

**ONTARIO LEGISLATIVE STATUS REPORT**  
**38<sup>TH</sup> PARLIAMENT, 2<sup>ND</sup> SESSION**  
**MONTH OF MARCH 2007**

## **Government Bills**

**Bill 14**      **Access to Justice Act, 2005** (Attorney General)

This Bill proposes to amend a number of Acts pertaining to the administration of justice, including the *Limitations Act*. Section 11 of the Act, which provides that a limitation period does not run during the life of an agreement to have an independent third party resolve the claim or assist the parties in resolving it, would be clarified by the addition of a subsection stating that how the independent third party is funded is irrelevant so long as it acts on an impartial basis.

Limitation periods established by the Act currently apply despite agreements to vary or exclude them. The only exception is for an agreement made before January 1, 2004, the day the new Act came into force. This Bill would add two further exceptions for agreements made on or after the day the Bill receives Royal Assent:

1. An agreement made by parties who are all acting for business purposes.
2. An agreement to suspend or extend a limitation period.

This Bill also proposes to make a consequential amendment to the *Construction Lien Act* by removing language referring to a party's counsel and/or agent, and substituting for it language referring to a person authorized under the Law Society Act to represent a party.

- First Reading October 27, 2005.
- Debated at Second Reading: February 13, 14, April 5 and 11, 2006.
- Passed at Second Reading and referred to the Standing Committee on Justice Policy: April 11, 2006.
- Considered by the Standing Committee on Justice Policy: April 26 & 27, September 5,6,7,11,12,13,14,20,21,22,27 & 28, 2006
- Reported back from Committee with amendments: September 28, 2006.
- Ordered for Third Reading: September 28, 2006.
- Debated at Third Reading: October 5, 16 & 18, 2006.
- Passed at Third Reading: October 19, 2006.
- Received Royal Assent: October 19, 2006.

**Bill 21**      **Energy Conservation Responsibility Act, 2005** (Minister of Energy)

This Bill provides the framework for the installation of smart meters in 800,000 homes and businesses by 2007, and in all homes and businesses by 2010. The Bill also sets the framework for an entity that will oversee Ontario's smart metering communications systems and technologies.

The Bill would also require Ministries, agencies and broader public sector organizations to prepare and publish conservation plans on a regular basis. The plans would include reports on energy consumption, proposed conservation measures, and progress on energy conservation. It would further require government ministries and agencies to factor in conservation and energy efficiency in their procurement and capital investment decisions.

Moreover, the Bill would remove barriers to energy conservation that may exist in current codes or by-laws, and could also require that energy efficiency and usage information be made available when homes are being sold.

Finally, the Bill would facilitate agreements between the government and other sectors to collaborate on conservation programs. Agreements could involve co-operation on research, conservation benchmarking and improvements to facilities.

- First Reading November 3, 2005.
- Debated at Second Reading: November 22, 30 and December 12, 2005.
- Passed at Second Reading and referred to the Standing Committee on Justice Policy: December 13, 2005.
- Reported back from Committee with amendments: February 15, 2006.
- Debated at Third Reading: February 20, 23 and 27, 2006.
- Passed at Third Reading: February 27, 2006.
- Received Royal Assent: March 28, 2006.

**Bill 43**      **Clean Water Act, 2005** (Minister of the Environment)

This Bill, if passed, would require municipalities and conservation authorities to map the sources of municipal drinking water supply, including vulnerable areas that may need protection. Local communities would be directed to monitor any activity that could potentially threaten water quality or quantity and take action to reduce or remove that threat.

To that end, the Bill proposes to establish source protection committees, who will be responsible for developing source protection plans. If a source protection plan is in effect in a source protection area, certain decisions made under the *Planning Act* or the *Condominium Act, 1998* would be required to conform with the source protection plan. In the case of conflict, the source protection plan would prevail over an official plan or a zoning by-law.

This Bill further proposes to amend the *Building Code Act, 1992* to permit the Lieutenant Governor in Council to establish maintenance inspection programs administered by principal authorities to enforce certain standards that are prescribed under the building code in relation to sewage systems. The amendments also allow principal authorities to establish other maintenance inspection programs.

Finally, the *Planning Act* would be amended to permit local municipalities to pass zoning by-laws prohibiting the use of land and the erection or use of buildings on land that contains a sensitive ground water feature or a sensitive surface water feature or that is within an area identified as a vulnerable area in a drinking water source protection plan that has taken effect under the *Clean Water Act, 2005*.

