

Top Issues for February 11-12, 2017

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Top Issues

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TOP ISSUES

Issue: Justices' Names Kept Secret in Complaints Report

☐ In a front page story, the Toronto Star reports that the 2014 annual report from the Justice of the Peace Review Council and the 2014-2015 annual report from the Ontario Judicial Council were quietly posted online last week after they were tabled in the provincial legislature.

☐ This comes two weeks after the Star highlighted that the Ministry of the Attorney General was sitting on the reports and failing to release them in a timely fashion. The review council's report were submitted to the ministry well over a year ago, in November 2015, while the judicial council's report was sent in February 2016.

☐ The Attorney General must table the reports in the legislature before they can be made public; however, since the legislature is not sitting, a report can be given to the clerk of the legislature and is then considered to have been tabled.

☐ The annual reports offer insight into how judicial complaints are handled. Complaints rarely move forward to a public hearing, where a panel has the power to suspend a judicial officer or recommend to the Attorney General that the officer be fired.

☐ Among the subjects of complaints made public in these reports is a judge accused of making offensive remarks about First Nations leaders. The complainant questioned how any First Nation person could reasonably expect an objective, unbiased and non-prejudicial hearing from the judge. The Ontario Judicial Council did not further investigate the judge because retired. Another complaint in the report was against a justice of the peace alleged to have belittled people's English skills. The names of the judge and justice of the peace are secret because their cases were not forwarded to a discipline panel for a public hearing.

☐ The secrecy surrounding how complaints against judges are handled was once challenged by the Toronto Star and the Criminal Lawyers' Association. But the judicial council dismissed the case in 2015 and pointed to the fact that summaries of complaints are included in the annual reports, which it said ensured a level of public accountability.

☐ Toronto lawyer Rocco Galati said all information about a complaint against a judicial officer should be made public to ensure confidence in the judiciary. "Without naming them, there is no accountability," he said.

Newspapers: "Justices' names kept secret in complaints report," Toronto Star (Sunday), Jacques Gallant, A1

Television: None

Radio: None

Issue: Health Advocates Concerned About Hospital Bed Crunch

☐ Health advocates are concerned about number of hospital beds per residents in Ontario hospitals, with data from the Ontario Health Coalition showing Ontario has 2.3 hospital beds per 1,000 residents.

☐ Executive Director Natalie Mehra said the average across Canada is 3.5 per 1,000 patients. "The hospital bed crunch is extreme in Ontario - all across Ontario, the large community hospitals across the province," she said. "The government has purposefully kept the (hospital) funding at less than the rate of inflation to force downsizing for a decade."

☐ According to the Ontario Health Coalition, this puts Ontario barely ahead of countries with rock-bottom bed counts like Mexico and Chile. The province's hospitals are operating at almost 99% capacity on average, while European countries have settled on 80 to 85%, according to the OHC.

☐ Also, nurses have been complaining their numbers are dropping too. A backgrounder document by the Registered Nurses' Association of Ontario (RNAO) says Ontario had 711 registered nurses/nurse practitioners per 100,000 residents in 2015, down from 725 in 2009. "In

2015, Ontario moved into last place among the provinces and territories," the document said. "This inevitably has significant implications on workload and patient outcomes."

☐ Meanwhile, in an email Saturday, Ontario Health Minister Eric Hoskins acknowledged Ontario's health-care system may not be "sustainable." "We on the one hand believe that we are making the right and important investments in our healthcare system; a 3% increase in the healthcare budget over the course of the last year, roughly half a billion of that going to the hospital environment," said Hoskins "At the same time we are concerned about the sustainability of the health care system which is why we've been having talks over the course of the past year with the federal government with regards to the federal Canada Health Transfer."

☐ Don Drummond, who headed up the 2012 Commission on the Reform of Ontario's Public Services, said the health care system needs wholesale and ongoing reform. "Why would you want to sustain what we've got right now — it's expensive and it deals mediocre outcomes without terribly high client satisfaction," Drummond, an Adjunct Professor and Stauffer-Dunning Fellow at Queen's University, said this week. He noted that countries like France, Germany and Denmark spend less on their health care systems than Canada yet have shorter wait times, broader public coverage especially for pharmaceuticals, stronger home-based care and better health outcomes for patients despite having on average an older population.

