek his vote to this hoist motion that I would say such a thing.

It was that Minister of Health, of course, who sat down with Barry O'Neill and said, "We should resolve some of these questions," that Minister of Health who initiated a negotiation that came to agreement on critical issues, that Minister of Health who was moved out of the portfolio and then saw that agreement torn up.

So we have to pay tribute to him. We don't often do it. We have to pay tribute to him tonight, and we have to hope that he will see the good sense in what we're doing and support this hoist, consistent with that action in May and June — in that odd period of détente between the election and the first cabinet shuffle — that he initiated with ambulance paramedics. Why don't we proceed down that road and keep going down that road now?

The 13th reason to proceed with this hoist. The Ambulance Service is in crisis. A report commissioned by the ambulance paramedics said about 15 independent reasons, benchmarks, have been used to evaluate the condition of the B.C. Ambulance Service and pre-hospital care.

"Five clinical and nine operational vital signs were used to evaluate the quality of patient care, public focus, employee health, governance and financial stewardship, which are the stated goals of the B.C. Ambulance Service. Of the 15 factors considered, ten did not meet the target, standard or benchmarks; three were improving but still below acceptable levels; and two — two — "were in the acceptable range."

So 13 of 15 indicators, or 87 percent of the system's vital signs, were below acceptable range, placing B.C.'s pre-hospital emergency medical system in critical condition.

[0435]

A system in critical condition cannot take a blow like passing this outrageous legislation. Instead, what it needs is a six-month break and people working together to build an ambulance service that will resolve some of these problems that have come in recent years and improve emergency care in British Columbia. That is what is needed right now.

The final reason is a reason that has been alluded to by many other speakers. This is our ambulance service; it's not their ambulance service. But "our" includes them, and we have to recognize that — that political parties, ambulance paramedics, managers, dispatchers, people have worked to build this Ambulance Service for 35 years. It was passed in this Legislature not on a divided vote, not in a debate like Bill 29 at 3:55 in the morning, or now, at 4:35 in the morning.

It was built with a consensus of all parties in the Legislature — NDP, Social Credit, Liberal and Conservative at the time. It has been nourished in periods of Social Credit administrations and an NDP administration since then.

There are problems now. But I have to tell you that I believe there is a consensus in British Columbia, in-

cluding among Liberal supporters and Liberal MLAs, in support of the Ambulance Service. I have to believe that. It is an extraordinary and singular success of our province, the Ambulance Service. So to have its future decided in a divided vote in this Legislature, under the imposition of this kind of legislation where we sit all night, where we're not allowed a reasonable debate, where ambulance paramedics are not told about what is in their collective agreement before it's tabled in the House, is wrong.

We need to step back from this moment, because the Ambulance Service is too important. We need to step back from that precipice, because that precipice is the wrong place for us to be. That's why the wisdom of the motion of the member for Port Coquitlam is so profound — 35 years of history, a unity around the Ambulance Service. Ambulance paramedics are loved in their communities, because all of us know people who have been served by the Ambulance Service. What's six months in that? Why can't we wait six months? Isn't it worth six months?

It's absolutely worth the six months envisioned by this hoist. It's worth it. There has been unity on this question. There's been unity because ambulance paramedics have led an extraordinary service for 35 years. They've done it, and people of B.C. have supported them, including politicians of all political stripes. We should not be divided on this question. We should be together on this question.

This hoist, this opportunity, this gift to the government not to damage itself in the Ambulance Service but to step back from this moment.... It is a gift from the opposition to the government. The support of the hoist is a gift from ambulance paramedics to the government. They should accept this gift. This six months could be the saviour of the Ambulance Service. It could lead to a strengthened ambulance service, a resolve of problems in rural and remote communities.

The enshrinement of the agreements made with the former Minister of Health — that's what this agreement could be about. That's what this next six months should be about. That's what this hoist motion is about.

I say to the government: "This is an opportunity." It is not a road that we can go down twice — that if the government chooses to go down the road of division, if they insist on passing this lousy piece of legislation now, there will not be a step back from this process.

There are two paths. One path says that we can't resolve these problems; that we can only resolve them by pounding ambulance paramedics, by saying: "We weren't going to do this nine days ago. Six days ago we decided to do it, and my gosh, ambulance paramedics are going to have to like it, or leave." That's the government's approach. That's the approach of going to second reading now.

But there's another approach. It doesn't take anything from the government off the table. It doesn't take the bill off the table. If they are insisting that they think this is the right path, let them sit down and talk about it with

British Columbians and ambulance paramedics for the next six months. They don't have to be offended.

[0440]

That's why, as the member for Surrey-Whalley has skilfully said, this is the courteous method of resolving this — accepting this hoist and taking the next six months. That's a path that all British Columbians can get behind — Liberal and NDP, rural and remote, urban and suburban. It's an approach that we can all get behind.

I ask all members of this House to think twice, to think three times, to think four times because there is so much at stake, and to support this hoist and delay passage of this legislation for six months.

Deputy Speaker: Seeing no further speakers, I call the question. The question is "that the motion for second reading of the Ambulance Services Collective Agreement Act (Bill 21) be amended by deleting the word 'now' and substituting the words 'six months hence.'"

[Mr. Speaker in the chair.]

[0445]

Amendment negatived on the following division:

YEAS — 24

S. Simpson	Fleming	Farnworth
James	Ralston	Popham
B. Simpson	Karagianis	Brar
Hammell	D. Routley	Horgan
Dix	Mungall	Chouhan
Macdonald	Gentner	Elmore
Donaldson	Fraser	B. Routley
Huntington	Coons	Trevena

NAYS — 42

Horne	Letnick	Stewart
I. Black	Coell	McNeil
Chong	Polak	Krueger
Bennett	Hawes	Hogg
Thornthwaite	Hayer	Lee
Barnett	Bloy	Reid
Lekstrom	Falcon	Heed
de Jong	Hansen	Bond
Abbott	Penner	Coleman
Thomson	Yap	Cantelon
Les	Sultan	McIntyre
Rustad	Cadieux	van Dongen
Howard	Lake	Foster
Slater	Dalton	Pimm

[0450]

On the main motion.

Mr. Speaker: Member for Surrey-Fleetwood on second reading. [Applause.]

J. Brar: That's a lot of support I have there — eh?

I rise to speak against Bill 21, Ambulance Services Collective Agreement Act. This bill is an attack on the rights of the workers of British Columbia. That's why I oppose this Bill 21.

This is not the first time that this government has attacked the rights of the workers in this province. This, in fact, has been going on since they took over in 2001. There are a number of examples of that.

[C. Trevena in the chair.]

The very first day in 2001, when they took over, they showed the true face of this B.C. Liberal government. On the one hand, they gave the biggest tax cut to the wealthy people of the province. On the other hand, they came down on the workers, and they reduced the minimum wage by almost \$2, bringing it down to \$6.50.

Therefore, I oppose Bill 21 because this bill is an attack on the rights of the paramedics of this province. I would like to give you my reasons for that.

We have heard a long list of reasons from the member who just spoke before me. The first one, for me, is that this bill is an interruption of the due process of the collective bargaining process. Bill 21 is an untimely act, and we don't need this bill at this time.

Both parties, the employers and the paramedics in this case, have been negotiating to reach a meaningful deal in a respectful manner for the last many, many months. The one positive outcome of that is the employer had already made an offer on September 28, and the membership of the union is currently going through the voting process to decide whether they want to accept that offer or not.

The result of that process is expected right this week, when we are debating this Bill 21. The simple question is: why not wait for the outcome of that process, which is due this week? What is the rush? I fail to understand that. I completely fail to understand that. It's very hard for me to believe that this Minister of Health — the new Minister of Health, I'm talking about — doctored this bill, prejudging the outcome of the voting process, which is taking place this week, as I said earlier.

[0455]

Therefore, Bill 21 is an insult to the collective bargaining process, and I oppose that. What is the purpose of making an offer? What is the purpose of making an offer when the minister is not going to allow the members to go through the voting process, introducing a new bill to impose the same agreement irrespective of what the members decide during this week?

Clearly, this is an interference into the due process which was going on, and that's why I oppose this Bill 21. Clearly, this is an insult, as I said before, to the collective bargaining process, and that's why I oppose this Bill 21. Clearly, this means it does not mean anything when this government makes any offer to the workers, and that's why I oppose this bill.

I personally believe.... I encourage probably all members of this House, particularly the members on that side, to stand up and oppose this untimely bill so that workers have the time to go through their process and complete that process in a respectful way.

I oppose this bill because this bill is against the right to the collective bargaining process. The workers in this country have the fundamental right to a fair and respectful collective bargaining process.

We are all blessed to live in this most beautiful province — a province that believes in equality for all British Columbians, a province that believes in providing justice to all British Columbians, a province that believes in equal opportunities for all British Columbians, a province that believes in the collective bargaining process for all workers of British Columbia.

This unique creation did not just happen by itself. It did not happen overnight. It is, in fact, the outcome of the vision, dedication and commitment of the people who came before us. It took centuries to build this country on those fundamental principles, which we believe in at this point in time.

[H. Bloy in the chair.]

We are all proud because of those values that we have in this country. This bill is against those values we have established, working for centuries in this country and in this province. That's why I oppose this Bill 21.

Bill 21 undermines the collective bargaining process, and that's why I oppose this bill. This Bill 21 is against the international laws, and that's why I oppose this Bill 21. I oppose this bill because it does not give me any compelling reason to impose this settlement at this point in time.

One of the key claims made by the government for this bill is that this bill is necessary in light of the H1N1 crisis. That's one claim made in this bill. Is that a genuine reason for bringing down this heavy-handed piece of legislation? The answer is no — absolutely no.

[0500]

There's no doubt, and there's no dispute, that the H1N1 pandemic is a very serious, important issue, and therefore we fully support that we need to be prepared for the future, and we must take all necessary steps to ensure that we have the best and pragmatic H1N1 pandemic plan for the people of British Columbia.

The question is: are there any gaps in the H1N1 pandemic plan? There are many gaps — many gaps — but

I know I can't speak about those gaps because I will be told that this is outside the debate we have about this bill.

But I must say that when it comes to the paramedics, the minister has offered no clear reason to support this bill — absolutely no reason. The fact is that this minister has nothing to support his claim that his bill is necessary in the light of the H1N1 crisis.

Let me tell you why. The frustration is this. We need to ask the question: how many people with H1N1 flu have called for an ambulance? I challenge the Minister of Health to show us the numbers. Show us the numbers to support his claim that this bill is necessary in light of the H1N1 crisis.

The reality is that we all know that people call an ambulance when something sudden and big happens — such as an accident, heart attack, someone fell from the roof and so on. When people get sick with a seasonal flu, usually people go to their physician or go to hospital themselves. The H1N1 flu is very similar to the seasonal flu, and the people who will get H1N1 flu will do similarly as they do when they have seasonal flu. They will go to their family physician — that's what they are being told — and they will go to hospital themselves.

I can say this with confidence: the majority of the people infected by H1N1 will go to their family physician or the hospital themselves, rather than calling for an ambulance. I will challenge the Minister of Health to show us the numbers to support his claim that this bill is important in light of the H1N1 crisis. I would like to see that connection.

The other question that we need to ask is: if paramedics are an important part of the H1N1 pandemic plan, then why has this minister no plan to vaccinate the paramedics on a priority basis? That's the question we need to ask. That's the question we need to ask and the question the minister should answer.