- First Reading December 5, 2005.
- Debated at Second Reading: April 12, May 3, May 15 and May 17, 2006.
- Passed at Second Reading and referred to the Standing Committee on Social Policy: May 18, 2006.
- Considered by the Standing Committee on Social Policy: August 21, 22, 23, 24, 25 & September 11&12, 2006.
- Reported back from committee with amendments: September 25, 2006.
- Ordered for Third Reading: September 25, 2006.
- Debated at Third Reading: October 2, 3, 10 & 17, 2006.
- Passed at Third Reading: October 18, 2006.
- Received Royal Assent: October 19, 2006.

**Bill 51**      **Planning and Conservation Land Statute Law Amendment Act, 2005**  
(Minister of Municipal Affairs and Housing)

This Bill proposes to make numerous amendments to the *Planning Act*. Most of these would modify aspects of the land use planning process, provide additional tools for implementation of provincial policies and give further support to sustainable development, intensification and brownfield redevelopment.

The Bill also proposes to amend the *Conservation Land Act* with respect to conservation easements and covenants. The purposes for which conservation easements and covenants may be established under the *Conservation Land Act* would be expanded to include protection of water quality and quantity, watershed protection and management, and further purposes that may be added by regulation. Technical amendments would be made to facilitate the creation and preservation of conservation easements and covenants. Construction and demolition on land that is subject to a conservation easement or covenant would require the consent of the conservation body that is a party to the easement or covenant.

- First Reading: December 12, 2005.
- Debated at Second Reading: April 19, 24 and 26, 2006
- Passed at Second Reading and referred to the Standing Committee on General Government: April 26, 2006.
- Considered by the Standing Committee on General Government: August 3, 8, 9, 29 & 30, 2006.
- Reported back from Committee with amendments: September 25, 2006.
- Ordered for Third Reading: September 25, 2006.
- Debated at Third Reading: October 2 & 11, 2006.
- Passed at Third Reading: October 12, 2006
- Received Royal Assent: October 19, 2006

**Bill 53**      **Stronger City of Toronto for a Stronger Ontario Act, 2005** (Minister of Municipal Affairs and Housing)

This Bill proposes to establish a new City of Toronto Act, which would provide new powers to the city, particularly in the areas of taxation and regulation-making.

Of note, the City would have the authority to pass by-laws requiring and governing the use of green roofs. The Bill also includes provisions dealing with certain land use planning powers of the City, including the demolition or conversion of residential rental properties and the zoning requirements respecting height and density.

This Bill also proposes to make certain amendments the *Ontario Heritage Act*, including a provision requiring the owner of a property that is of cultural heritage to not demolish or remove a building or structure unless the owner gives the municipal council at least 60 days written notice of the owner's intention to apply for a demolition permit.

- First Reading: December 14, 2005.
- Debated at Second Reading: February 13, 27, April 7 and 10, 2006.

- Passed at Second Reading and referred to the Standing Committee on General Government: April 10, 2006.
- Considered by the Standing Committee on General Government: April 26, May 1, 3, 8, 10, 15, 17, 29 and 30, 2006.
- Reported back from Committee with amendments: May 30, 2006.
- Debated at Third Reading: June 6, 8, and 12, 2006.
- Passed at Third Reading: June 12, 2006.
- Received Royal Assent: June 12, 2006.

**Bill 56**      **Emergency Management Statute Law Amendment Act, 2006** (Minister of Community Safety and Correctional Services)

This Bill proposes to amend the *Emergency Management Act* and make consequential amendments to the *Employment Standards Act, 2000* and the *Workplace Safety and Insurance Act, 1997*.

The primary purpose of this Bill is to provide emergency powers to the Lieutenant Governor in Council and to the Premier to deal with emergencies. During a declared emergency, the Lieutenant Governor in Council may make emergency orders that the Lieutenant Governor in Council believes are necessary and essential to prevent, reduce or mitigate serious harm or substantial damage if, in the opinion of the Lieutenant Governor in Council, the harm or damage will be alleviated by the order and making an order is a reasonable alternative to other measures that might be taken to address the emergency.

Orders may be made in respect of many matters, including the regulation or prohibition of travel to or from a specified area, the evacuation of persons and the removal of personal property from a specified area, the establishment of facilities for the care, welfare, safety and shelter of individuals, the construction of works and the restoration of necessary facilities, the procurement of necessary goods, services and resources, the fixing of prices for necessary goods, services and resources and the prohibition against charging unconscionable prices for such goods, services and resources, the authorization of any person to render services of a type the person is qualified to render and the requirement to collect, use or disclose necessary information.