☐ Drummond argues that although Ontario has made some steps to modernize, it has a long way to go. For example, Drummond notes that twelve percent of hospital beds are occupied by people who don't belong in them and yet they tend to stay the longest. "That's an inefficiency question as opposed to a shortage question," Drummond said.

☐ Drummond said the government should pay hospitals through a global budget plus inflation, compensating them for what they do and how well they do it. Drummond also thinks that the war over doctor compensation in Ontario is being fought over the wrong battleground, maintaining a fee-for-service system that rewards inputs rather than outcomes. He suggests the replacement system of patient rostering and salaried physicians should have worked but as designed encourages doctors to shop around for the healthiest patients they can find.

☐ Meanwhile, Toronto Sun columnist Lorrie Goldstein is criticizing the Ministry of Health's decision to expand the LHIN system. He notes that a 2015 Auditor General report criticized the Local Health Integration Networks for doing a poor job of meeting performance standards. Goldstein writes: "This is the same sort of doubling down on incompetence that led to the Liberals' e-Health electronic patient records scandal, their Ornge air ambulance scandal and their green energy scandal, which have cost taxpayers billions of dollars in waste that didn't go into health care."

Newspapers: "Hospital bed crunch is extreme," Toronto Sun (Sunday), Antonella, Artuso, A4
"Health-Care Help, Stat!" Toronto Sun, (Sunday), Antonella, Artuso, A4
"And things will only get worse," Toronto Sun (Sunday), Lorrie Goldstein, A5

Television: None

Radio: None

Issue: Bombardier Files Court Injunction Against Metrolinx

☐ Bombardier Inc. has filed a court injunction to stop Metrolinx from terminating a \$770 million contract, accusing the transit agency of being responsible for the project's delays.

☐ In November, Metrolinx formally notified Bombardier of its intent to cancel a contract for 182 light-rail vehicles, citing "significant quality and manufacturing issues." The trains

were designated for new Toronto rail lines, including the Eglinton Crosstown and Finch West LRT routes. The pilot vehicle for the Eglinton line was originally supposed to arrive in 2014 but has been delayed multiple times.

☐ On Friday Bombardier said that Metrolinx is responsible for the problems that "have put the project in jeopardy." "Since the contract was signed in 2010, Metrolinx has changed the scope, the timelines, and the technical qualifications countless times," Bombardier said in a press release announcing that it has asked the Ontario Superior Court of Justice for an injunction. The press release further states: "It is irresponsible for Metrolinx not to discuss issues in good faith and instead consider an unjustified cancellation of a contract that would cost Ontario taxpayers millions of dollars, kill hundreds of Ontario jobs, and put transit projects like the Eglinton Crosstown and Finch LRT in jeopardy."

☐ In a statement, Metrolinx responded to the accusations by saying that it has been concerned for some time about Bombardier's progress, particular that the pilot vehicle is almost two years late and has not yet been delivered.

☐ Transportation Minister Stephen Del Duca issued a statement say, "It is unfortunate that Bombardier has chosen to take this step. The people of the region deserve more." "It has been clear for months that Bombardier has failed to meet its obligations as it relates to other critical transit projects," the minister added. The statement also citing the delayed delivery of a test pilot vehicle and numerous others to Metrolinx.

☐ Bombardier maintains that it is "fully capable" of delivering the trains on time and notes that the pilot vehicle has been ready since October 2016 but Metrolinx refuses to take delivery since. Notably, the Eglinton Crosstown tracks will not be available for testing until 2019 and will not be available for public service until the end of 2021. "The bottom line is Bombardier will be delivering cars that Metrolinx will not be able to use for years, resulting in significant storage costs for Ontario," Bombardier said.

☐ 'The big story here is we don't want to be in court,' Bombardier's vice president of communications and public affairs, Mike Nadolski, told CBC Toronto. Asked on Friday why the manufacturing giant would proceed with an injunction, Nadolski said: "It was time to set the record straight." He also reiterated the company's investments in its staff and facilities, saying that while performance was an issue in the past, Bombardier is on track to deliver on its commitments, citing a recent delivery of TTC vehicles.

☐ Bombardier spokesperson Marc-André Lefebvre said the more than 200 jobs in Kingston and Thunder Bay are at risk if the contract is cancelled.

☐ Recently, both Metrolinx and Bombardier have faced public scrutiny. The Ontario's Auditor General report released in November found that Metrolinx is overpaying its contractors, and continues to award work to contractors that have performed poorly in the past. Also, Bombardier has had to delay a \$1.2-billion order from the Toronto Transit Commission for 204 new streetcars multiple times.