Let us imagine for a moment a real situation when it comes to the H1N1 pandemic. If somebody has symptoms like H1N1 flu and calls 911 saying that my daughter, my son, my sister has symptoms like H1N1, the ambulance comes and they have to look after that person.

If the paramedics did not have the H1N1 vaccination, they will not be able to fearlessly look after that person. Therefore, it makes perfect sense.... Therefore, it's very important that the paramedics must be part of the pandemic plan when it comes to getting the vaccination to the people because they are the first responders in that case.

If that is not part of the plan that the Minister of Health has, then why is it important for the minister to introduce this bill for the crisis, as the minister say, of the H1N1?

[0505]

The other reason, when we talk about the H1N1 crisis, is that since the strike began paramedics have been subject to essential services orders, and that has required

them to provide 100 percent of pre-hospital care. In other words, they have attended and responded to each and every call they received during this period. Therefore, the claim that this bill is important to deal with the H1N1 crisis is not very sound. It's not very sound.

Number 4 on H1N1. We are, at this point in time, going through the peak of the H1N1 pandemic in B.C. It is not something that is going to happen in the future. It is not something that is going to start in the future. We are in it. We are in it at this point in time.

How does it make sense? How does it make sense to introduce a bill in the middle of a peak H1N1 season? It doesn't make any sense. Yes, it would have made sense to do something six months from today. It would have made sense, but now we are in it already, and in the middle of this process it will actually impact this whole issue of pandemic in a negative way.

The only one visible reason I see that has caused the minister to introduce this bill is the memo written by VANOC. Let me make it absolutely clear. This government is responsible to run this province. It's not the responsibility of VANOC but the government to run this province. The key player in this game is the province, not VANOC. It is completely irresponsible to pick a pen and start drafting a piece of legislation because VANOC wrote a memo to the Minister of Health.

I challenge the new Minister of Health to show any study conducted by this minister that indicates that paramedic services will be a challenge during the Olympics. Show us a study. Show us something concrete — one piece of study — I'm asking from the Minister of Health.

The Minister of Health is very well aware. The Minister of Health knows very well that paramedics have been subject to essential services orders that have required of them 100 percent of pre-hospital care.

This is a time to bring people together. This is a time to unite the people of British Columbia; this is not the time to divide the people of British Columbia. We must be all united to make the Winter Olympic and Paralympic Games a success story. We must be all united. That's what this time requires.

This is the time when people expect this government to rule by winning consent rather than rule with a sledgehammer, and that's what we see in this Bill 21. The paramedics deserve better.

I urge all members of this House, of this side and that side, to stand up and oppose this bill that is untimely and unprecedented. The bill, which is in the due process.... Oppose this bill in this House so that we can defeat this bill together.

[0510]

I would like to conclude that I oppose Bill 21 from the bottom of my heart, because it does not make any sense, as I said before, to introduce this heavy-handed bill in the middle of the process, when the voting is taking

place. With that, I appreciate the time, and I hope that some members from the other side will think deeper about this bill and oppose the bill.

Hon. K. Falcon: Before I move second reading, I want to provide just a few comments after listening to some many hours of the comments of the members opposite.

As I said at the beginning of this debate, the decision to introduce this legislation was a difficult decision, and it certainly was not a decision that we took or came to lightly, on this side of the House. We value the work and the services that are provided by B.C.'s paramedics.

I can tell you, as someone who had a brother who was a paramedic in rural B.C., as someone who has a close friend who had been a paramedic for many, many years in the province of British Columbia, as I listen to many of the members talk and extol the virtues of the paramedics I, frankly, couldn't disagree with most of what was said.

[Mr. Speaker in the chair.]

I would agree with them that these folks do incredibly important work, and they do it for the benefit and on behalf of the people of British Columbia.

But our priority is to ensure the safety of all British Columbians and to make certain that patients get the care they need in the event of a medical emergency.

Right now our entire health system is operating at full capacity to manage the impact of the H1N1 flu pandemic. We've got ICUs right now in the Lower Mainland that are at full capacity. We've got professionals — doctors, nurses, LPNs, care aides — all stretched to capacity trying to deal with the challenges of H1N1.

We've got health authorities that are seeing increasing hospitalizations at the same time as they're facing growing absenteeism from influenza-like illnesses that are on the rise. The acute care system is operating at full capacity, and quite simply, we need the ambulance service — which is a critical part of the acute care system — to also be operating at full efficiency.

At the beginning of second reading debate, the member for Burnaby-Edmonds stated: "H1N1 is nothing new. That has been going on for months and weeks." The member for Nanaimo stated that he didn't see any evidence for being in the House debating this bill when we had weeks left in the legislative session. This was a common theme from the opposition NDP members. Just a few moments ago the member for Surrey-Fleetwood said: "Show me the evidence. Show me the evidence that H1N1 is a problem, Mr. Minister of Health." That's what the member said.

And I have to say, I'm sorry that the members simply either haven't been paying attention or, worse yet,

are purposely ignoring or disregarding the facts. As recently as this evening on Global Television there were stories on the pressures in the acute care system and emergency departments and the additional 70 children being admitted into Children's Hospital as a result of H1N1.

To put it in perspective for the members opposite — because I think this is a real and a serious challenge for the province right now, and I've been saying for weeks that this will be a challenge that taxes the system of health care — in the past six months there have been 399 severe H1N1 cases. By "severe" we mean that they require hospitalization, often ventilation. These are individuals who, without medical intervention, would very likely die.

But what is important to know, for the members opposite who are looking for evidence, is that the 399.... That's since April of this year, which is, ironically enough, when the strike began. But 183 of those 399 cases have taken place in the last ten days. That's almost 50 percent of the cases in the last ten days.

[0515]

Interjections.

Hon. K. Falcon: The members opposite are chirping away. I want to emphasize again that these 183 admissions, Member, are people that are in severe respiratory distress.

Interjection.

Hon. K. Falcon: The member says that the paramedics are all working. You will be happy to know, Member, that right now in the eastern Fraser Valley there are zero ambulances. There are zero ambulances in Hope, in Agassiz, because they are not working.

During the entire time that the essential services legislation has been in place....

Interjections.

Mr. Speaker: Members. I remind members that you should be in your own seats.

Continue, Minister.

Hon. K. Falcon: During the entire time, even while essential services legislation has been in place, there have been, on average, 150 ambulances out of service just in the Lower Mainland. I would contrast that with before the strike taking place. There was an average of 12 ambulances out of service in the Lower Mainland.

Whether the members opposite wish to recognize the reality of H1N1 or not, it is dramatically impacting hospitalizations. It is new. It is impacting our system today.

If, as a Health Minister, knowing this, I did nothing,

or stood by, or allowed an intractable labour dispute — of which there was no reasonable prospect of success — to continue, a life or indeed lives could be at risk.

The irony of that is that those very same members — God forbid if a life was lost — would be standing up, and they would be attacking us, saying: "Why didn't you act? Why didn't you do something?" That's what we would be hearing from the members opposite.

Bizarrely, we heard other members of the NDP give examples of communities that had no ambulance coverage at different times. Incredibly enough, at the same time they were saying there was no reason to do anything, they were standing up and giving examples of communities that had no service.

I agree with the NDP: having communities without any ambulance service or coverage at all is totally unacceptable to the public.

During a period of union job action in August, in contravention of essential services legislation, Whistler, Pemberton, Squamish and Lions Bay were without ambulance service — no ambulance service whatsoever.

During further union job action in September, communities such as Cumberland, which have not experienced a shortage in 25 years, had no ambulance, and the dispatch centre in the Interior and the north had a 60 percent drop in staffing. That's the reality of what's happening.

Thank goodness that no lives were lost during those periods when there was absolutely no coverage whatsoever for those communities.

Many NDP members — the member for Malahat-Juan de Fuca and others — spoke about the outrage of legislating workers back to work. They talked about how much this offended the very decency of the democratic process. Yet curiously, on May 30, 1993, the NDP legislated workers back to work. On April 28, 1996, they legislated workers back to work. On July 30, 1998, the NDP legislated workers back to work. On April 2, 2000, the NDP legislated workers back to work.

I'm confused, because on the one hand, apparently this is such an outrage to the members opposite that they heap scorn and ridicule on this side of the House day after day, hour after hour. Yet while in power, while they had the opportunity to put into motion the very core beliefs that they apparently stand for, they had no hesitation in doing the exact same thing. I find that curious.

Many members then commented on the ratification process that is currently underway. I wish I could be....

Interjections.

Mr. Speaker: Members. Members.
Continue, Minister.

Hon. K. Falcon: As I say, many members then commented on the ratification process. Now, I wish I could be optimistic about the process, but we need to be clear.

[0520]

We need to look at the facts in light of the challenges I have just enumerated that the health system is facing in British Columbia.

In late September the president of the CUPE 873 union called the employer's offer "repugnant." If I may use language that is a little bit unparliamentary here, but quoting, he called....

Mr. Speaker: You can't use unparliamentary language, before you even say it.

Hon. K. Falcon: Okay. Well, let's just say I won't use the unparliamentary language, but he referred to it in words that were unparliamentary.

He further recommended and stated: "We could never recommend this settlement proposal to our membership."

Collective bargaining is an important process, but after seven months with no prospect of an agreement with CUPE 873 union leadership, in spite of government successfully reaching collective agreements with over 300,000 government employees right across the province without strikes, we had to make a decision because we were facing a very difficult and worsening situation with respect to the health care system.

It was a decision made in context of the H1N1 situation. Government needs to move forward to ensure that there is a fully functioning ambulance service to support a fully functioning acute care system to address the H1N1 pandemic.

Several members opposite also raised concerns about the paramedics who were receiving \$2 an hour while on call within the community. For the viewing public, the \$2 an hour is a standby fee paid to rural paramedics. While they are waiting to be called out to work — they may be at home; they may be at work at another job — they receive the \$2-an-hour wage until such time as they are called out, and then they receive payment for the work that they do on the shift.

Now, I firmly believe, and many of my colleagues firmly believe, that we need to address the issue facing rural paramedics. But it is a little hard to accept the so-called concerns of the members opposite regarding the \$2-an-hour on-call wage, because under the previous NDP government.... Do you want to know what the on-call wage was?

Interjections.

Hon. K. Falcon: You might want to listen to this, Member. The member for Columbia River–Revelstoke might want to listen to this, because the....

Interjections.

Mr. Speaker: Members. Members.

Hon. K. Falcon: You might want to hear this, Members opposite, because under the NDP government those exact same employees received exactly 0.0. So you can imagine that since we introduced the \$2 standby wage in 2001, it is a little difficult for all of my colleagues to sit here and listen to the lectures from the other side, when they felt it appropriate to pay 0.0. That's them. Let's remember....

Then the NDP got very excited about a memo that was sent by VANOC in mid-September. The memo in mid-September asked government to resolve the issue by October 1, and if not, they would have to look at alternative arrangements. Well, it's not October 1. It's actually early November.

As much as it's important for us to consider the interest of VANOC.... And they are important. They've got lots of concerns. They've got major events going on. We all know that's important. But frankly, if that was the most important issue to government, then we would have acted on October 1 when they wanted the action by. But the fact of the matter is that that wasn't enough to have us step in and intervene in respect to the paramedic service.

