

QP BRIEFING

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1). NDP ACCUSE MTO OF ROLLING THE DICE WITH SAFETY IN WAKE OF NIPIGON BRIDGE REPORTS

By: Sabrina Nanji

The New Democrats hurled accusations that the Ministry of Transportation knew in advance of potential design flaws of the Nipigon River Bridge and, instead of taking steps to correct them, decided to "roll the dice" with public safety.

NDP MPP Michael Mantha made the allegations during Monday's question period, referring to recently released reports detailing that design flaws and overloaded bolts are what caused the Nipigon River Bridge to fail in January.

According to MTO's own 100-page report, in October 2015 (about a month before the bridge opened to traffic), the ministry received a "non-conformance report" that identified bolts on the southwest bearing were "too long" and that structural steel washer plates should be installed under each of the bolts as a corrective measure.

However the non-conformance report failed to outline certain technical details for the solution, including the proper installation method and appropriate material grade for said washers. Nor did the solution account for the slope of the "shoe plate."

"Despite these uncertainties, the proposal of the (non-conformance report) was accepted by the MTO on October 21, 2015. However, the washer plates were never installed," the ministry's report reads.

Mantha charged the government with playing fast and loose with the public's safety.

"The engineers told the ministry there was still a problem, but the ministry approved it anyway and then didn't install the parts. Why did MTO roll the dice with people's lives and allow bridge to open when they knew there were still problems with this bearing assembly?"

Did the minister know about these problems with the bridge? And if so, why did he allow the bridge to open without making absolutely sure that the bearing assembly would hold?" Mantha said during question period.

However, Transportation Minister Steven Del Duca told reporters at Queen's Park afterward that he was not aware of any bolt-specific reports made to the ministry prior to the final ones, on which he said he had been briefed a few days before they were released last week.

Del Duca was also quick to dismiss Mantha's allegations.

"I'm not going to comment with respect to some of the implied allegations that are contained in the followup question from that member. I will say, as I said in my original answer, that the safety of the travelling public is the No. 1 priority for the Ministry of Transportation," he said during question period.

He added that the government's next course of action will be to determine where the responsibility lies, and who will be on the hook for the up to \$12-million cost to permanently repair the Nipigon Bridge.

"There is a process within the contract itself with respect to dealing with how claims might be dealt with. That will take a little bit of time for us to work through," Del Duca said, adding that the process is already underway.

"When you take a look at the entire picture, there's a fair degree of responsibility to go around and we want to make sure we can apportion that responsibility in the most appropriate way."

The government's hotly anticipated internal reports, as well as two independent tests on the bolts themselves, revealed last week that the \$106-million bridge, near Thunder Bay, malfunctioned in part because of the design of the shoe plate, which increased pressure and "resulted in the bolt heads/nuts bending, stretching and eventually breaking." A lack of rotation in the bearing increased pressure on the bolts, causing them to break; as well, the bolts themselves were improperly tightened. Back in January, 40 bolts fastened at the northwest bearing of the Nipigon River Bridge failed and caused the corner of the bridge to elevate 60 centimetres, making the bridge impassable.

Following the reports' release, the Professional Engineers Government of Ontario (PEGO) called out the ministry for somewhat limiting the scope of its own investigation, and recommended the government set up an independent "Office of the Chief Engineer." The chief would perform audits of the government's delivery of engineering services, provide oversight and advice to the government on engineering issues, fulfill the regulatory approval functions required under various legislation, and independently investigate engineering failures.

PEGO also wants "legislative authority" for government engineers that will ensure compliance with the government's rules for highway infrastructure.

"It is clear that the mandate (of the engineers conducting the report) was not comprehensive to include examination of the processes or safeguards that failed to prevent the unfortunate sequence of events despite numerous decision points in the process where sufficient expertise may have identified the dangers prior to the failure. Indeed the scope of the investigation seems to preclude examining the Ministry's own role in the unfortunate series of events from the outset," PEGO said in a statement.

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2). NEW WORKING GROUP WILL CHART ONTARIO'S COURSE TO CLOSE GENDER PAY GAP BY 2018

By: Sabrina Nanji

Ontario's labour minister has been tasked with designing a plan to close the gender wage gap in Ontario by spring 2018, according to mid-mandate letters handed out by Premier Kathleen Wynne last week.

It's a mighty ambitious feat, and one that evidently requires much consultation and study and planning — including, as Labour Minister Kevin Flynn told QP Briefing Monday, a new ministry "working group" that will map out the government's strategy for closing the almost-30-per-cent-wide canyon between a typical Ontario man's paycheck and that of a woman.