Newspapers: "Bombardier asks court to stop Metrolinx cancellation," National Post (Saturday), Kristine Owram, FP4.

"Transport minister fires back at Bombardier for court injunction against Metrolinx," CBC News (Online), Staff Writer

"Bombardier starts legal action against Metrolinx," Toronto Star (Saturday), Benn Spurr, A12

Television: None

Radio: None

Issue: Canada Added 48,300 Jobs in January, Ontario Saw the Biggest Jump

☐ The January employment survey released by Statistics Canada on Friday shows Canada unexpectedly added 48,300 net new positions last month, mostly due to surges in part time and private sector work. The vast majority of the new jobs, 42,600 positions, were created in the services sector.

☐ Ontario gained the most jobs with 28,800 new positions, an increase of 0.4 per cent compared with December. Of those, 23,500 were part time.

☐ Overall, the numbers showed an increase of 32,400 part time positions and a smaller gain of 15,800 jobs in full time work. Both numbers were too low to be considered statistically significant.

☐ Economists described the overall job growth as “very impressive” and “remarkably strong.” However, Desjardins senior economist Jimmy Jean notes that the composition of labour data remained subpar due to some “lingering weakness.” He pointed to the small growth in hourly wages in January compared with last year. Hourly earnings increased by less than 1.3 per cent, below inflation and less than the two to three or more per cent seen in the past.

☐ Jean noted that the Bank of Canada had expressed concerns about hours worked and earnings growth and did not think the latest data would ease these preoccupations, even if the overall job market continues to expand.

☐ Nevertheless, Craig Alexander, the chief economist for the Conference Board of Canada, noted that it is important to remember the gain of nearly 16,000 full time positions last month was healthy on its own, even if most of the new jobs created were part time.

☐ The job market has now seen increases in five out of the last six monthly reports.

Newspapers: “Canada added 48,300 jobs in January,” Toronto Star (Saturday), Andy Blatchford, B3

Television: None

Radio: None

Issue: York Region School Board Chair Urges Nancy Elgie to Step Down

☐ York Region District School Board chair Lorelea Carruthers says after months of privately pleading with Nancy Elgie to step down, she is now publicly urging the trustee to step down after referring to a black parent using a racial slur after a public meeting late last year.

☐ "I have called on her for months to make this right, and I feel now, clearly, the only way to do so is for her to resign," said Carruthers. "While I do believe her apology was heartfelt, it is clear that doing all that is necessary in this situation requires Trustee Elgie to resign.

☐ Ongoing issues at the board and accusations that it is ignoring incidents of racism and Islamophobia, as well as questions about trustee spending and conduct, have already prompted the province to send in two investigators. They have been deluged with requests from families to meet - so much so they can now take submissions only via email.

☐ Carruthers is the first member of the board to speak out about Elgie, which is "not only hugely symbolic, but a really strong first step," said Rob Davis, a former Toronto councillor and Toronto Catholic school board trustee who is now co-ordinating a series of targeted Facebook ads

saying it's time for trustees to vote to suspend Elgie. "To publicly say something that may have been said in the backrooms is a big deal."

☐ The Facebook ads, which begin Saturday, have been funded by "people all over Greater Toronto who are very upset with what's happening at the York Region board ... the ads are intended to give people in various wards across York Region an opportunity to know what their trustee is or isn't doing and to take action," said Davis.

☐ At Queen's Park, Children and Youth Services Minister Michael Coteau and Progressive Conservative Leader Patrick Brown have also said Elgie is no longer fit for public office.

☐ The board had hired an independent investigator to look into Elgie's comments in an internal probe. In an interview, Elgie's son Stewart said his mother had "accepted the investigator's finding that what she said was a violation of policy, even though it was accidental."

☐ The York board's equity advisory committee met Thursday evening and as a group expressed concerns about Elgie. "Trustee Elgie's comments were unanimously condemned by our committee," said chair Naheed Yaqubian. "We stand with the public in urging trustees to quickly foster healing, respect, and confidence in the board."

☐ Carruthers said the board has recently taken a number of steps, such as posting a note from trustees on the board website and acknowledging indigenous lands before board meetings, to show that it's committed to positive change. In her chair's note posted online this week, Carruthers said while a code of conduct complaint is still possible against Elgie, proceeding with one could take months, be costly and would likely be confidential.