The *Employment Standards Act, 2000* would be amended to provide employees with the right to unpaid leave in certain circumstances arising from declared emergencies. The *Workplace Safety and Insurance Act, 1997* would also be amended to reflect changes made to the *Emergency Management Act* by the Bill.

- First Reading: December 15, 2005.
- Debated at Second Reading: March 29, April 6, 10 and 24, 2006.

- Passed at Second Reading and referred to the Standing Committee on Justice Policy: April 25, 2006.
- Considered by the Standing Committee on Justice Policy: May 11, 15 and 31, 2006.
- Reported back from Committee with amendments: June 1, 2006.
- Debated at Third Reading: June 7 and 12 2006.
- Passed at Third Reading: June 13, 2006.
- Received Royal Assent: June 20, 2006.

**Bill 69      Regulatory Modernization Act, 2006 (Minister of Labour)**

This Bill proposes to create a new Act entitled the *Regulatory Modernization Act, 2006*, which would empower Ministers to authorize the collection, use and disclosure of certain information, including identification of an organization and activities of the organization under legislation.

This Bill would also empower Ministers to authorize the same person or class of persons to exercise functions under multiple Acts. Moreover, a person who, in the course of exercising functions under one Act or regulation observes something that may be relevant to another Act or regulation, would have the authority to share that information with someone who administers or enforces the other legislation to which the observation may be relevant.

This bill would further enable a prosecutor to request that the court treat a previous conviction as an aggravating factor when determining the appropriate penalty for a subsequent conviction.

- First Reading February 27, 2006.
- Debated at Second Reading: October 25, November 14 & 20, 2006.
- Passed at Second Reading and referred to the Standing Committee on General Government: November 20, 2006.
- Considered by the Standing Committee on General Government: March 26 & 28, 2007.
- Reported back from Committee with amendments: March 29, 2007.

**Bill 81      Budget Measures Act, 2006 (Minister of Finance)**

This Bill proposes to implement measures contained in the 2006 Ontario Budget and enacts, amends and repeals various Acts. Of note, this Bill would amend the *Corporations Tax Act* to reduce the rate of capital tax for 2007 and 2008 by 5 per cent of the current capital tax rate.

In addition, this Bill would enact a new statute entitled the Ontario Infrastructure Projects Corporation Act, 2006. The new Act would govern the Ontario Infrastructure Projects Corporation, which is a corporation that is continued through the amalgamation of the Ontario Strategic Infrastructure Financing Authority and the Ontario Infrastructure Projects Corporation.

The objects of the Corporation include providing financing for municipalities and other public bodies for purposes specified in the regulations, providing advice to the Minister of Public Infrastructure Renewal in respect of infrastructure projects and undertaking project management and contract management of infrastructure projects assigned to the Corporation by that Minister.

The Minister of Public Infrastructure Renewal would also have the authority to issue policies and directives to the Corporation and any related entity.

- First Reading: March 23, 2006.
- Debated at Second Reading: April 13, 18, 25 and May 1, 2006.
- Passed at Second Reading and referred to the Standing Committee on Finance and Economic Affairs: May 2, 2006.
- Considered by the Standing Committee on Finance and Economic Affairs: May 4, 2006.
- Reported back from Committee without amendments: May 8, 2006.
- Debated at Third Reading: May 10, 2006.
- Passed at Third Reading: May 10, 2006.
- Received Royal Assent: May 18, 2006.

**Bill 104**      **Greater Toronto Transportation Authority Act, 2006** (Minister of Transportation)

This Bill proposes to establish the Greater Toronto Transportation Authority (GTTA).

The objects of the GTTA are to provide leadership in the co-ordination, planning, financing and development of a multi-modal transportation network that conforms with the transportation policies of growth plans prepared and approved under the *Places to Grow Act, 2005* and to be the central procurement agency for Ontario municipalities of local transit system vehicles and related equipment, technologies, facilities, supplies and services. The regional transportation area is defined as the area that includes the geographic areas of the City of Toronto, the City of Hamilton,

The Regional Municipality of Durham, The Regional Municipality of Halton, The Regional Municipality of Peel and The Regional Municipality of York and any additional prescribed areas.

This Bill would also dissolve the Greater Toronto Transit Authority (commonly known as GO Transit) and repeal the *GO Transit Act, 2001*. Upon the repeal of the *GO Transit Act, 2001*, the GTTA would take over GO Transit's duties and powers respecting the regional transit system.