What did make a big difference was what was happening in the health system. As much as the members opposite want to ignore that, it is a reality that British Columbians are confronting every day. It is a reality that health care workers are confronting every day.

[0525]

I have to say, on behalf of, certainly, the members on this side — and I would hope the members on the other side — that we welcome and appreciate and thank all the members in the health system right now who are doing an outstanding job in dealing, in very trying circumstances, with a very difficult H1N1 pandemic.

The paramedics play a vital role in being first responders when an emergency strikes. They have done that for many years in British Columbia. They do it with great dignity, great courage and with great hard work. It must be difficult sometimes, when some of those that are watching and listening have to listen to members profess to be great defenders, when during ten years in power they saw no need to change things like the on-call standby fee, when they paid 0.0.

We know how important the work is that they do. This legislation provides paramedics with what we believe to be a fair package, given the current economic climate, and ensures that this vital service will be there when British Columbians need it.

With that, I move second reading.

[0530]

Second reading of Bill 21 approved on the following division:

YEAS — 42

Horne	Letnick	Stewart
I. Black	Coell	McNeil
Chong	Polak	Krueger
Bennett	Hawes	Hogg
Thornthwaite	Hayer	Lee
Barnett	Bloy	Reid
Lekstrom	Falcon	Heed
de Jong	Hansen	Bond
Abbott	Penner	Coleman
Thomson	Yap	Cantelon
Les	Sultan	McIntyre
Rustad	Cadieux	van Dongen
Howard	Lake	Foster
Slater	Dalton	Pimm

NAYS — 24

S. Simpson	Fleming	Farnworth
James	Ralston	Popham
B. Simpson	Karagianis	Brar
Hammell	D. Routley	Horgan
Dix	Mungall	Chouhan
Macdonald	Gentner	Elmore
Donaldson	Fraser	B. Routley
Huntington	Coons	Trevena

Hon. K. Falcon: I move that the bill be referred to a Committee of the Whole House forthwith.

Bill 21, Ambulance Services Collective Agreement Act, read a second time and ordered to proceed to a Committee of the Whole House for consideration forthwith.

Committee of the Whole House

BILL 21 — AMBULANCE SERVICES COLLECTIVE AGREEMENT ACT

The House in Committee of the Whole (Section B) on Bill 21; H. Bloy in the chair.

[0535]

The committee met at 5:36 a.m.

On section 1.

R. Chouhan: I have a few questions to ask about this Bill 21, 2009 — the so-called Ambulance Services

Collective Agreement Act. I see the minister has his staff with him, so I will be asking questions, and I'm sure the minister will be answering all those questions.

My first question is under section 1, "Definitions." Who constitutes the "commission"?

Hon. K. Falcon: The commission means the Emergency and Health Services Commission, which is continued under the Emergency and Health Services Act.

R. Chouhan: What's the commission's mandate?

Hon. K. Falcon: It is the employer of the Ambulance Service.

R. Chouhan: Who appoints the commission? Are they directed by the minister they report to, or are they directed by another entity?

Hon. K. Falcon: The members are appointed by the Minister of Health Services.

R. Chouhan: Could the minister provide the names of the members of the commission? Who are they?

Hon. K. Falcon: Their names are Miss Lynda Cranston, Mr. Michael MacDougall, Mr. Bert Boyd, Dr. David Butcher, Mr. Murray Ramsden and Miss Cathy Ulrich.

R. Chouhan: Are these members paid on a salary basis or per diem, and how much?

Hon. K. Falcon: The best advice I'm given and to the best of everyone's knowledge, they're not paid.

R. Chouhan: Under the definition, section 1, "Definitions" — "former collective agreement." What was the date of the last collective agreement?

Hon. K. Falcon: That means "the collective agreement between the parties that was in effect immediately before March 31, 2009, including any letter of understanding or other agreement between the parties that was part of the collective agreement at that time."

R. Chouhan: What were the monetary clauses in that agreement?

Hon. K. Falcon: We are in the definitions section of the act, Mr. Speaker. I think if the member wishes to look into the act, he certainly could be free to do so on his own time. Here we're just actually discussing the definitions under section 1.

R. Chouhan: My question is very relevant. We are talking about the definition of "collective agreement." The minis-

ter has talked about the previous collective agreement, so I'm asking what that previous collective agreement constitutes. Are there any memorandums of agreement attached to it, and if there are, what are they?

[0540]

Hon. K. Falcon: It's late, so it might be difficult. We're talking about a definition of what the term "former collective agreement" means — not a description of a collective agreement, but a definition. And the definition, as I indicated, is the collective agreement between the parties that was in place prior to March 31, 2009.

R. Chouhan: I know the minister is tired. He has been awake for a long time. But we have to go through it. These are very important questions. The minister could have said yes or no, if he wished to.

Again, my question is very precise and relevant. Were there any memoranda of understanding attached to the previous agreement, and what are they?

Hon. K. Falcon: I would look for some guidance from the Chair. I'm a little unclear as to what the requirements are here. They're asking for.... We're at a definition section. There's a definition of terms, like what is an employee, what is CUPE 873, what does a former collective agreement mean. If the member wishes to go into the details of an old collective agreement, that could.... I'll be guided by the Chair, but obviously, that could be....

It's a collective agreement like many collective agreements. They're very detailed in nature. That would be getting into a rather detailed description of an agreement, where we're here to talk about a definition. So I would be interested in some guidance from the Chair on this part. I will be happy to go in whatever direction the Chair thinks is appropriate.

The Chair: For the member to ask questions, he can ask questions about the agreement and what's attached to it but not about the contents of the agreement and what's inside of the agreement.

R. Chouhan: Now, in the definitions section, also, it refers to a collective agreement. How does the government define the collective agreement? If you look at the definition of collective agreement under the Labour Code, which says:

"Collective agreement" means a written agreement between an employer or an employers' organization authorized by the employer and a trade union providing for rates of pay, hours of work or other conditions of employment, which may include compensation to a dependent contractor for furnishing his or her own tools, vehicles, equipment, machinery, material or any other thing."

The definition of collective agreement under the International Labour Organization reads:

"...all agreements in writing regarding working conditions and terms of employment concluded between an employer, a group

of employers or one or more employers' organizations on the one hand and one or more representative workers' organizations or, in the absence of such organizations, the representatives of the workers duly elected and authorized by them in accordance with the national laws and regulations on the other."

The last definition I would like to read. In the dictionary, it says:

"A collective agreement is a labour contract between an employer and one or more unions. Collective bargaining consists of the process of negotiations between representatives of a union and employers — represented by management, in some countries by employers' organizations — in respect of the terms and conditions of employment of employees such as wages, hours of work, working conditions and grievance procedures and about the rights and responsibilities of trade unions. The parties often refer to the result of the negotiation as a collective bargaining agreement or as a collective employment agreement."

[0545]

So now my question is.... Nowhere in these definitions does it say that an imposed contract is a collective agreement. So how does Bill 21 fit with the definition of collective agreement as defined by these three definitions that I read?

Hon. K. Falcon: The member is jumping ahead a bit. That's actually taken care of sections 3(1)(a) and 3(1)(b).

R. Chouhan: We'll be dealing with section 3 as we get there. My other question on definitions: why is there no definition of collective agreement in this act?

Hon. K. Falcon: I'm advised that most collective agreements are referred to by their end date, and that is referred to here as March 31, 2009. The member read out several definitions of collective agreement, which I wouldn't take any exception to. They all sound accurate to me. Again, the practice is to define them by their expiry date there, and that's what is referred to in the legislation.

R. Chouhan: Let's move on to the other part of the definitions. "Parties" — it states that the act means the commission and CUPE 873. Is there anyone else who could be defined as a party as part of this act?

Hon. K. Falcon: No, those are the only two parties that are parties to the agreement.

R. Chouhan: If no other person or persons are party as to this act, what is the role of the Minister of Finance under this act?

Hon. K. Falcon: Again, that's taken care of in section 3(4) of the act.

R. Chouhan: We are talking about section 1, the definition of parties, which says.... According to the minister's own answer, there are only two parties — the

commission and the union CUPE 873. When we get to that section, we will find out that the Minister of Finance is a party. I was wondering why the Minister of Finance is not stated here as a party under the definitions.

The Minister of Finance is not a party, according to the minister, I guess. That's how I took it. Yet the Minister of Finance has veto over any deliberation that could take place with respect to compensation or any other monetary provisions between the parties. Why is he then not a party? It is clear that the Minister of Finance is the ultimate arbiter. He should be a party. Was this just a typo or just left out? Or was it deliberate that the Minister of Finance was kept out of the definitions?

Hon. K. Falcon: The parties to a collective agreement — I know the member has a union background — are the parties bound by the agreement. That is the employer, of course, on one side and the union on the other side. Those are the parties which are bound by the agreement. The Minister of Finance, as the member should know, is a funder. The reference to the Minister of Finance will be described later. It's a standard provision in every collective agreement that I'm aware of, and we will be coming to that shortly.

[0550]

Section 1 approved.

On section 2.

R. Chouhan: Section 2 under the title of "Application of the Code" — what are the clauses in this act that circumvent the Labour Relations Code?

Hon. K. Falcon: If I understood the member's question correctly, this is a standard provision you'll find in collective agreements, and the conflict it refers to is the difference between the old agreement and the new agreement. In this case, the conflict or the difference would be the wage increase that is being provided to the workers under the bill.

R. Chouhan: In subsection (2), it says: "...including any question of a conflict or an inconsistency referred to in subsection (1)." My question is — and I'll make it clear: what are those inconsistencies perceived by the government between this act and the code?

Hon. K. Falcon: Subsection 2(1) essentially says that the code allows the right to strike. The act will then take away that right, and if there's any inconsistency or issues arising out of the application of the act or any question of conflict or inconsistency, then the Labour Relations Board has the exclusive jurisdiction to decide any questions arising thereon.

R. Chouhan: The act has a lifespan of what seems like five months. Why is it more significant than the code? The Labour Code is there, so why are we undermining the Labour Code for five months?

[0555]

Hon. K. Falcon: The whole reason you have an act is so there will no longer be a strike. That's why the act is in place, and it's in place until March 31 of next year. That's the exact reason. That's why the act is being brought in, so that you no longer have a strike continuing.

Section 2 approved.

On section 3.

R. Chouhan: Under section 3(1)(b), it outlines a 3 percent general wage increase effective April 1, 2009. In the previous offers — the discussion between the parties — there was also a signing bonus included. Why was only 3 percent chosen? Why wasn't the signing bonus made a part of this?

Hon. K. Falcon: It's a very important question that the member has asked. As the member knows, the government of British Columbia successfully signed labour contracts without strikes for over 300,000 public sector workers. That was all done on the basis that if the parties did not go on strike and were able to successfully conclude a collective agreement with the employer — the government — they would be eligible for bonuses.

In the case of the paramedics union, sadly, we were unable to reach a situation like that, even though on two different occasions there was a very strong attempt to do so prior to the expiration of the contract. There was an effort to try and get the contract done prior to the expiration on March 31, and that was rejected by the union.

There was a second attempt made. Government offered a 90-day cooling-off period, recognizing that we were heading into an election period. The offer that was made was that there be a 90-day cooling-off period, that they not go on strike. That would allow the election process to go through. A new government, whichever government got elected, could come back and negotiate a deal, and we would honour the bonus during that period.