☐ In an email to the Toronto Star Friday night, Stewart Elgie said his mother, Nancy, 82, will not step down. "I hope you'll understand that my mother is ill and getting treatment for a serious injury," he said, referring to a previous fall that "cracked her head open" and that her family has cited as the reason Elgie used the offensive word in referring to a black parent, in public, after a board meeting last November.

Newspapers: "York school board chair urges embattled trustee to step down," Toronto Star (Saturday), Noor Javed and Kristin Rushowy, A1
"Facts, opinions and Nancy Elgie," Toronto Star (Saturday), Kathy English, IN10
"York school board's fall from grace," Toronto Star (Saturday), Noor Javed and Kristin Rushowy, GT1
"York school trustee 'considering all the options,'" Toronto Star (Sunday), Kristin Rushowy and Noor Javed, A2

Television: None

Radio: None

Issue: Perceived Hydro Crisis Needs To be Addressed: Regg Cohn

☐ In a column in The Toronto Star on Saturday, Martin Regg Cohn argues that the government is facing increased pressure to take action over high hydro prices, complaints about which have "gone viral" and become "the mother of all memes", despite the fact that "rates in key U.S. cities are nearly double what we pay here."

☐ The author notes that many of the complaints stem from rural residents, but argues "Higher rural rates are explained, unsurprisingly, by the extra costs of far-flung transmission lines in areas of low population density. That disparity is compounded by the unavailability of natural gas in some areas, forcing residents to use baseboards for more costly electric heat."

☐ He argues that it would be a mistake for the province to appease rural hydro

customers by “sticking it to city folk”, noting, “yes, hydro is cheaper here, but Torontonians are weighed down by massive mortgages and costly commutes. True, hydro can be expensive elsewhere, but home ownership costs are a fraction of what it costs in big cities. We pay a price for living here. And they pay a price for living there,” adding that balancing costs this way is “a recipe for confusion, not to mention more unfairness, because it’s hard to cross-reference high bills with low incomes.”

☐ The author refers to Premier Kathleen Wynne’s suggestion that the province needs to rebalance the burden between ratepayers and taxpayers as “a shell game.”

☐ He suggests that instead, massive infrastructure investments, which he notes, “arguably have a much longer useful life...could be amortized further into the future” instead, to ease their impact on monthly bills. Also he notes that “ratepayers are bearing the full burden of renewable energy, which has as much to do with industrial - and environmental - policy as electricity policy” and argues that “in the U.S., much of that extra cost is borne by the federal government through tax credits.”

☐ He concludes by noting “Ahead of the spring budget, and the 2018 election, we’ll see whether the Liberals have opted for a quick political fix to deal with talking points, or a more coherent way of dealing with true price points.”

Newspapers: “Perceived hydro crisis needs to be addressed,” Toronto Star (Saturday),
Martn Regg Cohn, A8

Television: None

Radio: None

Issue: Tentative Deal Reached with Thunder Bay Catholic Teachers

☐ The Thunder Bay unit of the Ontario English Catholic Teachers’ Association and the Thunder Bay Catholic District School Board have reached a tentative labour deal, meaning there will be no strike or lockout.

☐ The work to rule action by teachers will be suspended on Monday, and the lockout, which was scheduled for Tuesday, has also been cancelled. Teachers at St. Bernard, St. Francis and St. Paul schools were to strike Monday if no agreement was worked out.

☐ Details of the proposed settlement reached Saturday are not expected to be released until after the teachers and the school board have ratified the agreement. A spokesperson for the board said the ratification process would likely come Thursday.

☐ Sticking points in the talks included a demand for written assurances that consideration be given to experienced teachers when internal job postings become available. The teachers have been without a contract for two years, even though they have long agreed to accept total wage increases of 1.5 per cent in negotiations with the province.

Newspapers: “Deal reached,” The Chronicle Journal (Sunday)

Television: None

Radio: None

Issue: North Bay Denied Provincial Grant To Address Sexual Violence

☐ The Globe and Mail reports that in a community where 44 per cent of sexual assault cases are closed as “unfounded”, North Bay police partnered with Nipissing University last year to map out a five-stage strategy to overhaul their approach to sexual assault investigation, but were denied a provincial grant to implement it.