The board of directors of the GTTA would be comprised of two persons recommended by the Minister of Transportation and appointed by the Lieutenant Governor in Council (to be the chair and vice-chair of the board), four persons recommended to the Minister by Toronto city council and appointed by the Lieutenant Governor in Council, and one person recommended to the Minister by each of Hamilton city council, Durham municipal council, Halton municipal council, Peel municipal council and York municipal council and appointed by the Lieutenant Governor in Council.

- First Reading: April 24, 2006.
- Debated at Second Reading: May 1, 4 and 10, 2006.
- Passed at Second Reading and referred to the Standing Committee on Finance and Economic Affairs: May 10, 2006.
- Considered by the Standing Committee on Finance and Economic Affairs: June 1 and 8, 2006.
- Reported back from Committee with amendments: June 8, 2006.
- Debated at Third Reading: June 19 and 22, 2006.
- Passed at Third Reading: June 22, 2006.
- Received Royal Assent: June 22, 2006

**Bill 124**      **Fair Access to Regulated Professions Act, 2006** (Minister of Citizenship and Immigration).

The purpose of the Bill is to help ensure that regulated professions and individuals applying for registration by regulated professions are governed by registration practices that are transparent, objective, impartial and fair. The Bill provides the general and specific duties set out for regulated professions in order to encourage transparency.

In addition, it allows for an appointment of a fair registration practices commissioner. This Fairness Commissioner will assess the registration practices of regulated professions, along with overseeing the auditing of these professions in order to ensure compliance with the Bill.

This legislation also provides for the Access Centre for Internationally Trained Individuals to provide information and assistance to

internationally trained individuals and others who are applicants or potential applicants for registration by a regulated profession with respect to the requirements for registration, procedures for applying for registration and opportunities for internships and mentorships.

Part VIII of the legislation provides for offences under the Bill, conflicts with other legislation, immunity from civil proceeding for officials under the Bill and related matters and regulation-making powers.

- First Reading: June 8, 2006.
- Debated at Second Reading: October 3, 10, & 19, 2006.
- Passed at Second Reading and referred to the Standing Committee on Regulations and Private Bills: October 19, 2006.
- Considered by the Standing Committee on Regulations and Private Bills: November 21 & 22, December 6 & 7, 2006.
- Reported back from Committee with amendments: December 11, 2006.
- Debated at Third Reading: December 12, 2006.
- Passed at Third Reading: December 12, 2006.
- Received Royal Assent: December 20, 2006

**Bill 130**      **Municipal Statute Law Amendment Act, 2006** (Minister of Municipal Affairs and Housing)

The proposed Municipal Statute Law Amendment Act, 2006 focuses on replacing prescribed, or very specific, powers with broad permissive powers. The intent is to provide municipal governments with more flexibility in meeting their communities' expectations and fulfilling their responsibilities. For single-tier municipalities (e.g., City of Ottawa, City of Hamilton and Prince Edward County), broad permissive powers are proposed that would enable a municipality to pass bylaws in respect of structures, including fences and signs; business licensing; and the health, safety and well-being of persons; among many more.

Both upper-tier municipalities (e.g., Region of Durham, Region of Peel and Grey County) and lower-tier municipalities (e.g., City of Oshawa, City of Brampton and City of Owen Sound) also have access to these broad powers, but those powers that are exclusive to the upper- or lower-tier under the existing Municipal Act, 2001 would remain exclusive.

The following is a list of a few municipal responsibilities that would be affected by the proposed legislation:

- **Business Regulation** — Municipalities would have broad powers to license businesses, subject to certain limits. Specific new powers would provide municipalities with the authority to administratively

suspend a licence prior to a hearing where there was a danger to health or safety. Municipalities would also be able to require the payment of an administrative penalty for failure to comply with any part of a system of licences.

- Municipalities would have broad authority to establish business corporations, subject to provincial regulation making authority where there is an overriding provincial interest.
- General Policies to Replace Specific Provisions — Municipalities would be required to adopt policies for:
  - The sale and other disposition of land
  - Hiring
  - Procurement
  - When and under what circumstances notice is given
  - Accountability and transparency of municipal operations
  - Ensuring the rights of persons affected by council's decisions
  - Delegation of municipal powers and duties.

Housing — Municipalities would have the authority to prohibit and regulate the demolition or conversion of residential rental properties with six or more dwelling units

- First Reading: June 15, 2006.
- Debated at Second Reading: September 25 & 26 and October 12, 2006.
- Passed at Second Reading and referred to the Standing Committee on General Government: October 12, 2006.
- Considered by the Standing Committee on General Government: November 15, 20, 22, 27, 29 and December 4, 6 & 11, 2006.
- Reported back from Committee with amendments: December 12, 2006.
- Debated at Third Reading: December 18, 2006.
- Passed at Third Reading: December 19, 2006.
- Received Royal Assent: December 20, 2006.

