

Second Session – Forty-Second Legislature
of the
Legislative Assembly of Manitoba
Standing Committee
on
Human Resources

Chairperson
Ms. Janice Morley-Lecomte
Constituency of Seine River

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MANITOBA LEGISLATIVE ASSEMBLY
Forty-Second Legislature

Member	Constituency	Political Affiliation
ADAMS, Danielle	Thompson	NDP
ALTOMARE, Nello	Transcona	NDP
ASAGWARA, Uzoma	Union Station	NDP
BRAR, Diljeet	Burrows	NDP
BUSHIE, Ian	Keewatinook	NDP
CLARKE, Eileen, Hon.	Agassiz	PC
COX, Cathy, Hon.	Kildonan-River East	PC
CULLEN, Cliff, Hon.	Spruce Woods	PC
DRIEDGER, Myrna, Hon.	Roblin	PC
EICHLER, Ralph, Hon.	Lakeside	PC
EWASKO, Wayne	Lac du Bonnet	PC
FIELDING, Scott, Hon.	Kirkfield Park	PC
FONTAINE, Nahanni	St. Johns	NDP
FRIESEN, Cameron, Hon.	Morden-Winkler	PC
GERRARD, Jon, Hon.	River Heights	Lib.
GOERTZEN, Kelvin, Hon.	Steinbach	PC
GORDON, Audrey	Southdale	PC
GUENTER, Josh	Borderland	PC
GUILLEMARD, Sarah, Hon.	Fort Richmond	PC
HELWER, Reg, Hon.	Brandon West	PC
ISLEIFSON, Len	Brandon East	PC
JOHNSON, Derek	Interlake-Gimli	PC
JOHNSTON, Scott	Assiniboia	PC
KINEW, Wab	Fort Rouge	NDP
LAGASSÉ, Bob	Dawson Trail	PC
LAGIMODIERE, Alan	Selkirk	PC
LAMONT, Dougald	St. Boniface	Lib.
LAMOUREUX, Cindy	Tyndall Park	Lib.
LATHLIN, Amanda	The Pas-Kameesak	NDP
LINDSEY, Tom	Flin Flon	NDP
MALOWAY, Jim	Elmwood	NDP
MARCELINO, Malaya	Notre Dame	NDP
MARTIN, Shannon	McPhillips	PC
MOSES, Jamie	St. Vital	NDP
MICHALESKI, Brad	Dauphin	PC
MICKLEFIELD, Andrew	Rossmere	PC
MORLEY-LECOMTE, Janice	Seine River	PC
NAYLOR, Lisa	Woleseley	NDP
NESBITT, Greg	Riding Mountain	PC
PALLISTER, Brian, Hon.	Fort Whyte	PC
PEDERSEN, Blaine, Hon.	Midland	PC
PIWNIUK, Doyle	Turtle Mountain	PC
REYES, Jon	Waverley	PC
SALA, Adrien	St. James	NDP
SANDHU, Mintu	The Maples	NDP
SCHULER, Ron, Hon.	Springfield-Ritchot	PC
SMITH, Andrew	Lagimodière	PC
SMITH, Bernadette	Point Douglas	NDP
SMOOK, Dennis	La Vérendrye	PC
SQUIRES, Rochelle, Hon.	Riel	PC
STEFANSON, Heather, Hon.	Tuxedo	PC
TEITSMA, James	Radisson	PC
WASYLIW, Mark	Fort Garry	NDP
WHARTON, Jeff, Hon.	Red River North	PC
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WISHART, Ian	Portage la Prairie	PC
WOWCHUK, Rick	Swan River	PC

**LEGISLATIVE ASSEMBLY OF MANITOBA
THE STANDING COMMITTEE ON HUMAN RESOURCES**

Monday, December 2, 2019

TIME – 6 p.m.

LOCATION – Winnipeg, Manitoba

**CHAIRPERSON – Ms. Janice Morley-Lecomte
(Seine River)**

**VICE-CHAIRPERSON – Mr. Shannon Martin
(McPhillips)**

ATTENDANCE – 10 QUORUM – 6

Members of the Committee present:

Hon. Mrs. Guillemard, Hon. Ms. Squires

Mses. Adams, Gordon, Mr. Guenter,

Ms. Marcelino, Mr. Martin,

Ms. Morley-Lecomte, Messrs. Moses, Smith

APPEARING:

Ms. Cindy Lamoureux, MLA for Tyndall Park

PUBLIC PRESENTERS:

*Ms. Michelle Gawronsky, Manitoba Government
and General Employees' Union*

MATTERS UNDER CONSIDERATION:

*Bill 7 – The Employment Standards Code
Amendment Act (Leave for Victims of
Interpersonal Violence)*

* * *

Clerk Assistant (Ms. Monique Grenier): Good evening. Will the Standing Committee on Human Resources please come to order.

Before the committee can proceed with the business before it, it must elect a new Chairperson. Are there any nominations for this position?

Mr. Shannon Martin (McPhillips): I would like to nominate Janice Morley-Lecomte.

Clerk Assistant: All right, Ms. Morley-Lecomte has been nominated. Are there any other nominations?