☐ The strategy included a full audit of case files by criminology masters students, a policy and procedure review, and an audit of best practices elsewhere. North Bay Police Chief Shawn Devine also wants to implement an oversight model similar to the one in place in Philadelphia, where once a year, outside advocacy groups are invited to sit down with high-ranking officers and go through sexual-assault case files.

☐ However, the force has fewer than 100 officers, lacks the expertise to perform the review on its own, and has a training budget of less than \$100,000 a year. They requested \$126,000 from the province over two years to cover the cost of specialized computer software, office space and equipment at the university, the masters students and supervisory support from faculty, travel expenses and a modest training budget.

☐ The province refused the request due to a lack of local statistics to illustrate need in the community.

☐ Chief Devine says he started to realize there was a problem about four years ago, when he joined the board of Amelia Rising, Nipissing’s sexual-assault centre and came to realize how trauma can impact a victim’s ability to remember an incident and that some police techniques can be counterproductive. Said Devine, ““It has really opened my eyes to the other side,” he said. “The other piece is I’m still a police officer and we’re geared to do investigations in certain ways ... it leads to some interesting conversations.”

☐ In response to The Globe’s Unfounded investigation, nearly 30 Canadian police services, including the RCMP and OPP, have announced plans to review unfounded cases. But North Bay is the only force so far to say they are open to inviting advocacy groups into the audit process. Ottawa police considered but rejected the Philadelphia model, citing privacy concerns.

☐ Chief Devine says that without the external funding, they will have to get creative and less ambitious with their reform plans, but at the very least, they will continue to pursue the oversight group with Amelia Rising.

Newspapers: “North Bay, the little city that wanted to, but couldn’t,” The Globe and Mail (Saturday), Robyn Dolittle, F4

Television: None

Radio: None

Issue: Sex Assault Conviction Appeal Could Have Far Reaching Consequences

☐ A controversial judgement and sentencing decision by Ontario Court Justice Marvin Zuker is being appealed at a hearing next month. The issue of a restitution order in particular could have far-reaching consequences for both complainants and accused persons.

☐ Last year, Zuker had sentenced Mustafa Ururyar for the sexual assault of fellow York University student Mandi Gray. In his sentencing, he issued a restitution order in which Ururyar was to pay \$8,000 to cover Gray's legal fees for hiring her own lawyer to advise and assist her before and during the trial.

☐ According to the Criminal Lawyer's Association, Zuker’s was the first time a

restitution order was made for legal fees. On Thursday, the CLA was permitted to intervene in the appeal to argue that it is never appropriate for the criminal courts to order restitution for a complainant's legal fees.

☐ In an affidavit filed with the court, the CLA director Daniel Brown argues that such an order is unfair given that accused persons who are acquitted cannot have the Crown reimburse their legal fees. He also argues there are already resources to help complainants navigate the criminal justice system through the Victim Witness Assistance Program and the Crown.

☐ A key question in the appeal will be just how necessary it is for complainants in sexual assault cases, or other cases, to have their own lawyer.

☐ "I think certainly the Crown attorney had the capability of covering off any of the questions the complainant had ... and if she had more questions and wanted to hire a lawyer that was certainly her right to do that. It is just not fair to have Mr. Ururyar in this particular case or any accused person pay those legal bills when it wasn't necessary," said Brown. "Really, the only preparation a complainant needs is to be told to answer the truth when they come to court and to be open and honest about what happened."

☐ Ururyar's appeal lawyers argue the section of the Criminal Code that deals with restitution does not address "a complainant's legal fees, incurred at her own discretion." It also says the \$8,000 amount was arrived at arbitrarily and without addressing Ururyar's ability to pay - a requirement when ordering restitution.

☐ Meanwhile, Gray said hiring a lawyer is the best decision she made and one she considers completely necessary. "Victims cannot discuss their case in confidence with the Crown nor (with the Victim Witness Assistance Program). Anything you disclose may be disclosed to the perpetrator," she said.

☐ "Without legal counsel, I would have been up against the university and the criminal justice system without a single ally. Rape costs a lot more than just emotional and career opportunities ... I hope future victims of the crime are empowered to retain legal counsel. This is a matter of access to justice and who should be paying for it," said Gray.

☐ Lawyer David Butt, who will be seeking leave to intervene in the appeal later this month, said that the system appropriately orders restitution for therapy when an accused person is found guilty. He views legal representation for complainants as another key service that helps them cope with a legal process that can be isolating, demeaning and traumatic.