**Bill 151      Budget Measures Act, 2006 (No.2) (Finance)**

This Bill proposes to implement measures contained in the 2006 Ontario Budget and enacts, amends and repeals various Acts. Of note, this Bill would amend the Assessment Act so that for the 2006, 2007, and 2008 taxation years, land valued as of January 1, 2005 rather than as of January 1 of the preceding tax year.

In addition, the bill would amend the Ontario Infrastructure Projects Corporation Act, 2006 to allow the Corporation to hold an interest in real or other property with respect to infrastructure projects concerning public works that are assigned to it and may carry out other activities with respect to premises, buildings and structures that are public works relating to an infrastructure project.

- First Reading: October 18, 2006
- Debated at Second Reading: October 31, 31 & November 1 & 14, 2006.
- Passed at Second Reading and referred to the Standing Committee on Finance and Economic Affairs: November 15, 2006.
- Considered by the Standing Committee on Finance and Economic Affairs: November 23, 2006.
- Reported back from committee with amendments: November 27<sup>th</sup>, 2006.
- Ordered for Third Reading: November 27<sup>th</sup>, 2006.
- Debated at Third Reading: December 5, 2006.
- Passed at Third Reading: December 6, 2006.
- Received Royal Assent: December 20, 2006.

**Bill 152****Consumer Protection and Service Modernization Act (Minister of Government Services)**

The proposed Consumer Protection and Service Modernization Act focuses on a number of different consumer protection legislative changes including:

- Combating identity theft by giving consumers the right to have fraud alerts placed on their credit report to help stop identity thieves from using their personal information to commit fraud.
- Amending the Land Titles Act to ensure that ownership of a property cannot be lost as a result of the registration of a falsified mortgage, fraudulent sale or a counterfeit power of attorney.
- Amending the Liquor Licence Act to improve public safety and increase service delivery. Other regulatory and policy changes would protect bar patrons from dangers such as date rape drugs.
- Strengthening provisions to deal with unsafe electrical products by increasing enforcement powers for the Electrical Safety Authority.

- Significantly modernizing the province's corporate and business laws by improving corporate governance and increasing shareholder protection.

The legislation also includes proposed changes to enhance ServiceOntario to make it easier for Ontarians to access government services. The proposed amendments will enable ServiceOntario to deliver services on of partner ministries while continuing to protect the personal information of their customers.

- First Reading: October 19, 2006.
- Debated at Second Reading: October 26, 30 & November 2 & 15, 2006.
- Passed at Second Reading and referred to the Standing Committee on Social Policy: November 16, 2006.
- Considered by the Standing Committee on Social Policy: November 27 & 28 and December 4 & 5, 2006.
- Reported back from Committee with amendments: December 6, 2006
- Debated at Third Reading: December 11, 2006.
- Passed at Third Reading: December 12, 2006.
- Received Royal Assent: December 20, 2006.

**Bill 155**      **Electoral System Referendum Act, 2006** (Minister of Democratic Renewal)

The Electoral System Referendum Act, 2006 provides that if the Citizens' Assembly on Electoral Reform recommends the adoption of an electoral system different from Ontario's current one, a referendum on the recommended electoral system shall be held in conjunction with the 2007 general election. The referendum question will be established by an order of the Lieutenant Governor in Council.

The result of the referendum is binding if the recommended electoral system is selected in,

- (a) at least 60 per cent of all the valid referendum ballots cast; and
- (b) more than 50 per cent of the valid referendum ballots cast in each of at least 64 electoral districts.

Provision is made for regulations governing the referendum campaign and referendum campaign finances. These could require referendum campaign organizers to register with the Chief Election Officer and to provide financial reports, and could establish contribution limits and spending limits.

- First Reading: October 24, 2006.

- Debated at Second Reading: November 16, 20, 28 & December 14, 2006.
- Passed at Second Reading and referred to the Standing Committee on the Legislative Assembly: December 18, 2006.
- Considered by the Standing Committee on the Legislative Assembly: February 5 & 13, 2007.
- Reported back from committee with amendments: March 19, 2007.
- Ordered for Third Reading: March 19, 2007.
- Debated at Third Reading: March 21, 2007.