It was a pretty extraordinary compromise effort on the part of government to really try to find a way to provide a solution that might work for the paramedics. Sadly, both of those options were rejected by the union, and as such, there will be no signing bonus available to the paramedics. We're not going to, as government, provide that signing bonus, because we are not going to betray the 300,000 other public sector workers that received bonuses by not going on strike. That is the rationale and the reason why there is no signing bonus available.

R. Chouhan: It seems, from the minister's answer, that the government had decided to punish the paramedics, to teach them a lesson by denying them, by not paying them nor making the signing bonus part of this act.

Now, there were several proposals exchanged between the parties, between CUPE and the commission. During one of those negotiations and meetings, the union also asked for an industrial inquiry commission. The minister has talked about that. The minister would be asking the Minister of Labour to appoint an industrial inquiry commission.

[0600]

Would that IIC have the mandate to deal with staff recruitment, training and retention; employee compensation; staff workload and occupational health and safety issues; rural and remote deployment; management structure and staff responsibilities; or any of the related issues that the IIC would be having a mandate to deal with?

Hon. K. Falcon: Just very quickly on the member's first point about punishing the paramedics. I think it's very important to point out for the benefit of the member that actually government made it very, very clear to the paramedic union that by walking away from the two offers made, they would lose the right to receive a bonus. We were very clear about that.

So Mr. Chair, it is not punishing; it's keeping our word and not betraying the 300,000 other civil servants that obeyed the rules and appropriately received that bonus.

With respect to the issue of the appointment of an independent commissioner — the IIC, the industrial inquiry commissioner — this was identified by the union as their number one priority. We agree with the union with respect to that. The Minister of Labour will be consulting next week with both labour and the employer in terms of developing the terms of reference that will form the terms of reference for the industrial inquiry commissioner.

R. Chouhan: The last offer made by the government to the union had a few other provisions in that. The one that is being imposed on the union is far inferior than the paramedics were voting on.

Can the minister elaborate on the thinking behind such a bad-faith approach?

Hon. K. Falcon: I apologize for the delay, Member. I was trying to make sure I understood what the question was.

I think the member is referring to the potential for an additional 1.2 percent increase in compensation that was part of the employer's last offer. To expand on that just a little bit more, the 1.2 percent was an additional compensation measure that was to be included in the offer of the employer, subject to that 1.2 percent being

realized through savings that were realized within the existing collective agreement.

In other words, that would not be an additional 1.2 percent coming from the employer but 1.2 percent that could be found within the existing collective agreement. That is not in this act, but as we have said — and we have said publicly, and I would say again — the employer still remains ready to add that additional 1.2 percent under the same conditions: that it be found within the confines of the collective agreement — savings that would be realized within the collective agreement.

[0605]

The other part of it, of course, was the appointment of an industrial inquiry commissioner, which we just referenced earlier and of which the Minister of Labour will be speaking to both parties next week to determine what the terms of reference are.

R. Chouhan: Right after the introduction of Bill 21, the minister told the media.... He just referred to about 1.2 percent. In his remarks the minister said that 1.2 percent is still available for negotiation. Can the minister confirm that?

Hon. K. Falcon: Yes, I can.

S. Simpson: Just following up on questions in section 3, the minister referred to the industrial inquiry commissioner and his discussions with the Minister of Labour. Could the minister tell us why he chose not to include and mandate that commission within this legislation?

Hon. K. Falcon: The reason it's not in the legislation is that all of the powers that are reflected in an industrial inquiry commissioner exist in the Labour Code. So no new legislation would be required. All that is required is the triggering event, which is the request for the industrial inquiry commissioner. That was triggered on the day I introduced the legislation, when I also indicated that I would be requesting the Minister of Labour to appoint an industrial inquiry commissioner.

I believe it was the next day the Minister of Labour indicated his agreement and that he would be contacting the parties to determine the terms of reference.

S. Simpson: Could the minister tell us in regard to that — in the decision not to include it here — what his expectation is of the scope of that industrial inquiry commission in terms of what it will deal with as it pursues this matter further?

Hon. K. Falcon: As I indicated to the member, the Minister of Labour will be speaking to both parties to establish terms of reference. One thing I did indicate and have said publicly is that I do want, as part of that review, to look at the bargaining structure itself, which

I believe is broken. I would like to see in the terms of reference some work done with respect to the structure of the Ambulance Service, because I do think that that has to be examined if we are to have different results in the future.

S. Simpson: Just one last question in regard to the matter of the commission. Has the minister indicated to his colleague, the Minister of Labour, any timeline around when he would like that commission to complete its work?

[0610]

Hon. K. Falcon: The request I made of the Labour Minister was that we would like to see those options prior to the expiration of the agreement that is being legislated here, which goes up until March 31, 2010.

We would like, and I would like, to have those options in front of me prior to the expiration of this, so that we can, indeed, look at those changes as we move into dealing with the employer and the union with respect to the expiration of the agreement being legislated here.

S. Simpson: Just so that I can be clear. The minister is saying that he expects that commission to have completed all of its work before the end of March of 2010 and to have filed a report with the Minister of Labour and with himself. That's correct?

Hon. K. Falcon: Our goal is to have the report produced at a time prior to — in fact, sufficiently in advance of — the expiration of the agreement on March 31, 2010, so that we can take action on the basis of the options presented prior to the expiration of the agreement.

S. Simpson: Then just to follow up with one last question in regard to this matter with the minister. The minister is saying "sufficiently in advance." We're now the middle of November. The terms of reference, as the minister has said, have not been developed because they're to be developed in consultation with the parties.

So it's the expectation of the minister that the terms of reference will be developed and the work will be completed within 90 days or so? That would bring us to roughly the end of February or something like that, so that that's sufficiently in advance. All of that work is to be done in 90 days. Would that be correct?

Hon. K. Falcon: Certainly, the setting of the time frame will be within the discretion of the Minister of Labour. But as I've said to the member, my goal and my recommendation is to make sure that we have that work done sufficiently in advance that we have the ability to look at those options, consider those options, really, in advance of the March 31 deadline, so that we've got an

opportunity to bring about some changes that may be consistent with the options presented.

I can't nail down a timeline because that's not really within my discretion. That's within the discretion of the Minister of Labour. But certainly, the recommendation from myself is to have that done early enough that we've got the ability to make those decisions.

S. Simpson: In second reading debate the minister commented.... I'll just quote him. He said: "We must recognize that the union and B.C. Ambulance management agreed to a number of key items. Unfortunately, the offer was not fully accepted by the union."

Could the minister tell us what those key items were that were agreed to by the parties?

[0615]

Hon. K. Falcon: What was agreed to was the general wage increase of 3 percent, retroactive to April 1, 2009. The reference to an industrial inquiry commissioner was also agreed to between the two parties.

S. Simpson: Were those the only items that were agreed to by the parties? The minister referenced a number of key items, so was two the number? Were those all the items that were agreed to?

Hon. K. Falcon: I was referring to the terms of reference and the industrial inquiry commissioner. There were a couple of items under that. If the member wants, I can elucidate them. They were issues around staff recruitment, training and staff workload, health and safety. That was the sum total of the items that were agreed by the parties.

S. Simpson: Will the minister be recommending to the Minister of Labour that the industrial inquiry commissioner specifically look at recommendations around those areas where there was some mutual agreement between the parties?

Hon. K. Falcon: No, I was just general with the Minister of Labour — that I felt there was a broken bargaining structure and that I felt that was a very important part that needed to be looked at as part of the terms of reference.

R. Chouhan: If I heard correctly, in answering the question asked by the member for Vancouver-Hastings, the minister said that the scope of that IIC is defined under the Labour Code. Could the minister please tell what section of the Labour Code that is?

Hon. K. Falcon: I'm advised that it is section 79.

R. Chouhan: In section 3(3) it says: "The collective agreement constituted under subsection (1) may be varied

by agreement between the parties." My question is: what are the options here for variation by agreement between the parties?

Hon. K. Falcon: For example, the 1.2 percent further wage increase would be a candidate for this particular subsection. If the parties were able to come to agreement — they were unable to at the collective bargaining table — in the interim after this act has passed, this still allows the opportunity for agreement to be reached on the additional 1.2 percent, should the parties be able to do so.

R. Chouhan: Are there any limits that the parties can vary this forced collective agreement? Are there any limits?

[0620]

Hon. K. Falcon: Subsection 3(4), essentially, is saying that the parties.... Any agreement or any variation that they make mutually within the agreement is fine as long as it doesn't impose an additional obligation under the Financial Administration Act. In other words, as long as it doesn't impose an additional financial obligation to the Minister of Finance, then it's okay for them to make a variation, as is allowed under subsection 3(3).

R. Chouhan: In relation to the 1.2 percent, then, would the parties have to seek an agreement or permission from the Minister of Finance before that could be dealt with? Or would the industrial inquiry commission have a clear mandate, and they don't have to ask for permission from the Minister of Finance?

Hon. K. Falcon: The parties, in contemplating coming to an agreement under subsection 3(3), would be very mindful, given subsection (4), of the fact that any agreement they come to cannot be an agreement that will impose an additional financial obligation onto the Minister of Finance. Obviously, any additional agreement that they came to would be reviewed by the Minister of Finance to ensure that there is indeed no further financial obligation.

R. Chouhan: Just to be clear, again, is the 1.2 percent outside the scope of what the minister has just described, or is the 1.2 percent okay to proceed with?

Hon. K. Falcon: The 1.2 percent additional compensation offer the employer put forward was balanced by the requirement that the dollars to fund that 1.2 percent would have to be found out of the existing collective agreement and therefore would not impose an additional obligation, as is noted in subsection 3(4). So that would not change.

If the parties, under subsection (3), wish to, for example, explore the option of an additional 1.2 percent, they would

have to do so in a manner that does not impose an additional obligation on the Minister of Finance and would have to find those dollars within the collective agreement, pursuant to the offer that was made by the employer.

R. Chouhan: Under subsection (4), could the minister explain the role of the Finance Minister in this clause in this agreement when the parties are meeting, either through IIC or whatever the processes set? Through that process, would the Minister of Finance be sitting at the bargaining table? How will the parties negotiate anything if they don't have the final arbiter, the final decision-maker, at the bargaining table?

Hon. K. Falcon: The parties will go into that discussion knowing that they cannot do anything that will create an additional financial obligation on the Minister of Finance, so really, that's how they know.

Should there be any variation of the contract as contemplated in subsection (3), the Minister of Finance, as a matter of course, would review that to make sure that whatever discussions they held did not impose an additional financial obligation. That would be very clear to the parties going in.

There would be no misunderstanding on both sides about the requirement that any discussions they have cannot be discussions that will impose an additional financial obligation. So there's no need for the Minister of Finance to sit there or to be part of the discussion.

The Minister of Finance will merely review whatever agreement, if any agreement was contemplated by the parties, to ensure it did not impose an additional financial obligation.

[0625]

A. Dix: Just briefly to the minister in terms of the collective agreement. In a period starting May 5, his predecessor — now the Minister of Aboriginal Relations, the member for Shuswap — engaged in a process with Mr. O'Neill, the president of CUPE during that period. I know that Mr. Brown led that for the Ministry of Health Services, and presumably Mr. Doney and others were involved, as well, on the government side. Then, obviously, people are involved.

The government during that period.... The Ministry of Health Services, the Ambulance Service and CUPE held, I think, 18 to 20 meetings. I don't know. The minister can confirm that.