Newspapers: "Appeal of sex assault conviction could have far reaching consequences,"
Toronto Star (Sunday), Alyshah Hasham, A1

Television: None

Radio: None

Issue: OPTrust Says Pension Surplus Should Be Considered an Asset

☐ OPTrust, a major public service pension plan co-sponsored by the province, says the auditor general should include its assets on the government's bottom line.

☐ OPTrust administers the Ontario Public Service Employees' Union Pension Plan, which has \$18.4 billion in assets, is fully funded and serves 87,000 workers and retirees.

☐ In September, Auditor General Bonnie Lysyk had contended that the surpluses of the OPSEU plan and the Ontario Teachers' Pension Plan, which the government also cosponsors, are

not public assets because the province cannot readily access the money. The move came even though she had signed off on those same assets in prior years. The accounting change effectively wiped \$1.5 billion from the province's annual balance sheet.

☐ According to the Toronto Star, a government-appointed panel of experts will announce Monday that such joint-sponsored pension surpluses should be counted as assets for the provincial treasury. OPTrust bolsters that assessment, saying: "Public interest is best served by recognizing any accounting surplus."

☐ In a memo to members posted on its website Friday, OPTrust warned "the failure to fully recognize risk-sharing in accounting would raise questions about the plan's governance and possible outcomes...Our two sponsors, the government of Ontario...and Ontario Public Service Employees Union...share equally in the risk, reward and governance of the plan."

☐ "The public sector accounting rules - and accounting rules in general - are intended to and should result in a faithful representation of the economic realities of public pension plans," the memo continues. "To the extent the plan sponsors are required to fund plan deficits and are entitled to benefit from plan surpluses, any interpretation of accounting rules and the resulting accounting must be transparent to stakeholders, including taxpayers, and must treat deficits and surpluses in a uniform manner."

☐ OPTrust stresses that "therefore, surpluses and deficits should both be recognized on the province's balance sheet." It says: "Not recognizing a surplus on the balance sheet ... not only leaves a large amount of assets off the province's balance sheet ... (but) weakens disclosure as well as transparency by giving those that read the province's financial statements an incorrect perception of how the plan functions."

☐ The auditor general, who was briefed on the experts' conclusions on February 3, has declined to comment until the report is officially released, but suggested on Monday she hasn't heard anything from the panel that would change her mind.

☐ Last week, Premier Kathleen Wynne welcomed the panel's input. "There was a conflict between the advice that the auditor general is giving us and the advice that our officials were giving us," she said Tuesday. "We sought independent third-party advice and you know we have to take that independent advice very seriously...What we have to do as government is get the best advice that we can."

Newspapers: "Pension surplus an asset, fund administrator says," Toronto Star (Sunday), Robert Benzie, A1
Television: None
Radio: None

Issue: Windsor School Board Cancels All Student Trips to the U.S.

☐ The Greater Essex County District School Board is cancelling all student field trips to the United States because the current American political climate is considered too "unsafe" and unpredictable to permit cross-border travel.

☐ A "handful" of trips have already been nixed, with no school travel to America being allowed for the month of February. At the end of the month, the situation will be re-evaluated and decisions made on an individual basis, said superintendent Clara Howitt.

☐ U.S. President Donald Trump recently signed an executive order barring citizens from seven Muslim-majority countries from entering the United States. Two courts have already struck down the ban. Though the American border remains open, for now, to all foreign citizens visiting with proper documentation, the Canadian government has begun monitoring the situation and recording instances where Canadians - particularly dual citizens - have been turned around.

☐ "Where one person doesn't go, nobody goes ... we want to make sure nobody is

excluded," said school board spokesperson Scott Scantlebury. Howitt said Windsor boasts multicultural schools with students from many different countries.

Windsor West MP Brian Masse called it "ironic" that some of those cancelled trips were for school classes planning to attend Metro Detroit's Holocaust Memorial Center. "If ever there was a point in which the world needed to learn about racism and prejudice and the unspeakable truths that need to be spoken," now is the time, Masse said. He accuses the administration of already building "a virtual wall" between two countries with such close personal and business ties.

Masse said he's already heard of Canadians being turned back. Family and friends, he said, are refusing to cross the border in the current climate of uncertainty and unpredictability, and he said he's even heard of Americans unwilling to visit Canada due to fears of what the reception might be at the border on their return trip.