**Bill 173**      **Legislative Assembly Statute Law Amendment Act, 2006** (Minister of Democratic Renewal)

This bill proposes to amend the *Legislative Assembly Act* to provide that the annual salary of a member of the Assembly (MPP) shall be equal to 75 per cent of the annual sessional allowance paid to members of the House of Commons. This would in turn equal an approximate 25% pay increase to MPP's. As well, this bill amends the MPP's Pension Act, 1996 to increase the annual contributions to an MPP's registered plan account from 5% currently to 10% annually.

- First Reading: December 12, 2006.
- Debated at Second Reading: December 18 & 19, 2006.
- Passed at Second Reading and referred to the Standing Committee on the Legislative Assembly: December 20, 2006
- Discharged by the Standing Committee on the Legislative Assembly: December 20, 2006.
- Debated at Third Reading: December 20, 2006.
- Passed at Third Reading: December 21, 2006.
- Received Royal Assent: December 21, 2006.
- 

**Bill 174**      **Strengthening Business through a Simpler Tax System Act, 2006**  
(Minister of Finance)

This legislation builds on a Memorandum of Agreement between Ontario and the Federal Government, signed in October, which would see businesses file a single combined federal and Ontario corporate income tax return for taxation years ending after 2008. Combined corporate tax installments to the Canada Revenue Agency (CRA) would start in 2008. This agreement will reduce compliance costs for businesses and enable the CRA to streamline service and reduce administrative costs. Benefits to Ontario businesses may include:

- A single tax form.

- A single tax collector. The CRA will collect both federal and Ontario corporate income tax and administer the province's capital tax.
- One set of income tax rules.

- First Reading: December 13, 2006.

**Bill 187 Budget Measures and Interim Appropriation Act, 2007 (Minister of Finance)**

This Bill proposes to implement measures contained in the 2007 Ontario Budget and enacts, amends and repeals various Acts.

This Budget Bill includes amendments to the WSIA, 1997 (Workplace Safety and Insurance Act). These amendments to benefit injured workers are likely to cost employers money through increasing annual WSIB premiums to cover the increased benefits dictated by these provisions. The amendments include: increases to the indexation of pensions for workers who do not receive a 100% pension; unlocking the 72 month cap – revisiting benefits if a worker's condition has deteriorated; Labour Market Re-entry now focused on available work not employability' and increasing the WSIB Board of Directors from 7 persons to 9.

In addition, other features of the budget include:

- Reducing the Business Education Tax Rates over 7 years so that the 2014 ceiling will be 1.6%.
- Continued commitment to elimination of the Capital Tax by 2010.
- Further measures to support implementation of corporate tax harmonization for taxation years ending after 2008.
- The Extension of the Apprenticeship Tax Credit through 2012
- One-time doubling from \$70 million to \$140 million of funding for the Rural Infrastructure Investment Initiative
- One time investment of \$25 million dedicated to Municipal Roads.
- \$25 million to support upgraded and new equipment in union-employer training centres.

- First Reading: March 22, 2007.

**Bill 190 Good Government Act, 2005 (Attorney General)**

This Bill proposes to amend or repeal a number of Acts. Of interest, the Bill proposes to enact section 68.1 of the *Occupational Health and Safety Act*. This section allows a Director under the Act to publish or otherwise

publicly disclose the name of a person convicted of an offence under the Act, a description of the offence, the date of the conviction and the person's sentence.

- First Reading: April 27, 2005.
- Continued from the First Session as a Bill of the Second Session by Order of the House dated June 13, 2005.
- Debated at Second Reading: April 4, 2006.
- Passed at Second Reading and referred to the Standing Committee on Social Policy: April 4, 2006.
- Referral discharged and Ordered referred to the Standing Committee on the Legislative Assembly: April 6, 2006.
- Reported back from Committee with amendments: April 24, 2006.
- Debated at Third Reading: June 22, 2006.
- Passed at Third Reading: June 22, 2006.
- Received Royal Assent: June 22, 2006.

## Private Members' Bills

**Bill 35**      **Occupational Health and Safety Amendment Act (Harassment), 2005**  
(Ms. Churley, NDP - Toronto-Danforth)

This Bill proposes to amend the *Occupational Health and Safety Act* to require employers to protect workers from harassment in the workplace, to give workers the right to refuse to work in certain circumstances after harassment has occurred, to require an investigation of allegations of workplace-related harassment and to require employers to take steps to prevent further occurrences of workplace-related harassment.

- First Reading: November 22, 2005.
- Order for Second Reading discharged and Bill withdrawn: November 30.