Though his mandate letter marks "spring 2018" as the deadline for "practical recommendations," Flynn was somewhat hazy on the timeline, and could not yet define the scope of the strategy, such as whether closing the gap will require sweeping new laws or simple regulatory tweaks. That will be sussed out in part through the new working group, he said.

"Our plan going forward is to address that through a group of people that will show us the next steps that can be taken to close that wage gap between now and 2018, basically," Flynn said after question period, adding, "What we would hope to have in place by that point (spring 2018) is a very firm action plan — and I don't mean a plan for the future, things we are going to do — but specific things."

"What we're committed to doing is ensuring that the wage gap shrinks, that it doesn't get bigger, in fact it gets smaller, and at some point in the future and a reasonable period of time, that there's no wage gap at all," he went on to say.

The forthcoming working group (a term the minister prefers over "task force," as initially proffered by this reporter), will pick up where the ministry's Gender Wage Gap Steering Committee left off, and follows its final report and recommendations this summer following public consultation. The membership and structure of the working group is currently being "finalized."

"We've had a group in place that has defined the issue for us, that has confirmed that the issue exists ... And the next group that we put in place will be the ones who will carry that forward and be a lot more specific. We need to have those experts in those particular fields, that have been pointed out by the people that did the report," Flynn said.

Flynn has previously told QP Briefing there isn't a recommendation made in the steering committee's report that he doesn't like, but could not commit to adopting and implementing all 20.

It's also unclear whether closing the gender wage gap will require a legislative change, regulatory reform or both. Flynn added the working group will help to set those parameters.

For instance, the steering committee recommended the Pay Equity Act be opened up to "simplify the pay equity law, in order to support the valuation of work." (Ontario's Pay Equity Act comes with its own handy guide for interpreting the legislation.)

"I wouldn't put that out of the question. I mean, we're not committed to opening up (the act). What we're committed to doing is getting this problem solved ... If that takes changes to the Pay Equity Act, we'll look at that," Flynn said, adding he'll be reaching out to his ministerial counterparts in finance and education and the women's directorate to help develop the strategy.

Flynn touted the government's recent move to eventually create 100,000 new licensed child care spaces, as the steering committee's top recommendation was to alleviate pressure on working women — who are traditionally and historically primary caregivers — through more affordable and accessible child care. Parental and pregnancy leave provisions — another area in need of gender-based reform, per the committee's report — are governed under Ontario's Employment Standards Act, which is also up for a makeover through the Changing Workplaces Review, the final report on which isn't expected until early next year.

This weekend, labour groups, including the Equal Pay Coalition, will rally outside Queen's Park to push politicians toward "decent work" policy.

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3) 'NET ZERO' COLLECTIVE BARGAINING OUTDATED, BUT GOVERNMENT WON'T 'MAKE IT RAIN,' MINISTER SAYS

By: Geoff Zochodne

While Ontario isn't about to "make it rain" public-sector pay raises, its passion for "net-zero" collective bargaining agreements appears to have waned.

Thanks to an improving provincial economy, both the premier and the minister in charge of contract negotiations say their old approach is no longer needed. The change has happened less than two years away from the next election in 2018, wherein the support of the labour movement could be helpful to whoever enjoys it.

The 2014 mandate letter for the head of the Treasury Board, which monitors the government's collective bargaining, said then-president Deb Matthews "will help ensure that any modest wage increases negotiated are absorbed by employers within Ontario's existing fiscal plan through efficiency and productivity gains, or other trade-offs." This was the "net-zero" approach Premier Kathleen Wynne and her government relied on over the past two years in heated negotiations with teachers unions and other public servants — loosely translated as pay raises that could be offered if they were offset by cuts in other areas.

But the 2016 version of the Treasury Board president's mandate letter, released last Friday, is absent the same rhetoric. The letter only asks that Liz Sandals, the minister now responsible for the secretariat, is "ensuring a consistent and co-ordinated approach to fair negotiated collective agreements that support transformation and government priorities."

Sandals said Monday that "net zero" had been "very, very helpful," but that the province's finances had improved enough for a different bargaining position.

"The context that we're working in now is the Ontario economy is actually leading many other provinces in Canada," said Sandals, adding that she "didn't say we were going to make it rain," when asked if that was the case.

Sandals said the Ontario government's collective agreements had held down wage increases to an annual average of about 0.6 per cent since 2012, while the federal government's rate was 1.7 per cent and the private sector was approximately 1.9 per cent.