Howitt said the board contacted U.S. border authorities before making its decision and was advised any students who were citizens of the seven listed countries - Iran, Iraq, Syria, Libya, Sudan, Yemen and Somalia - would be barred from crossing. That was before the most recent court rulings but, as Canadian authorities have acknowledged, there is still much uncertainty.

Meanwhile, W.F. Herman Academy's award-winning concert bands fundraise and organize for a big festival trip to the U.S. every couple of years. The junior and senior bands were planning to travel to a music festival in Washington, D.C., in April, but the public school board rejected the trip after discovering the local students would be in the American capital on the same day as a planned massive social justice rally expected to draw more than a half-million protesters.

Newspapers: "Windsor public school board forbids student field trips to U.S.," The Windsor Star (Saturday), Doug Schmidt, A2

Television: None

Radio: None

Issue: Province Urging Mohawk College to Be Open, Accountable

The province is assessing whether an arrangement in which the president of Mohawk College receives a second salary of at least \$91,000 plus expenses from the foundation that raises money for the school is the only one of its kind in Ontario. The contract and expenses are kept secret from the public and are exempt from provincial rules and freedom of information requests.

The hidden contract means Ron McKerlie was paid a combined salary of \$351,408.51 in 2015 when his foundation wages are added to the \$260,208.67 he got from the college. That is 26 per cent more than what was publicly disclosed on the Sunshine List.

"This causes me considerable concern," said Deputy Premier Deb Matthews, who is calling on Mohawk's leaders to "demonstrate integrity" and make McKerlie's foundation contract public. "If a college executive is receiving two separate salaries for the day-to-day functions of their college and their foundation, their full compensation for both positions should be made public...I would urge full transparency and accountability."

So far the province has found 12 out of 24 colleges have presidents sit on foundation boards, however they have not yet seen a situation where the president leads both organizations.

McKerlie was made president of Mohawk College and the foundation in 2014 and it was announced at that time he would receive two salaries. No further details have been made public in the subsequent years.

The Hamilton Spectator notes that the Mohawk Foundation initially refused to provide McKerlie's salary when the paper requested it Wednesday. His 2015 pay of \$91,199.84 was

only disclosed Thursday after the paper raised the issue with the province and got information about foundation salaries from the Canada Revenue Agency charities listing. The foundation did not provide McKerlie's salary for 2016 so it is not known if he was given a raise at a time executive compensation was frozen by the province.

☐ There is no way to know what is in McKerlie's contract. The Broader Public Sector Executive Compensation Act bans perks like club memberships, season tickets, or clothing allowances, but the foundation does not have to follow those rules. The public can only see the expenses he claims through the college and can't see what the foundation reimburses.

☐ "It's a legal loophole to exempt themselves from public sector constraints," said Michel Magnan, chair in corporate governance at Concordia University's John Molson School of Business. "It might be legal, but is it the transparent or ethical thing to do?" Magnan, who researches compensation management, says the foundation should have no issue being upfront and disclosing the contract if there is nothing in it that goes against the Executive Compensation Act.

☐ Meanwhile, Hamilton Health Sciences, St. Joseph's Healthcare and McMaster University all say their presidents and executive teams are not paid anything by their foundations.

Newspapers: "Mohawk College president has a secret contract," The Hamilton Spectator (Saturday), Joanna Frketich, A1
Television: None
Radio: None

FRONT PAGE HEADLINES (GTA NEWSPAPERS)

February 11, 2017

TORONTO STAR

- * Desperation on a dead-end road (with photo)
- * Modest home in Don Mills sold to the highest overbidder
- * York school board chair urges embattled trustee to step down

TORONTO SUN

- * No Pride Left (with photo)
- * Cop who went AWOL can keep gig (with photo)

GLOBE AND MAIL

- * 10,000 and Counting

NATIONAL POST

- * Hands Behind America (with photo)
- * This modern love

FRONT PAGE HEADLINES (GTA NEWSPAPERS)

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Toronto Star

- * Justices' names kept secret in complaints report
- * He couldn't be Romeo...so he turned to Juliet (with photo)

- * Sex assault appeal puts legal costs on trial
- * Ontario's Bottom-line battle over billions in pension 'assets'
- * Top Dog on the Judging Circuit (with photo)

Toronto Sun

- * Road to ruin (with photo)
- * Sabres slip past Leafs

Globe and Mail

- * Does not publish on Sunday

NATIONAL POST

- * Does not publish on Sunday