**Bill 45**      **Occupational Health and Safety Amendment Act (Harassment), 2005**  
(Ms. Horwath, NDP - Hamilton East)

This Bill proposes to amend the *Occupational Health and Safety Act* to require employers to protect workers from harassment in the workplace, to give workers the right to refuse to work in certain circumstances after harassment has occurred, to require an investigation of allegations of workplace-related harassment and to require employers to take steps to prevent further occurrences of workplace-related harassment.

- First Reading December 6, 2005.

**Bill 95**      **Employment Statute Law Amendment Act (Informing Students of their Employment Rights), 2006** (Ms. Horwath, NDP - Hamilton East)

This Bill proposes to amend the *Employment Standards Act, 2000* and the *Occupational Health and Safety Act* to require employers to give their student employees specified information about both Acts by posting a poster in workplaces and providing copies of a booklet.

- First Reading: April 6, 2006.
- Debated at Second Reading: May 10, 2006.
- Passed at Second Reading and referred to the Standing Committee on Regulation and Private Bills: May 10, 2006.

**Bill 98**      **Increase in Electricity Consumption Reporting Act, 2006** (Mr. Lalonde, Liberal - Glengarry-Prescott-Russell)

This Bill proposes to enact the *Increase in Electricity Consumption Reporting Act, 2006*. The Act would require that every person who causes

a building to be constructed report the anticipated annual electricity use, in the case of a new building, or the annual increase, if any, in electricity use in a building that is being extended, materially altered or repaired. The report is made to the chief building official in a municipality. On an annual basis, the chief building official is required to report to the Minister of Energy on the anticipated annual increase in electricity use in the municipality based on the reports he or she has received. The Minister shall use this information in planning for the energy needs of the Province.

- First Reading: April 10, 2006.

**Bill 111**      **Workplace Safety and Insurance Amendment Act (Bob Shaw), 2006**  
(Ms. Horwath, NDP - Hamilton East). First Reading May 4, 2006

This Bill proposes to amend the *Workplace Safety and Insurance Act, 1997* by creating two rebuttable presumptions relating to health conditions affecting firefighters.

- Subsection 15.1 (3) states that if a firefighter gets certain types of cancer or a degenerative neurological disease, the cancer or disease is presumed to be an occupational disease that occurred due to employment as a firefighter. The presumption applies for a cancer or disease if the worker has worked as a firefighter during at least the prescribed period or series of periods.
  - Subsection 15.1 (7) states that if a firefighter suffers heart damage while attending at a fire or emergency, or within 24 hours after attending at a fire or emergency, the heart damage is presumed to be a personal injury by accident that occurred due to employment as a firefighter.
- 
- First Reading: May 4, 2006.
  - Debated at Second Reading: October 5, 2006.
  - Passed at Second Reading and referred to the Standing Committee on General Government: October 5, 2006.

**Bill 119**      **Employment Standards Amendment Act (Wage Security), 2006** (Mr. Kormos, NDP - Niagara Centre).

The Bill proposes to amend the *Employment Standards Act, 2000* by adding Part XV.1, which establishes the Employee Wage Security Program and provides for the appointment of a Program Administrator. Under the Program, employees will be eligible for compensation for certain types of unpaid wages.

- First Reading: May 31, 2006.

**Bill 125**      **Ontario Labour Market Board Act, 2006** (Mr. Hampton, NDP - Kenora-Rainy River).

The Bill proposes to establish the Ontario Labour Market Board ("OLMB"), a Crown agency which is to assume broad responsibility for the promotion, co-ordination, design and provision of programs and services with respect to labour force training and adjustment.

- First Reading: June 8, 2006.

**Bill 127**      **Employment Standards Amendment Act, 2006** (Mr. Hampton, NDP - Kenora-Rainy River).

This Bill proposes to make several amendments to the *Employment Standards Act, 2000*.

- Subsection 58 (1) of the Act requires an employer who terminates the employment of 50 or more employees in the same four-week period to give notice of termination "for the prescribed period". Notice periods are prescribed in Ontario Regulation 288/01, which requires eight weeks notice if up to 199 employees are being terminated, 12 weeks notice for 200 to 499 employees, and 16 weeks for 500 or more employees. The Bill provides for increased notice periods (16, 20 and 24 weeks, respectively), building them into the Act itself, and adds the requirement of a mass layoff agreement between labour and management, dealing with such matters as retraining and restructuring options. If no mass layoff agreement is reached, a uniform 52-week notice period applies instead of the 16, 20 and 24-week periods.
  - Section 64 of the Act provides that an employee is entitled to severance pay if he or she has worked for the employer for at least five years and the employer has a payroll of at least \$2.5 million. The Bill reduces the qualifying period of employment to one year and the payroll level to \$1 million.
  - Under section 65 of the Act, severance pay is calculated as one week's pay for each year of employment. The Bill increases this to two weeks' pay for each year of employment. Subsection 65 (5) of the Act, which caps severance pay at a 26-week maximum, is repealed.
- First Reading: June 8, 2006.