"What we will do going forward is we will look at what is reasonable within the fiscal plan," said Sandals. "We also need to make sure that the wages that we're paying are competitive, because we want absolutely the best employees working for the provincial government so we can have the best service to Ontario citizens."

Premier Kathleen Wynne likewise said Monday that times had changed.

"Net zero has been a parameter of negotiations for some time," said Wynne. "Now ... we'll go into a new round of negotiations recognizing that we need to continue to find ways to make decisions on compensation, on service delivery, that recognize the needs of the system and the needs of individuals who work in the system."

Wynne said there would still be "parameters" for collective bargaining, albeit ones that yet to be defined. The Liberal government is also planning to balance the budget next year, which will

have been made possible in part by past "net-zero" contracts that caused considerable friction with unions. The province still has no contract with its doctors after a previous try was felled by the efforts of rogue factions within the Ontario Medical Association.

But Deputy NDP Leader Jagmeet Singh said the government's track record on public-sector negotiations showed the damage has already been done.

"They have been colossally horrible," said Singh. "They simply don't know how to negotiate properly, effectively, and have disrespected group after group."

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4). PC CANDIDATE WHO STEPPED ASIDE FOR ANDRÉ MARIN ENCOURAGED TO RUN IN NEIGHBOURING RIDING IN 2018

By: Jessica Smith Cross

Before André Marin barrelled into the Ottawa-Vanier byelection race, a University of Ottawa professor had been campaigning for the Progressive Conservative nomination.

Cameron Montgomery — a multi-lingual education professor with a background as a semi-pro tennis player — told QP Briefing he'd been campaigning for the nomination and had found support, but when he found out about Marin's interest in running in the riding, he stepped aside.

"His timing is perfect for this byelection," said Montgomery. "He's someone who has a history of holding people accountable for their actions, and in this case he's holding the Liberal government accountable for their actions, especially in terms of fiscal mismanagement, hydro rates and some of the key issues we're hearing about in the news — of course math scores are extremely disappointing."

Montgomery said he found out about Marin's interest last week, about a week prior to Marin's nomination on the weekend.

"My first reaction was positive — I think, it's a Francophone, the ombudsman who's well-known, someone who's a little bit controversial, let's say, but who definitely holds people accountable — so the initial reaction was positive, and became more positive over time," he said.

Montgomery is considering running for the PCs in 2018.

"I have the party's full support as a potential candidate in another riding in the future," he said, adding that the party has pointed him in the direction of running in Ottawa-Orleans.

PC Leader Patrick Brown said no promises were made, as the party is committed to fair, open, democratic nominations, but he's encouraging Montgomery to run again.

"Cam's a good friend of mine, he's actually an old tennis partner of mine," said Brown. "I'm a big fan of his."

Meanwhile, all three of Ontario's major political parties are open to the idea of instituting a cooling-off period that would make independent officers of the legislature wait before jumping into partisan politics.

That, of course, was prompted by former Ontario ombudsman André Marin's sudden entrance into the Ottawa-Vanier byelection.

Marin was acclaimed Saturday after publicly announcing his intention to run that same morning.

Premier Kathleen Wynne said she expects the byelection to be "hard-fought." When asked about the idea of a cooling-off period, she said it was something the legislature as a whole could consider.

Deputy NDP Leader Jagmeet Singh and Brown said the same thing.

Brown noted that his party has also been calling for a cooling-off period for government staff.

“We have ministerial staff working for that minister, giving government contracts out and then working for that big energy company or that big company that got that contract,” he said.

Brown also said he hasn’t put any limits on Marin’s rather notorious tweeting — but Marin realizes he’s representing a team now.

Marin launched a Twitter appeal to keep his job as ombudsman that included retweeting someone who’d called Ontario a “banana republic.” In another incident, he used Twitter to publicly name and shame a Durham police officer who he’d believe was responsible for tweeting offensive things to him — but fingered the wrong cop. At other times, he’s taken to personally insulting others on the social media platform, such as calling Toronto’s former ombudswoman Fiona Crean “Chicken Little.”