Hearing no other nominations, Ms. Morley-Lecomte, will you please take the Chair.

Madam Chairperson: Okay. Our next item of business is the election of a Vice-Chairperson.

Are there any nominations?

Mr. Andrew Smith (Lagimodière): Yes, I'll nominate Shannon Martin.

Madam Chairperson: All right. Is there any other name? Mr. Martin has been nominated. Are there any other nominations?

Okay, hearing no other nominations, Mr. Martin is elected Vice-Chairperson.

This meeting has been called to consider Bill 7, The Employment Standards Code Amendment Act (Leave for Victims of Interpersonal Violence). We have two presenters registered to speak tonight, as noted on the list of presenters before you.

Before we proceed with presentations, we do have a number of other items and points of information to consider.

First of all, if there is anyone else in the audience who would like to make a presentation this evening, please register with staff at the entrance of the room.

Also, for the information of all presenters, while written versions of presentations are not required, if you are going to accompany your presentation with written materials, we ask that you provide 20 copies. If you need help with photocopying, please speak with our staff.

As well, in accordance with our rules, a time limit of 10 minutes has been allotted for presentations, with another five minutes allowed for questions from committee members.

If a presenter is not in attendance when their name is called, they will be dropped to the bottom of the list. If a presenter is not in attendance when their name is called a second time, they will be removed from the presenters list.

Prior to proceeding with 'public' presentations, I'd like to advise members of the public regarding the process for speaking in committee. The proceedings of our meetings are recorded in order to provide a verbatim transcript. Each time someone wishes to speak, whether it be an MLA or a presenter, I first have to say the person's name. This is the signal for Hansard recorder to turn the mics on and off.

Thank you for your patience. We will now proceed with public presentations.

**Bill 7—The Employment
Standards Code Amendment Act
(Leave for Victims of Interpersonal Violence)**

Madam Chairperson: Okay, I now call Mr. Kevin Rebeck with the Manitoba Federation of Labour.

Okay, Mr. Rebeck is not here. *[interjection]*
Okay, we will call him later on.

Ms. Rochelle—*[interjection]*—Michelle, sorry. Michelle Gawronsky, President, MGEU.

Okay, I see you have written material. We will distribute it. Thank you.

Okay, Ms. Gawronsky, you may proceed.

Ms. Michelle Gawronsky (Manitoba Government and General Employees' Union): Good evening, Chair, ministers, Cabinet members and MLAs. Thank you very much to the committee for the opportunity to speak tonight. I am sure you all know how important this new, improved language is to me personally.

* (18:10)

It was not long ago I was in the Legislature speaking to the merits of Bill 8, which was the first legislation of its kind in Canada. As you know, this was legislation that enacted—that was enacted by the previous government to allow people suffering domestic violence to escape to safety with a guarantee of employment, a guarantee to maintain the ability to provide for their children, to become a survivor.

I stood here and told the story of my mother and I, both of us victims of domestic violence. We both chose to flee our abusive relationships, with our children, to a place of safety. For my mother, that was a shelter. We became survivors.

However, my mom's story is very different than mine. She ended up getting fired from her job because her employer was not as understanding as mine. Her employer gave her an ultimatum: be back to work in two days or you're without a job.

She chose her family. She chose to ensure that six of my nine brothers and sisters that still lived at home with her had all they needed and that she could attend to legal matters and find them a safe place to live.

She made the right choice, but that cost her everything: her community, her home, her job, her dignity. All this because there were no protections

under the law to ensure people like my mother wouldn't have their employment affected by leaving a relationship that was causing harm to them and their children.

I was lucky. My employer did the right thing. She told me to take all the time I needed to ensure my kids and I were safe, that we could get our lives on a better path and that I could come back to work. My children and I were able to maintain our dignity in our community. My employer ensured we became survivors, and that's how it should be. No one in this situation should be penalized with job loss when trying to escape abuse.

Today I am proud to once again stand in this Legislature and express my support and appreciation for the amendments to this legislation that expand the legislation to include victims of interpersonal violence. Because of this, there will be more survivors.

It means the eligibility now extends beyond domestic abuse to victims of sexual violence and stalking, regardless of whether they know their abuser or not. Now these victims, too, will have the benefit to obtain medical, legal and other supports. This will make it easier to become a survivor.

Manitoba has the highest rate of police-reported sexual assaults amongst all Canadian provinces and almost twice the national rate. We cannot afford not to act. And I want to acknowledge and share my appreciation to this government for their action on this amendment, for doing the right thing. You are sending a clear message of support to victims all across this province.

I note the new law provides employees to take 10 consecutive or intermittent days of leave per year and up to 17 weeks per year in one continuous period in a way that best meets their needs. It also provides leave protections if their child or someone in their care has witnessed or been harmed by someone as a result of these acts.

This is a humane law. It is a necessary law, and it is a timely law. Today is the International Day for the Elimination of Violence Against Women. I am a survivor of this. I stand with other survivors, and I know they would say if they were in my place, thank you to the Legislature and to all parties who support this important day and law. My mother would thank you if she was alive today.