My understanding is that on a series of matters that may well have had a cost but were not monetary discussions.... They weren't about the wage increase or anything — about integration of paramedics into community health care. But improved benefits for part-time paramedics was a key question, kind of a public policy question in terms of recruitment and retention, in terms of staff training, in terms of local hiring.

On these sets of issues an agreement of a sort was made between the Ministry of Health Services or the officials of the Ministry of Health Services.... Obviously, it wasn't a final collective agreement at that point, but there was agreement on those points.

Can the minister confirm that? Can he say, given that there was agreement on points that were really, to some degree, vexing problems for the Ambulance Service over a period of time, why it was that those discussions and those agreements were not included in the collective agreement, given that those discussions had taken place?

Hon. K. Falcon: I'm advised that those were exploratory discussions. It's not uncommon to have those kinds of discussions take place in the course of a labour negotiation. The nature of the discussion was how an additional 1.2 percent could be used to fund a number of items that were part of the exploratory discussion that they were having.

A. Dix: I had understood that the 1.2 percent was a market adjustment. I just want to understand it properly, and I may have missed his answer earlier. Is he suggesting that the 1.2 percent isn't a market adjustment on wages?

My understanding was that what was being offered in terms of the 1.2 percent was a market adjustment on wages that would be paid for, presumably, out of other savings. That had been my understanding of the situation. So is the minister saying that issues which are clearly health service issues would be paid for out of the 1.2 percent?

[0630]

Hon. K. Falcon: Staff advised me that, as I mentioned, these were exploratory talks where nobody talked about funding issues. They talked about what they could change in the collective agreement, were funding to be made available.

In the funding discussion, the funding could come, on a go-forward basis, from the 1.2 percent in savings that could be realized by the parties out of the collective agreement, which could then be used to potentially fund some of the items that they were discussing in the exploratory talks. That's how staff has explained it to me.

A. Dix: Just on the question, because I think it was a very important question in those exploratory talks. I guess the question is.... I don't know whether the issue of integration into community health care.... It is a big issue, as the minister will know, in rural and remote communities, clearly.

I assume the minister will continue the position of most of the parties in the Legislature and of the previous

minister of helping health professionals work to the full extent of their skills. The issue of better integration of paramedics into community health care — that's a public policy issue as much as a collective agreement issue, I assume. Coming to agreement on that would have been a significant agreement, if it had... In fact, it's what happened between Mr. Brown and Mr. O'Neill. I guess what I'm asking is: why wouldn't the minister have included that agreement in this deal? That's the first question.

Secondly, in the whole collective agreement, if you're looking at paramedics who are on the on-call rate of \$2 an hour, is there anything in the collective agreement, in this section, for them? For example, my understanding is.... Is it correct that the 3 percent doesn't apply to the \$2 call-out rate? So it's not now, after this passes, \$2.06. If there isn't anything on that, is there anything in the collective agreement, after quite a bit of discussion between the parties...?

I don't doubt the sincerity. I think the former Minister of Health was working hard on these very questions. Is there anything in the collective agreement, other than the rate when you are actually called out on a call, that would address the issue of paramedics working in remote stations?

[0635]

Hon. K. Falcon: The 3 percent general wage increase applies to all paramedics right across the spectrum — rural, urban, the entire paramedical force. The member is correct. It does not apply to the \$2-an-hour standby rate that was introduced in 2001.

In terms of the issue of exploratory talks, these discussions go on all the time in parties trying to come to an agreement. At the end of the day, until you have an agreement, until you have the parties put something down on paper that they've agreed upon, they really are just that. They're exploratory talks.

A. Dix: The minister would agree that in this case, the agreement is entirely of his authorship. This is a collective agreement imposed by him, so he and the cabinet and the government side made the decisions about what's in this agreement. The decision to exclude those items and exclude anything — I mean anything — to address the remote question from the collective agreement was his decision.

He could have taken those exploratory talks and included or excluded items that were in those talks. For example, is there anything in the agreement that deals with the training issue? Often there has been an issue not just of paying for training but of being able to be available for training. This is a pretty central issue. I know that the minister knows it's a central issue, because he referred to it in his initial second reading speech.

But there doesn't appear to be anything in the collective agreement other than 3 percent for the hours that

you're on call. That's not very significant if you're in one of the ambulance stations where there are not a lot of callouts in the course of a year. That's not very significant. Those happen to be the very stations....

For example, the stations that we list off are stations where right now a remote station person, 45 percent of the time.... Is there anything in the agreement that will assist those stations to have people more often? Clearly, that's the desire of the minister. I assume it's the desire of the minister.

It seems perplexing to me, since this is a collective agreement that he dictated. He dictated it, so he can't blame the ambulance paramedics for the fact that they didn't come to an agreement here. This is the final agreement, which will presumably be passed by the Legislature, unless there are new thoughts at third reading.

I guess that's the question. I think the minister will understand. I just want to know: why — when he made the decision on behalf of the government about what would be included in the collective agreement — did nothing get included from those exploratory talks? Why did nothing get included on training? Why did nothing get included on integration of paramedics in community health care? Why did nothing get included on local hiring provisions? Why did nothing get included on improved benefits for part-time paramedics?

Those were the subjects of the exploratory talks, and he could have agreed to any of those things. The ideas and the discussions involved his ministry staff as much as anything else. The purpose of those ideas was not just a collective agreement purpose. It was to recruit and retain more paramedics.

Hon. K. Falcon: No, Member. The legislation reflects the employer's last and final offer that was provided to the ambulance paramedics. That's what is reflected in the legislation.

In terms of the member's discussion of the issues around rural paramedics, it will be helpful for the member to know that none of the union's tabled offers made reference to rural paramedic issues. Where it was referenced was in the desire, in terms of the industrial inquiry commissioner, that there be a provision that looks at issues around rural and remote deployment.

[0640]

As I have said in the House, I do think there are real problems with respect to rural paramedics, and that's an issue that many of my colleagues in government also feel strongly about and something that we wish to address on a go-forward basis.

A. Dix: Just to be clear, we referred to the \$2 on-call rate. With respect to the \$10 on-call rate — is that receiving a 3 percent lift?

Hon. K. Falcon: Yes, it is.

A. Dix: So that particular on-call rate will be \$10.30. Is that what I'm given to understand?

Hon. K. Falcon: Actually, the current rate is \$10.80, so that rate will go up 3 percent.

A. Dix: Just to be clear, on the \$2 rate, was any thought given...? In absolute terms, as the minister will know, while it's a cost, changing that rate.... I don't know what the total cost of the \$2 on-call is. It would add up to a significant amount, I'm sure. Was any thought given to adjusting that when the minister tabled the legislation?

The minister says that it reflects the employer's final offer. But you know, effectively, the minister is the employer. I mean, he's responsible for the Ambulance Service. He speaks for them in the House. We can't ask Mr. Doney — or whoever it would be — these questions. We have to ask the minister. So I assume the final offer reflected his position, as does the legislation.

Hon. K. Falcon: A couple of thoughts, Mr. Chair. First of all, the union did not table, in any other offers, an increase proposed on the standby rate of \$2 an hour.

I think it's worth reminding the member, too, that in the entire decades of the '90s — when, in fact, that member was the chief of staff of government — the rate was actually 0.0. There was no standby rate.

A. Dix: Thank you, I'd say, for that reminder.

Just to be clear, then. I just want to be final on all of these questions, because my understanding is that much of that discussion that was initiated by the former Minister of Health with the union — and principally with Mr. O'Neill, I guess, and then with Mr. Strohmaier and others.... None of that discussion, none of the agreements that would come to the table in the language they'd agreed to has come to anything.

In other words, it's not just here in this bill. There's nothing in this bill. There's nothing anywhere else that has changed as a result of those discussions.

Hon. K. Falcon: Again, in the course of a labour negotiation, there are discussions that go back and forth all the time. There are exploratory discussions. They're trying to figure out where they might be able to find a landing place where they can come to an agreement. That's very common in negotiations.

At the end of the day, you have an agreement or you don't have an agreement. They were unable to come to an agreement. As I said, with reference to the standby rate of \$2 per hour, the union did not table, in any other offers put forward, any proposed increase in the standby rate.

A. Dix: But in this case, the only things missing from what the government had offered before, I guess... I'm

asking because I think they're.... I think he'd probably agree, because he said so in his speeches, that these are important public policy questions. So the offer in March.... What disappeared from the offer in March was the bonus — right?

So the result was that the ambulance paramedics, I think, are the only employees in the whole public sector that didn't get the bonus. So that disappeared, and there were agreements on other things, but in what the minister calls exploratory talks. They disappeared, and none of those were accounted for. The only thing that was left was, essentially, the March offer, more or less, minus the bonus. I guess that's my understanding of the situation.

[0645]

I just say, with respect to our rural-remote paramedics, that the situation has got considerably worse in the last eight years. It just has. And that's not altogether the fault of the government. I mean, the circumstances of many rural communities have changed such that some areas have less people that might want or be able to do the work. So that has changed the way we have to incentivize the process. I think that's fair.

I don't think the \$2 rate is the big issue, either, but I think some of these other questions are. The integration to community health care, which presumably would provide more hours and allow people to stay in communities, and the issues of benefits for part-time paramedics — these are kind of key questions. We've heard a lot, and I know that the minister has received the same correspondence I did about the difficulty on the part-time side with dealing with the benefits situation.

I assume, really, that all we have here to show for six months of discussion is less for the ambulance paramedics than they had in March. Is that a fair assessment?

Hon. K. Falcon: That's because the exploratory discussions weren't on the table. What was on the table was the bonus. The bonus was on the table and available, just as for 300,000 other public servants right across the province who all agreed to the bonus because they were able to successfully come to a collective agreement. This is the one and only union, unfortunately, that was unable to do so, in spite of having two offers made to try and help them not have to do that.

I can tell you that the previous minister and government at the time were extraordinarily disappointed at the prospect that they would not be getting a bonus, as every other of the 300,000-plus civil servant and public servant across the entire collective bargaining sector received. That's why the offer was made for a 90-day cooling-off period, where even though the period beyond which the bonus should not be paid.... It would be honoured for a 90-day cooling-off period if they did not go on strike and allow an election to take place. Whichever government came back, I'd be able to negotiate agreement, obviously keeping in mind the

extraordinary financial challenges that the province was facing.

Sadly, that was the union leadership who made the decision not to do that, as all the other public sector unions did do. That's why the bonus is not being paid. That's why it is no longer on the table.

A. Dix: Well, I'd just say that the ambulance paramedics had an agreement in place from 2004 to 2009, which overlap is significant even for the majority of the bonus period of other public sector unions. In fairness to them, they've done their job, they've worked hard, and they've continued to work hard, even through the period of this strike. So I'd just make that point.

Secondly, the minister talks about the difficult financial times. At the time of the cooling-off-period offer, the government was still proclaiming a balanced budget.

In any event, I just put it to the minister that whatever the difference is between the union and the minister, I think it's fair to say that those employees, based on their work.... Does the minister not agree that they are as worthy of the bonus, based on their work, as any public servants in the entire system?

Hon. K. Falcon: That is the real tragedy in this, that the union leadership made a conscious decision not to accept the deadline, not to extend the olive branch of an additional 90-day cooling-off period in which that would continue to be honoured, and made the decision to go on strike, regardless of that.