5). *BILLS THIS WEEK*

By: Geoff Zochodne

Second reading debate of government legislation

Bill 2, the Election Finances Statute Law Amendment Act

- To be debated Monday afternoon, Wednesday afternoon and Thursday morning
- Would ban corporate and union donations, restrict third-party spending on advertising and bring down the individual contribution limit

Bill 7, the Promoting Affordable Housing Act

- To be debated Thursday afternoon
- Makes tweaks to the Development Charges Act, 1997, Housing Services Act, 2011, Planning Act, Residential Tenancies Act, 2006, and Smart Growth for our Communities Act, 2015 that promote affordable housing

Bill 13, the Ontario Rebate for Electricity Consumers Act

- To be debated Monday afternoon, Tuesday morning and Wednesday morning
- Would provide residential and small business customers an eight-per-cent rebate on their electricity bills

Second reading debate of private members' bills (all discussed on Thursday afternoon)

Bill 6, the Ministry of Community and Social Services Amendment Act (Social Assistance Research Commission)

- Would establish a Social Assistance Research Commission that would recommend social assistance rates

Bill 9, the End Age Discrimination Against Stroke Recovery Patients Act

- Ensures "that any treatment recommended by a physician for a patient who is recovering from a stroke is provided to that patient promptly, regardless of the patient's age"

Bill 22, the Ticket Speculation Amendment Act (Purchase and Sale Requirements)

- Would "prohibit the use of certain ticket purchasing software and to require secondary sellers to list the original purchase price of a ticket when it is offered for sale in a print or electronic format"

6). SEEN: NDP WANT TO REMOVE INTEREST FROM ONTARIO STUDENT LOANS

By: Geoff Zochodne

After having their proposal to take the HST off hydro bills borrowed by the Liberal government, the Ontario NDP are back with another idea to make life more affordable.

This time, the New Democrats are proposing to rid indebted post-secondary grads of interest on their student loans.

“The government should not be making a profit off of the fact that students in Ontario need to take out loans to afford post-secondary education, it’s just not right” said NDP Leader Andrea Horwath in a statement sent out Monday.

The NDP said in a release that Ontario has had, on average, the most expensive undergraduate and graduate tuition fees in Canada since 2009. The New Democrats also said the average debt load for someone with a four-year undergrad degree was \$28,000, while a post-grad was worth \$35,000 in loans.

Horwath travelled to St. Catharines to announce the new policy position at Brock University.

The most recent policy plank put forward by the NDP was to stop charging electricity customers the provincial portion of the Harmonized Sales Tax. Since the NDP proposed that in August, the Liberals said they would give residential consumers and small businesses an 8-per-cent rebate on their hydro bills, equal to the provincial HST charge. A bill to that effect is currently being debated in the legislature.

However, NDP deputy leader Jagmeet Singh invited the Liberals to pilfer the latest proposal.

“Well, it’s a great idea and I encourage the government to implement it,” said Singh. “We need to provide some relief to students.”

7). *HEARD: WYNNE TO LISTEN FOR TRADE TALK DURING U.S. PRESIDENTIAL DEBATE*

By: Geoff Zochodne

Premier Kathleen Wynne says she hopes the tone of tonight's U.S. presidential election debate is "less rancorous" than the campaign has been thus far.

"I don't know if that's a faint hope, but I think it would be better for everyone if there were a more civilized discussion of the issues," Wynne said Monday at a Toronto community health centre. "That's what I'm going to hold out for."

Wynne will be among tens of millions of people on Monday who will watch the first debate between Democratic Party nominee Hillary Clinton and Republican Party nominee Donald Trump.

The Premier said she will pay particular attention to any discussion of free-trade policy, as the two contenders have taken a hard line on the issue. The U.S. is Ontario's largest trading partner, with 80 per cent of the province's exports destined for the country.

"The concerns around protectionism and the issues around free trade and our access to markets, those kinds of issues are of great concern to all of us," said Wynne. "And I think that's shared on the North America continent, if not globally."

8). *HAPPENING: ONTARIO OMBUDSMAN PROBING TORONTO'S SCHOOL BUS SHORTAGE*

By: Jessica Smith Cross

Ontario ombudsman Paul Dubé announced Monday he's probing the busing problems at both the Toronto District School Board and Toronto Catholic District School Board — the first school board investigation of his office.

"Nearly four weeks into the school year, we continue to receive complaints from frustrated families who are experiencing chronic delays or are repeatedly forced to scramble to get children to school when their buses don't show up," Mr. Dubé said, in a press release.

"Our primary focus will be on what happened with these two boards leading up to and during the present situation. We will look at what the boards knew about possible transportation problems, how they responded and communicated with parents, and what can be done to prevent such problems in future," he said.

Some of the 49 complaints his office received about this issue involved other school boards, but the ombudsman is beginning with a look at Toronto, which may help him evaluate whether there are broader busing issues, he said.