**Bill 150      Employment Standards Amendment Act (Raising the Minimum Wage), 2006** (Ms. DiNova, NDP – Parkdale-High Park)

This Bill proposes to amend the *Workplace Safety and Insurance Act, 2000* to provide that the general minimum wage is either \$10 an hour or the prescribed minimum wage (by regulation), whichever is greater. Currently the *Employment Standards Act, 2000* provides that minimum wage rates are to be prescribed by regulation, however, this legislation dictates that a regulation prescribing the minimum wage rate cannot prescribe a rate lower than the rate for any previous time period.

- First Reading: October 17, 2006.
- Debated at Second Reading: November 2, 2006.
- Passed at Second Reading and referred to the Standing Committee on Estimates: November 2, 2006.

**Bill 162      Workplace Safety and Insurance Amendment Act (Indexing), 2006** (Ms. Howarth, NDP – Hamilton East)

Currently, the *Workplace Safety and Insurance Act, 1997* provides for two indexing factors to be applied each year to amounts payable under Part VI (Insured Payments). The indexing factor to be used depends on the type of payment. One indexing factor is equal to the percentage change in the Consumer Price Index. The other indexing factor is calculated by reducing the percentage change in the Consumer Price Index according to a formula set out in the Act.

The Bill amends the Act to remove the reduced indexing factor. The Bill also provides for the unreduced indexing factor to apply to all payments made on or after January 1, 1994. If any payment made to a person on or after that date was less than the amount that would have been paid using the unreduced indexing factor, the Board must pay the difference to the person.

- First Reading: November 22, 2006.

**Bill 164      Community Right to Know Act (Disclosure of Toxins and Pollutants), 2006** (Mr. Tabuns, NDP – Toronto-Danforth)

The Bill adds a provision to the Consumer Protection Act, 2002 that prohibits prescribed suppliers from supplying a consumer with goods or services that expose the consumer to certain toxic chemicals, unless the supplier has first warned the consumer of the possible exposure. It is an offence under the Act to contravene the provision.

The Bill amends the Environmental Protection Act to require the Minister of the Environment to establish a pollutant inventory containing a variety of information relating to the release of pollutants into the environment and the environmental and health effects of such pollutants.

The Bill amends the Occupational Health and Safety Act to require employers to provide to the local fire department all material safety data sheets required by Part IV of the Act. Currently, the employer must provide the sheets only if requested to do so by the fire department or required to do so by regulation

- First Reading: November 23, 2006.
- Debated at Second Reading: November 30, 2006.
- Passed at Second Reading and referred to the Standing Committee on Regulations and Private Bills: November 30, 2006
- Discharged from the Standing Committee on Regulations and Private Bills and referred to the Standing Committee on the Legislative Assembly: March 26, 2007.

**Bill 168**      **Workplace Safety and Insurance Amendment Act, 2006** (Mr. Gravelle, Liberal - Thunder Bay-Superior North)

The Bill amends the *Workplace Safety and Insurance Act, 1997* by creating a single general indexing factor based on the percentage change in the Consumer Price Index for the previous year.

- First Reading: December 5, 2006.

**Bill 168**      **Workplace Safety and Insurance Amendment Act, 2006** (Ms. Mossop, Liberal – Stoney Creek)

The Bill amends the *Workplace Safety and Insurance Act, 1997* to address the deeming issue within the *WSIA*. In effect, this bill will extend worker's benefits. The bill amends the act so that the WSIB will consider employment or business positions which are both suitable and available to the worker when determining the worker's post injury earnings. Currently, the Act only requires the Board to consider suitable employment or business positions and not whether they are also available to the worker.

In addition this bill will permit additional circumstances when the Board may review a worker's loss of earnings benefit after the 72 month lock-in.

- First Reading: December 19, 2006.

**Bill 192 Labour Relations Amendment Act (Replacement Workers), 2007 (Mr. Kormos, NDP - Niagara Centre)**

The purpose of this legislation is to prevent an employer from replacing striking or locked-out employees with replacement workers. The Bill allows replacement workers to be used only in emergencies.

- First Reading: March 29, 2007.