I can tell you this, to the member opposite. We certainly are not going to betray the 300,000-plus public servants that did obey the rules and came to agreements within the time frame and thus were eligible for the bonus payment. So I feel very badly that the membership are deprived of that, and that's a decision that the union leadership made. Obviously, they'll be held accountable to their membership for that.

[0650]

A. Dix: Well, it takes two to tango. The minister surely would agree with me that the ambulance paramedics were in a significantly different point in the negotiating calendar than all the other unions, which was a bit of a disadvantage for them — right?

The second point I'd make is that the minister says it's unfair to the other 300,000 public servants. Has he received a single letter from a union leader in British Columbia opposing the idea of a bonus for ambulance paramedics equivalent to every other public servant?

Does he think that there's a single public servant in British Columbia who would oppose hard-working ambulance paramedics getting access to the same bonus they did? Who's going to oppose that? Name one.

Hon. K. Falcon: I'll tell you that I am extraordinarily disappointed that the members aren't able to receive the bonus. I can't think of a group of people that are more deserving of the bonus, that deserve the bonus.

The union leadership made that decision. At the time.... They've got a newsletter. I think it's called *On the Pulse*, where the president of the union described the bonus disparagingly, saying it's a couple of trips to Costco, and that's it.

That's a decision they made. They made a decision to not accept the arrangement that every other public sector union employee did accept and thus received the bonus payment.

Why the union leadership made that decision, I don't know. I can tell you that in government, we were shaking our heads. We just couldn't believe it. We offered the olive branch of another 90-day cooling-off period to try and not allow that to happen, so that it wouldn't fall off the table. That was an eminently fair and reasonable offer to try and avoid the union leadership making a decision that was going to cost every one of their employees that bonus. It was still rejected.

I can tell you that for the average union member out there.... I met many of them when I was travelling across the province. Some of them came by and picketed, and we had conversations about it. I was very upfront in telling them that I was extraordinarily disappointed in their leadership. I thought their leadership had let them down.

But you know, there are consequences to decisions that we make. That's one of the consequences now that, unfortunately, every hard-working member of that union is going to have to deal with now.

A. Dix: Well, surely the minister isn't suggesting that the union leadership agreed to this deal? I mean, the minister wrote this deal, or the people who work for him there. To correct it, it's the people who represent him, but he's responsible in this House for this deal and this offer.

The minister just says that he thinks those workers deserve the bonus. He may have some sort of issue — let's call it an issue — with Mr. Strohmaier or something. He may not like that Mr. Strohmaier is the head of the local. But if he thinks those workers deserve the bonus, then why isn't it in section 3?

It was offered in March. If the government.... Things were important in March. It's an important service. It's an urgent service. The government was pretty confident in essential services levels, clearly. If the government had imposed this in March, maybe it would be. But they didn't impose it in March. They're imposing it now, I guess.

He just said, in this House, that he thinks they deserve the bonus, like every other public servant in the province — like the other 300,000, this group deserves the bonus.

The person who wrote this bill is the minister.

Interjection.

A. Dix: Oh, it's a little late now, the minister says.

So for him, this is a game. For him, this is a game. If you're an ambulance paramedic and you're working hard, this isn't a game. If you're an ambulance paramedic working hard, this is kind of your life. You're now the only public servants in the province who didn't get a bonus.

[0655]

The minister wrote this collective agreement. He imposed it. This isn't a negotiated agreement. This doesn't have anything to do with the union. This has to do with the government, and they decided not to include that. That's the point. If those aren't the usual crocodile tears, if it isn't "boo hoo" for somebody else, then why doesn't he...? This isn't about the union. The union isn't going to get a 3 percent lift. It's ambulance paramedics that would get the bonus.

So if he believes what he just said in this House — you know, I'm very open-minded about amendments coming from the government side — he could get a message in here. We could adjourn for a little while and get a message in here right now. We could go over, have a cabinet meeting, get a message in here right now, and have a message amendment to this bill — right?

If the minister really believes what he just said, then why doesn't he include the bonus? Why doesn't he recognize the work of those ambulance paramedics? Not this business about the union and his grudge against the union. I understand he has a grudge against unions. We get that. As the minister likes to say: "I get that." I get that he has a grudge against the union. I get that.

[L. Reid in the chair.]

The minister was just saying that the ambulance paramedics deserve a bonus, but he won't get it to them because it's too late. "Their union bosses. I don't like their union bosses." If he thinks they deserve it, why doesn't he give it to them right now?

Hon. K. Falcon: The member should know — I think he knows it — that union members elect their union executive. That's their leadership, and their leadership is responsible for negotiating on their behalf. Their leadership made a conscious decision, a decision that was given to them in writing. So they knew exactly what the decision was, as they contemplated what they were going to do. They made a conscious decision to walk away from that, to forfeit that bonus. I said that I think it's a terrible decision.

The member talks about me having a grudge against unions. What a lot of nonsense. I was supported by unions, Member, in my election. I know that it upset the members. I know that upsets them.

Interjection.

Hon. K. Falcon: Yeah, well, it's unfortunate that the members opposite just think that they've got all the union support. Actually, a lot of unions support....

Interjection.

Hon. K. Falcon: No, actually, not at all. Not at all, Member.

I'm quite proud of that, Madam Chair. I know that disturbs the poor members opposite, but really....

The Chair: The members will come to order.

Hon. K. Falcon: But really, the reality is that.... It is unfortunate, but that was a decision the leadership made, and we are not going to betray, as I said before, the 300,000 civil servants that obeyed the condition for receiving that bonus.

What was that condition? That condition was that they would not go on strike, that they would reach a collective agreement. That's the condition associated with the bonus, and then the leadership of CUPE 873 decided that they didn't want to meet that condition, that they were going to forfeit that.

Indeed, even when the olive branch was held out to offer a cooling-off period of 90 days — where the bonus would still be held in place and we would still honour it subject to their not going on strike; when a new government came back, they would have the opportunity to negotiate with that government and come to an agreement where the bonus would still be honoured — they rejected that, too.

So it's a little hard to accept that, having consciously made that decision on behalf of their members, the union leadership would now say: "Well, government should honour it anyhow, regardless of the fact that we made that conscious decision." Regardless of the fact that they did it knowing full well what that was going to mean in terms of their ability to get a bonus, they still made the decision. I'm sorry for that, for the average members. There's no question about it.

A. Dix: Just to say.... I asked the minister this before: can he find me a single union member amongst those 300,000 people who is against the ambulance paramedics getting the bonus? He has cited them in support of his position.

[0700]

I mean, I'm just curious. I don't want belabour this, because clearly there's a difference of opinion between myself and the minister.

The minister thinks it's okay that they're the only ones that don't get the bonus despite the work they've done, despite the fact they'd had a collective agreement

in place between '04 and '09, which overlapped a significant amount of the period. All that is fine. But the minister has suggested that he had support amongst those 300,000 public servants and the people who represent them. Does he have any evidence for that, or is he just saying it?

I'll let it go. We'll let this section go after this. I just want to hear the minister respond to that, because it seems to me that he's made the assertion. So I'm waiting, because I know he's an evidence-based kind of guy, for him to produce the evidence of that.

Hon. K. Falcon: What I will say is I won't betray the 300,000 public servants.

Interjection.

Hon. K. Falcon: Oh, the member finds that funny. I know the member is a little bit on questionable territory when it comes to agreements.

But the fact of the matter is that over 300,000 civil servants signed that agreement, met the obligations and understood what the obligations were. We as a government are not going to betray the fact that they did that knowing what the obligations were — knowing that if they did not meet those obligations, they would forfeit those bonuses, making a conscious decision not to. That's what we're not going to do.

R. Chouhan: I think that answer sounds like the H1N1 reason to table Bill 21 when we know the real reason is something different.

Let's continue. During the last several months when the parties engaged themselves in this collective bargaining process.... As the minister would know, collective bargaining is a two-way street. It's not one-sided; it's a two-way street. During those sessions that the union and the commission had, there must be some items that were agreed upon verbally, or they were signed off. Now under this act, would they be respected, or are they just gone?

Hon. K. Falcon: Are we on section 4, Member?

R. Chouhan: Not yet.

Hon. K. Falcon: I'm having difficulty understanding what section of even section 3 the member is talking about. Is the member interested in just a general discussion about the labour negotiation process? I'm not sure what section he's referring to here.

The Chair: Member for Burnaby-Edmonds, could you clarify?

R. Chouhan: I'll make it easier for the minister. I'll wait for that under the next section.

But let me ask you this question in the meantime. What's the HST factor on that? Is the commission going to be affected by the HST?

The Chair: Member, which section?

R. Chouhan: Section 3.

The Chair: Which subsection of section 3 are you referencing?

Interjection.

R. Chouhan: We're not on section 4. We haven't passed section 3 yet.

Interjection.

R. Chouhan: Yeah, and we are talking about compensation. What I'm talking about is: would the commission have the capacity to provide compensation even under this act when the HST comes into play on July 1 next year? Would there be extra cost added to the commission?

Hon. K. Falcon: I'm sorry. Not only do I not fully understand the question, I'm trying to understand how it relates to subsection 4 of section 3. Maybe the member could help clarify that.

Section 3 approved on division.

On section 4.

R. Chouhan: To make it easier for the minister, I'll ask that question under section 4. We're talking about binding collective agreement. It says that.

[0705]

Any previous agreements, either verbal or any signed-off clauses that there may be... Would they form part of this so-called binding collective agreement, or are they gone — the only thing which applies would be just this act? Could the minister clarify, please?

Hon. K. Falcon: The previous collective agreement remains intact. The only thing that changes is what is proposed in the act, which is the general wage increase and the expiry date.

R. Chouhan: Just to make it clear for the minister, I'm not talking about the previous agreement, the agreement between 2004 and 2009. I know it's there. But the last while, when the parties met, did they themselves engage to amend the previous agreement? If they agreed to amend verbally or in writing, would that amendment of that agreement apply, or is it gone?

Hon. K. Falcon: I think the member is referring to the exploratory discussions. We were canvassing this earlier on. The exploratory discussions were not part of the formal negotiations. These were separate exploratory discussions that took place, so naturally they're not reflected in the act that is before the House.

R. Chouhan: Now, section 4 talks about the titles of the collective agreement. May I ask the minister to define what the collective agreement means? According to section 4, what's the collective agreement?

Hon. K. Falcon: "Collective agreement binding" is, of course, the heading. Section 4 is a standard provision in collective agreement continuation acts. You can go back and look at virtually any other collective agreement continuation act, and you'll see this as a standard provision. It's a provision necessary to ensure that the collective agreement constituted by this act is considered a collective agreement under the Labour Relations Code and that all relevant provisions of the code apply to the new agreement.

Section 4 approved.

On section 5.

R. Chouhan: Section 5 now outlines clearly all these provisions talking about basically putting an end to the so-called job action. What are the differences between the essential services order and these clauses?

Hon. K. Falcon: These clauses apply to all employees, whereas the essential services order applies to those employees that are designated under the essential services order. This applies to every member under the collective agreement.

R. Chouhan: So by implementing these clauses, what would be the result on the level of services? Would they increase or stay the same...?

Hon. K. Falcon: Well, it's the intention of this provision — which, again, is a fairly standard provision that you find in collective agreement continuation acts — that the resumption of services be immediate upon the coming into force of this act. So current or future strike or lockout actions are not permitted for the duration of the enforcement period of this act.