I have been to a number of other provinces and have been a spokesperson on national and international media programs talking about why this kind of legislation is so important and why other places need laws like this.

I am pleased that BC, Saskatchewan, PEI, Ontario and Quebec now have similar legislation to provide these protections, but I am proudest that Manitoba began this first important path. These amendments keep us on that path. I am a proud Manitoban.

There is more work to be done on behalf of workers in this province, on behalf of women in this province, on behalf of anyone bullied or abused in any way, but we thank you. Today is a day to celebrate working together, doing the right thing. I thank you, each and every one of you.

Thank you.

Madam Chairperson: Thank you, Ms. Gawronsky, for your presentation.

Do members of the committee have questions for the presenter?

Hon. Rochelle Squires (Acting Minister responsible for the Status of Women): Not so much a question, but just a comment. I just want to say thank you for coming here. It is an honour to hear your story, and I want to honour you for coming before committee once again to share your personal experience.

And it's because of your voice and the voice of many people like you who have found the courage to share their stories of interpersonal violence that has acted, that has prompted legislative change in this province and around this country. And you're so very correct when you say that we have much more work to do in this province in eradicating gender-based violence. But I'm very confident that with the voices of many people like yourself and others who are acting with conviction and courage to implement change in society, that we collectively will get there.

So thank you very much for your presentation tonight.

Madam Chairperson: Thank you, Honourable Minister Squires.

Any other questions from the committee?

Ms. Cindy Lamoureux (Tyndall Park): I, too, just want to thank you, Michelle, for sharing your story with us here today, and I know we're going to be

supporting the bill moving forward and we think it's a great step moving forward.

And I was just curious if you had any additional ideas or changes perhaps for future legislation or amendments that you would recommend and share with the committee.

Ms. Gawronsky: Off the top of my head, I can think of a thousand, but not one in particular. But, given an opportunity to share some ideas and they wouldn't just be mine, they would definitely be from fellow survivors and folks that are abused today, and not just women but men as well. I've had a number of men have come to me sharing the mental and emotional abuse that they are trying to survive at home, so there are many ideas I've got and I would love to put together some ideas and share, absolutely.

Madam Chairperson: Thank you, Ms. Gawronsky.

Are there other questions from the committee?

Okay, thank you. Hearing no—thank you.

We will now call again Mr. Rebeck. Mr. Rebeck is here?

Mr. Rebeck will be dropped from the list.

Are there any other individuals who'd like to speak to this bill? Okay, thank you.

Hearing no one else, this concludes public presentations.

* * *

Madam Chairperson: We will now proceed with clause by clause of Bill 7.

Does the minister responsible for Bill 7 have any—have an opening statement?

Ms. Squires: Thank you very much, Madam Chairperson, for the opportunity to just put a few additional words on the record for Bill 7.

I do want to again express my appreciation to all survivors who have come forward and helped use their voice to enact change, and whether that be in government or in societal writ large, change is what they've done with their collective voice and change is what needs to continue to happen. And I appreciate that we are with these amendments helping create space for those people to use their voice to come forward and make change and to know that they will be believed and that their experiences will be taken very seriously and that as our former presenter had stated so eloquently that we are using all the tools at

our disposal to ensure that sexual assault victims become survivors. And we do believe that this is a necessary tool to make that leap from victim to survivor.

I did also want to point out that we know that trauma lasts a long—can last a long time from sexual violence or interpersonal violence and that is why the bill is structured as such, so that if there's a circumstance that happens years into the future and a survivor needs to take time away from work to heal, that provision would be certainly allowed through this legislation.

And I do want to, in closing, just thank members of the committee for being here tonight to discuss this important legislation, but also to thank the members who've worked tirelessly for months on this legislation, and, particularly, members of the Manitoba Status of Women secretariat and for all the work that they've done and for our legal advisers and drafters who have helped us get this amendment to the place that it is today, where we think that this is going to be a tool—a much-needed tool to help survivors in the province of Manitoba.

* (18:20)

So, with that, I'm anxious to hear other committee members' thoughts and to see this bill move forward so that we can pass it into law to provide survivors these tools as soon as possible.

Thank you, Madam Chair.

Madam Chairperson: Thank you, Honourable Minister Squires.

Does the critic from the official opposition have an opening statement?

Ms. Malaya Marcelino (Notre Dame): A staff member and I did attend a briefing—bill briefing this morning, and we were very pleased with the meeting and with the discussion and learning about this bill. And our party members would like to support this bill.

Madam Chairperson: Thank you, Ms. Marcelino.

During the consideration of a bill, the preamble, the enacting clause and the title are postponed until all other clauses have been considered in their proper order.

Also, if there is agreement from the committee, the Chair will call clauses in blocks that conform to pages, with the understanding that we will stop at any particular clause or clauses where members may have comments, questions or amendments to propose.

Is this agreed? *[Agreed]*

Clause 1 through 3—pass; clauses 4 and 5—pass; enacting clause—pass; title—pass. Bill be reported.

The hour being 6:22, what is the will of the committee?

Some Honourable Members: Rise.

Madam Chairperson: Rise. Committee rise.

COMMITTEE ROSE AT: 6:22 p.m.

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