[0710]

R. Chouhan: Since the strike began, the paramedics have been subject to essential services orders that have required them to provide 100 percent of pre-hospital care — 100 percent — which compels them to work overtime in excess of what the collective agreement requires.

Now, that was under the essential services order. When the collective agreement is in place, the overtime is voluntary. It's not mandatory; it's voluntary. What are the contingencies in place when there's no mandatory overtime?

Hon. K. Falcon: The member's question is essentially: what happens if the paramedics don't want to work overtime? Obviously, it's a speculative question. I have no way of knowing whether that is something that is real or not.

What I can tell the member is that the full-time paramedics have worked 26 percent less overtime during the strike than they did prior to the strike, so there has been a fairly dramatic drop-off in overtime during the strike period. But once the resumption of work is in place upon the passing of this act, should the act pass through parliament here.... I just have no idea of answering that, because it's speculative.

R. Chouhan: It's not speculative. I'm stating a reality. Under the essential services order, we know that paramedics were working more than regular hours. They could not say no to overtime. Under the collective agreement, when that's in place after this, it will be all voluntary. So the desired result that the minister and the government were expecting by imposing this contract on the paramedics is not going to be achieved, because the level of services is going to go down, not up.

Could the minister explain...? Did he think through it — the implications of imposing a contract like this?

Hon. K. Falcon: Well, I can promise you we thought very long and hard and carefully about this. As I said quite openly, this was a decision we came to very reluctantly. It was a decision we came to that was prompted by a couple of very real concerns — obviously the H1N1 pandemic, which I've talked about, but also the fact that we're having a situation during the strike. As I just mentioned, the full-time paramedics were doing about 26 percent less overtime during the strike than had been normal prior to the strike.

[0715]

What was also happening was that management was having to work about 70 to 80 hours a week to try and fill gaps, where there was an unfortunate situation where paramedics weren't responding to call-ins. They weren't showing up for shifts on a continual basis, to the point where on average in the Lower Mainland there were 150 ambulances out of work in a month, as opposed to prior to the strike there being only 12 ambulances out of service on average in a month in the Lower Mainland.

What that means, Member, is that that created a real challenge for trying to meet the needs of the public who, after all, are really the most important individuals here. When people are sick, they're not particularly interested in the details of collective bargaining issues or what have

you. They're interested in making sure that they are dealt with appropriately.

It was that combination of reasons that we had to consider and reluctantly came to the conclusion, having looked at the seven months of negotiations that unfortunately did not bear any fruit. We had exhausted, and the employer felt strongly that they had exhausted, all efforts to try to come to an agreement with the CUPE 873. Unfortunately, that's where this comes about.

R. Chouhan: I'm sure, as the minister said, they talked through it before this act was introduced, and I'm sure he has very capable staff sitting with him. Could the minister tell me: how much will service levels increase? Are there any numbers after this act is implemented, this section in particular is implemented, for how much service levels will increase?

Hon. K. Falcon: I am advised from staff that with the normal resumption of workforce, for example, you would see the ambulances out of service drop down to the normal patterns. Instead of 150 a month that are out of service in the Lower Mainland right now, that would presumably fall down to the average, which is 12 per month.

R. Chouhan: How many more ambulances will be available to the public after it is implemented? Did the minister say 15? Sorry, I didn't hear that.

Hon. K. Falcon: There's a graph I can make available to the member, which shows the ambulances out of service provincewide prior to the beginning of the labour action back in April and up to today. You will see that the number of ambulances out of service is quite dramatic through that period of time. There is a period prior to the strike taking place that goes back many months — in fact, eight months — where you can see that the numbers of ambulances out of service are very low, what would be considered a normal level.

The example I gave to the member was that right now — and this is what is most troubling, given the environment we're in with a stressed health sector dealing with the H1N1 pandemic — where you have a situation as we do today, an average 150 ambulances are out of service in the Lower Mainland in an average month, whereas prior to the strike the average was 12 ambulances being out of service.

What that means in real terms is that there are gaps that can be created in coverage and gaps that we're extraordinarily concerned about. Should someone not be appropriately dealt with or picked up in an appropriate time, particularly if they have a compromised immune system or a chronic health condition that has then got the H1N1 virus added onto it, they can find themselves very, very quickly in respiratory difficulty or worse.

[0720]

The need for those ambulances to be there is very, very important. That is why, as much as this is a difficult process for both sides to go through, the importance of ensuring that the ambulance service will return to normal levels is very important for the public that, at the end of the day, I think we're all trying to serve.

R. Chouhan: Is the minister saying that there are 150 ambulances parked somewhere out of operation in British Columbia? Is that what the minister is saying? So by imposing this contract on workers, all of a sudden all those 150 ambulances will be available to the public?

Hon. K. Falcon: No, what that means is those are 150 ambulances ready to go, at their stations, with no crews to take them out because crews are not showing up for their shifts or are not responding to call-ins — the kind of range of activities that you often see take place during labour disputes. That is a very, very big challenge.

It's a challenge at any time, of course, but it's a particular challenge and concern during a flu pandemic that is causing significant impact in our hospitals, where we've got ICUs at capacity, where we've got in the Interior — Kamloops and Kelowna, for example — overcapacity. There are more patients than beds. As they struggle to deal with that reality, having a whole bunch of ambulances that are available but not staffed creates a real challenge and a real risk for the health system.

R. Chouhan: The minister knows that under the essential service orders, the employees cannot say no to work when they are required to be at work. All those essential service orders are in place.

How would it change now? In the presence of essential service orders, if the minister is implying that 150 ambulances were not operational.... Is the minister saying that all of a sudden the crew would be there to operate all 150 ambulances that are parked somewhere?

Hon. K. Falcon: The issue and challenge, if you will, is that the paramedics are not answering their phones. So when they're not responding to the call-ins at a level that is quite unprecedented compared to what would normally be the case were there not a labour dispute, that is what creates the challenges.

That's why you have over 150 ambulances ready to go, at the stations. The vehicles themselves and the equipment are all there and ready. The problem is that you haven't got the paramedics there. So even with the essential services legislation, Member....

I'm glad the member raised this, because this was one of the very compelling issues that was repeatedly brought to my attention as the Minister of Health — that the significant concern the employer had was, for whatever reason.... We know that in the course of labour disputes,

particularly one that drags on for seven months, there's obviously frustration that builds.

But at the end of the day, when you've got a situation where you've got a large number of paramedics that are just not answering their calls and are not responding to these call-ins, that means you have situations, as we've had — as the members opposite articulated on many occasions and as I did in my concluding remarks.... You have situations where entire communities are without service. Even now as we speak, communities are without service. That is very big concern for public safety.

As the Minister of Health, when I am made aware of a situation like that, that in itself is a big concern and a worry. But when you couple that with an H1N1 flu pandemic that is seeing our ICUs jammed with patients, that is seeing people presenting at emergency departments with significant impacts around H1N1, and then you couple in the shortage of ambulances and the stress of the management who have been working 70- or 80-hour weeks for seven months, that is a recipe for a significant problem potentially developing.

That's why we find ourselves here at 25 after seven in the morning. We do believe this is important enough that sitting all night, if necessary, is exactly the right thing to do to ensure that we don't have a gap in service that results in the loss of life.

[0725]

R. Chouhan: For the minister to say that paramedics were not responding to calls.... I think they're very serious allegations. Is there any documentation to back that up?

Hon. K. Falcon: Perhaps one of the pages could.... I'll send this over to the member opposite so the member can look at it. I think it graphically shows in a very real way what the out-of-service ambulance rates have been since the strike started.

I think if the member looks at that graph and studies it, the member will see in front of the member, for whatever reason.... I'm not trying to cast blame or motives or anything. All I know is that the reality of what's happening out there is that there is a dramatic increase in paramedics not responding to call-ins. When they're not responding to call-ins, there are ambulances out of service.

The member has that graph right in front of him now, and I'm going to keep talking so the member has a chance to look at it for a moment. I think that is so important to understand. As the member looks at those dramatic spikes in themselves that have gone on literally since the strike began, I'm sure the member opposite would be concerned.

But when you add that to the fact that we are dealing with an H1N1 pandemic, where people have died, where we've got hospital ICUs right now that are at or near capacity in the Lower Mainland and in different parts of the province, where we've got overcapacity in some of our

hospitals trying to deal with these issues.... What is so important about that is that many of these patients who find themselves with high-acuity conditions need to be transferred, perhaps, to a hospital because they do not have ventilators or ICU beds available at one hospital. They may need to get moved to another hospital.

As the Minister of Health, I feel very, very strongly that with all that evidence in front of me, with what the employer is telling me is happening out in the real world, what is graphically stated in the information I just sent over to the member, that is a very real risk to human life. It is a very real risk that we cannot responsibly continue to take as the government of this province.

R. Chouhan: Section 5, as it outlines in subsections (a) to (f) — what are the penalties if these clauses are not abided by?

Hon. K. Falcon: If there was a violation of any of those conditions, an application would be made to the Labour Relations Board and then, if necessary, an enforcement order issued by the courts to ensure that the terms are adhered to.

R. Chouhan: If there is any dispute, it goes back to the labour board. How would that differ from having essential services orders now?

Hon. K. Falcon: I think I've quite patiently and painstakingly tried to explain that under the current.... Even with the essential services order in place, there is still a very real problem in terms of ambulances that are out of service. So even with the order in place, for whatever reason, the system has seen a record number of paramedics not answering their calls, their phone-ins, which has left a situation that is untenable in the province of British Columbia and is, in a very real way, putting lives at risk.

I hope that answers the member's question.

[0730]

A. Dix: Just a question so the minister can explain this. The minister keeps referring to 150 ambulances out of service. He can explain the graph to me, perhaps, because the graph has, up one side, the average number of ambulances out of service, and the graph doesn't even go past 25. With one exception, there is never more than.... Well, in the month of October the high was six ambulances out of service, on average.

That is the graph that he has sent over. I'm just curious, because 150 and six probably means that we are talking about different baselines. That's all.

Hon. K. Falcon: Again, what I said to the member is 150 ambulances per month, on average, as opposed....

A. Dix: Per month?

Hon. K. Falcon: Yeah. That's what I said — per month. If the member looks at that, he will quickly realize that.

If the member looks prior to the strike action, continuing, he will see that the average number per month is much, much lower. On average, I'm advised, it's 12 per month, whereas in the course of the beginning of the labour disruption it averages 150 per month.

As the member knows, there are some communities that have one or two ambulances. If some of those ambulances are out of service, that could potentially mean that an entire community will have no service.

A. Dix: The number 150, just so I understand correctly, refers to the monthly aggregate of ambulance days out of service. That's an average of five a day — right? Is that a fair characterization?

How many ambulances...? So it's five a day out of service. How many ambulances are there in the system, just so I can understand the context?

Hon. K. Falcon: Perhaps I can put the context in a manner that is even clearer for the member and, certainly, more understandable for the viewing public. I know the member can talk about: "Well, five a day doesn't seem like very much."

What I will give is a practical example for the member, because I know this would concern the member. I'm certain it would. Last night the communities of Boston Bar, Hope and Agassiz had no ambulance service — none at all. What that means is that if there is an emergency, there is no ambulance. There was no ambulance available last night to provide any service at all.

At the end of the day that is the fundamental issue here. We cannot have a situation where an individual, for whatever reason.... Even if it's not H1N1, if it's cardiac arrest, if it's a car accident, if it's any other of the multiplicity of reasons that someone might find themselves in a serious accident and requires an ambulance....

Just as recently as last night — three communities without any coverage. That's not acceptable. That's why we're here. That's why we need to get this done.

A. Dix: I just asked a very simple question. How many ambulances are there in the system?

Hon. K. Falcon: I'm advised that in the GVRD there would be 42 in the evening, and it varies according to time of day. During the day — I guess the day would be the peak time — there would be in the mid-70s in the GVRD area.

A. Dix: The ambulance out-of-service numbers, the cumulative 150 he's talking about, are for the whole province? Is that correct?

Just the GVRD. Okay. Fair enough.

[0735]

The point I make to the minister, and this is the struggle we have.... It's one of the reasons we have been raising these issues for four years, and not just members on our side. Members on the Liberal side as well, I think, raise these issues. There are many communities that go whole months unstaffed. I guess that's the reason why those discussions in June were so important, that haven't been reflected in this agreement.

I agree with the minister that the situation he describes in Agassiz and Hope is not a good situation, but it is also the situation that many ambulance stations in the province go through significantly. I use, as a source for that, the evidence presented to the LRB this week by the B.C. Ambulance Service, which talked about ambulance stations shut down — percentages shut down — in rural and remote communities, in March, before the strike. I think we'd agree that that's a bad situation.

We wonder why nothing has been done, other than the words at second reading, to improve that situation. I guess that's more rhetoric than a question, but it does ask.... It's more of a rhetorical question than anything else, but it does, sort of, lay that out.

I just say to the minister that this issue of recruitment and retention is a fundamental issue, because the situation he describes is a situation that a lot of rural areas find themselves in all the time — strike, no strike. If it's a crisis now, why hasn't it been a crisis before?

I know it's not easy, and I know that the staffing issues aren't easy, but if that's a crisis.... If stations.... There are ambulance stations — according to the evidence that the minister's representatives provided the LRB this week, from the B.C. Ambulance Service — that are open 15 percent of the time, or three out of every 20 days. That's a serious crisis all of the time. Would he agree with that?

Hon. K. Falcon: That's a very important distinction. That's a distinction between a recruitment challenge and the challenge of what's taking place during a strike. I don't disagree. In fact, I've said here on numerous occasions that there are unique challenges for rural paramedics. It is the commitment of myself, as minister, and all my colleagues in government to figure out a way, in a go-forward basis, to deal with that.

However, I have a more immediate concern that I'm worried about today, which was the reason why we find ourselves — all of us, frankly — regretfully here at this hour of the morning dealing with this piece of legislation. That reason is the very real public health concern that we have.

The member does raise a legitimate issue of recruitment challenges. I would argue that it's a real issue but a different issue than the challenges that have arisen as a result of the strike.

A. Dix: Well, we've asked these questions about recruitment and retention in rural areas, in estimates, over

three or four years and so on. You know the answer? It's a collective agreement issue. We're dealing with a collective agreement here. I'm just saying that the minister is correct to say that it's a recruitment and retention issue, but if you're living in those communities, it's not a recruitment and retention issue; it's a service issue.

If you're living in a community like Field, where you're getting service three out of every 20 days, that's a recruitment issue. If you're living in a community like Alexis Creek, or in the region, that's not a recruitment issue. I think you would agree with me that that's a service issue.

I agree. Like him, I'm an MLA for the Lower Mainland, and I care about the Ambulance Service in the Lower Mainland, and my constituents are.... I have an ambulance station about two blocks from my place, so I care about that, but for those communities....

I guess our concern is that there is really nothing here — in spite of all of the efforts over the last few months, and this is written by the government; this is their package — to deal with those recruitment and retention issues. We had that debate on the previous section, but I just wanted to make sure that the minister understood that the daily reality in significant parts of the province, pre-strike, is worse than anything, in a way, that he's talked about post-strike for a lot of communities. Their daily reality is worse than that.

Hon. Chair, I don't know if there are any other questions on this section.

[0740]

Section 5 approved.

On section 6.

R. Chouhan: This bill was tabled on November 2, and the VANOC memo dated September 14 required that this dispute be resolved as soon as possible and asked for a confirmation that paramedics will be going back to work.

My question to the minister is: when did the minister start drafting this legislation? On what date did the government decide it was going to pursue this course?

Hon. K. Falcon: I haven't got the exact date. It would have been in the preceding week, to the best of my recollection. I just haven't got the exact date in front of me.

I know the member knows we're on section 6, dealing with the term of the collective agreement.

R. Chouhan: Yeah, it's the term of the collective agreement. It says one year.

My question is: why is one year chosen? Is it to make sure the Olympic Games are not disturbed — just wanting to make sure that that is done, and that's why the government just reacted to VANOC's memorandum,

which is dated September 14, requiring it to put an end to this dispute?

Hon. K. Falcon: The reason, as I articulated in earlier comments — not in this discussion — that I gave.... We tried to provide the lightest touch possible in terms of how long this agreement would have to be in place. We did that because we wanted enough time that the industrial inquiry commissioner could do their work, bring forward options for government to consider as we looked at making structural changes that could avoid these kinds of problems in the future.

R. Chouhan: Now, we know that the term of this agreement covers the Olympics. The testimony at the Labour Relations Board seems to indicate that international athletes will be given priority for ambulance services during the Olympics, potentially putting British Columbian citizens at risk of not being able to access timely ambulance services during the period leading up to and during the games. That's the evidence at the Labour Relations Board during the hearing.

Will the minister give this House assurance today that no British Columbian will be denied the ambulance services they require because the BCAS resources have been diverted to the Olympics?

The Chair: Excuse me, Member.

Relevance to the section. We're debating section 6.

R. Chouhan: Madam Chair, the relevance of this is that the term of this agreement expires at the end of March, which covers the Olympic period. During that Olympic period.... We have heard evidence at the Labour Relations Board that international athletes will be given priority.

My question to the minister is: can he give assurance to this House that British Columbians will not be neglected when they need ambulance services during that period?

Hon. K. Falcon: I have, I think, tried to be very accommodating in the gambit of the discussion over this, not to be seen in any way to allow the members not to have an opportunity to discuss whatever they may. This is straying about as far as I could possibly imagine with respect to the term of an agreement.

[0745]

I will just say this for the member, and I think and I hope that the member knows this. Special events take place around the province on a regular basis. Whether they're Olympic events, whether they're hockey games at GM Place, whether it's the Celebration of Light in Vancouver — wherever there is a large gathering of people, there is a requirement to have paramedical coverage in the event that there is an injury or a public emergency.

For the life of me, I don't know why the member is so fixated and obsessed. Perhaps it's because he's a former

critic of the Olympics, but he continually talks about the Olympics.

As I have said, an issue that drove the term which we're here to discuss, and why we came up with this term, was to impose the lightest possible touch in terms of having to do this — to ensure that the term of the agreement was as short as could reasonably be expected to allow the independent commissioner to undertake their work to bring forward options which both parties agree are important, such that that can inform government as government moves forward to fix what is a broken structure.

A. Dix: Just so I understand, because the minister said that this is a one-year deal because of the commissioner. That's what he said. I just want to clarify. I mean, the issue of the duration of the deal was an issue in the dispute. I think the minister would acknowledge that — that the ambulance paramedics wanted a longer term. One year was on the table in March. So in February, January and March, that was what was on the table for the government side.

I assume that when the minister says the one-year term, which is the only thing that I think has ever been put on the table on the government side.... I may be mistaken. They put one year on the table in March. They put one year on the table in September. The negotiations started last December. Presumably, they put one year on the table, I had understood, because it was the desire of the government to match this agreement with the expiry dates of other collective agreements. That, I thought, had been the original explanation.

The minister just applied another explanation without mentioning that. I'm just perplexed because the explanations for these things change from time to time. They're sometimes one thing, and they're sometimes another thing. This is a very specific question about the term of the agreement and where it came from.

I think one of the challenges for the negotiations was that.... The fact that it was one year and the bonus was based on one year, whereas for everyone else it is based on three years, was a challenge for the union — right? Is my appreciation of the government's position correct — that it wasn't initially one year because of the commissioner? Or is my appreciation incorrect?

Hon. K. Falcon: It is certainly accurate that the employer didn't table an earlier offer with the commissioner in mind. That is very true. With the addition of a commissioner, with our shared belief with the union that the appointment of an independent industrial inquiry commissioner as being something that is important, that certainly was a factor.

What the member says is also true. Certainly, to align it with the expiration of other collective agreements is also accurate. The member is correct.

Sections 6 and 7 approved.

On the title.

R. Chouhan: I have just one question. I'll leave it up to the Chair to see if it's appropriate or not. The title of this act reads Bill 21 — 2009, Ambulance Services Collective Agreement Act. As I understood, this is being imposed on the paramedics. It is not a collectively negotiated agreement.

Why, then, is it called ambulance services collective agreement? I think the appropriate title should be Bill 21, "ambulance services imposed contract and no consultation" act.

The question to the minister is: would he consider changing the title to really express the true intent of this act?

[0750]

Hon. K. Falcon: No.

Title approved on division.

Hon. K. Falcon: I move that the committee rise and report the bill complete without amendment.

Motion approved on division.

The committee rose at 7:51 a.m.

The House resumed; Mr. Speaker in the chair.

Report and Third Reading of Bills

BILL 21 — AMBULANCE SERVICES COLLECTIVE AGREEMENT ACT

Bill 21, Ambulance Services Collective Agreement Act, reported complete without amendment, read a third time and passed on the following division:

[0755]

YEAS — 41

Horne	Letnick	Stewart
I. Black	Coell	McNeil
Chong	Polak	Krueger
Bennett	Hawes	Hogg
Thornthwaite	Hayer	Lee
Barnett	Bloy	Reid
Lekstrom	Falcon	Heed
de Jong	Hansen	Bond
Abbott	Penner	Coleman

Thomson	Cantelon	Les
Sultan	McIntyre	Rustad
Cadieux	van Dongen	Howard
Lake	Foster	Slater
Dalton		Pimm

NAYS — 25

S. Simpson	Fleming	Farnworth
James	Ralston	Popham
B. Simpson	Karagianis	Brar
Hammell	D. Routley	Horgan
Dix	Mungall	Chouhan
Macdonald	Simons	Gentner
Elmore	Donaldson	Fraser
B. Routley	Huntington	Coons
	Trevena	

Mr. Speaker: Hon. Members, the Lieutenant-Governor either is in the precinct or is going to be here shortly. If you would remain in your seats for the next four or five minutes, he should be in the chamber shortly.

[0800-0805]

His Honour the Lieutenant-Governor entered the chamber and took his seat on the throne.

Royal Assent to Bills

Clerk of the House:

Ambulance Services Collective Agreement Act
In Her Majesty's name, His Honour the Lieutenant-Governor doth assent to this act.

His Honour the Lieutenant-Governor retired from the chamber.

[Mr. Speaker in the chair.]

Hon. M. de Jong: Mr. Speaker, I wish all members a good week in the constituency. I move the House do now adjourn.

Hon. M. de Jong moved adjournment of the House.

Motion approved.

Mr. Speaker: This House stands adjourned until 10 a.m. on November 16.

The House adjourned at 8:10 a.m.

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