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of the

Legislative Assembly of Manitoba

Standing Committee

on

Law Amendments

Chairperson
Mrs. Myrna Driedger
Constituency of Charleswood



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MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Sixth Legislature

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LEGISLATIVE ASSEMBLY OF MANITOBA
THE STANDING COMMITTEE ON LAW AMENDMENTS

Monday, July 12, 1999

TIME – 2:30 p.m.

LOCATION – Winnipeg, Manitoba

**CHAIRPERSON – Mrs. Myrna Driedger
(Charleswood)**

**VICE-CHAIRPERSON – Mr. David
Fauschou (Portage la Prairie)**

ATTENDANCE - 11 – QUORUM - 6

Members of the Committee present:

Hon. Mrs. McIntosh, Hon. Mrs. Mitchelson,
Hon. Mr. Pitura

Ms. Cerilli, Mrs. Driedger, Messrs.
Fauschou, Martindale, McAlpine, Ms.
McGifford, Messrs. Sale, Sveinson

WITNESSES:

Mr. Alan Maki, Private Citizen
Mr. Neil Cohen, Community Unemployed
Help Centre
Mr. John Doyle, Manitoba Federation of
Labour
Mr. Peter Kaufmann, Private Citizen
Ms. Valerie Price, Manitoba Association for
Rights and Liberties
Br. Thomas Novak, Manitoba Oblate Justice
and Peace Committee
Ms. Catherine Stearns, Workers' Organizing
Resource Centre
Mr. Glen Michalchuk, Workers' Organizing
Resource Centre
Mr. Darrall Rankin, Communist Party of
Canada - Manitoba

MATTERS UNDER DISCUSSION:

**Bill 40—The Employment and Income Assistance
Amendment Act**

* * *

Madam Chairperson: Would the Standing Committee on Law Amendments please come to order. Good afternoon, everybody. This afternoon the committee will be continuing with public presentations on Bill 40, The Employment and Income Assistance Amendment Act. We do still have a number of presenters that are registered to speak to the bill this afternoon.

I will read the names of the persons who have registered to make presentations this afternoon: Patrick Martin, member of Parliament; Neil Cohen, the Community Unemployed Help Centre; Sylvia Farley or John Doyle, the Manitoba Federation of Labour; Rabbi Levenson, Temple Shalom; David Henry, private citizen; Peter Kaufmann, private citizen; Valerie Price, Manitoba Association for Rights and Liberties; Thomas Novak, Oblate Justice and Peace Committee; Catherine Stearns and Glen Michalchuk, Workers Organizing Resource Centre; Darrall Rankin, Communist Party of Canada - Manitoba; Alan Maki, private citizen; Reverend Harry Lehotsky, New Life Ministries; Margot Lavoie, private citizen; and George Harris, Aids Shelter Coalition.

Those are the persons and organizations that have registered so far. If there is anybody else in the audience that would like to register or has not yet registered and would like to make a presentation, would you please register at the back of the room? Just a reminder that 20 copies of your presentation are required. If you require assistance with photocopying, please see the clerk of this committee.

Before we proceed, I would like to advise that this committee had previously agreed that there were to be no time limits established for public presentations. It was also agreed that the names of the presenters who are absent will be dropped to the bottom of the list and will be removed from the list after being called twice.

Mr. Alan Maki, No. 11 on the list, is from out of town. Is there leave for Mr. Maki to speak first? [agreed]

If there are any other presenters in the audience who are from out of town and wish to speak at the beginning of the meeting, please identify yourself to Chamber staff at the back table, and we will try to accommodate you.

It has also been determined that this committee will sit until 6 p.m. this evening, recess from six to seven, then reconvene to hear all remaining presenters. Is that agreed upon by the committee? [agreed]

We will now begin the public presentations. Alan Maki, private citizen, would you please come forward to make your presentation? Do you have written copies of your brief?

Mr. Alan Maki (Private Citizen): No, I do not. I only found out about this hearing last week.

Mr. Chairperson: That is fine. Please proceed with your presentation.

Mr. Maki: I would also like to point out that I do represent a couple of other organizations, but I am here to represent myself as a person that is on welfare at this time. I think there are some things that need to be talked about as far as how this committee has dealt with holding these hearings itself, in the nature of what is democracy all about. Why did welfare recipients not receive notice of this hearing along with their welfare payments? You know, this would have been a very simple act on the part of this government, an act that this government chose not to do, intentionally chose not to do, because this government did not want to know how we felt and how this bill was going to impact us.

You know, I could stand here and tell you a sob story. My problem is different from most people on welfare. I am sure this government likes to hear that, that my problem is different, but it is not really, because the source of our problem is the same source of the problem of every single person in this province that is on welfare. It is a rotten system. That is the source of our problem. That is what we have to deal

with, a system, a capitalist system, the free enterprise system that this government is supporting, a free enterprise system that this bill that you are proposing goes hand in hand with very nicely with globalization and everything else.

* (1450)

Here is something off of the website from somebody else that has some comments about welfare reform, almost word for word about what this government says. It says here: drug testing for all welfare recipients. If they have money for drugs, they do not need your tax dollars. Another quote: Workfare not welfare. You work for your cheque, so should they. Well, where does this come from? From the Ku Klux Klan, none other than the Ku Klux Klan.

Quite frankly, I do not find that too ironic that this government supports the same kind of policies as the Ku Klux Klan or is articulating those kinds of oppositions on the part of the Ku Klux Klan because my dealings with this government have been racist right down the line. As a member of the board of the Manitoba Trappers Association—I see Mr. Cummings decided not to show up today—I told him last week I wanted to address some problems with him: his attacks on me in the Manitoba Legislature and the Estimates committee. Mr. Cummings has intentionally chosen to refuse to meet with me when I was a member of the board of the Manitoba Trappers Association to talk about some of these very problems, trappers that are on welfare. myself included.

This government talks about workfare, you talk about putting people out on community programs, volunteer programs. Well, if this government wants to find out how much you owe our family for the volunteer work that our family has done in the schools, in the community in which we live, we figured it out you would owe us around \$90,000 at minimum wage at 1990 minimum wage figures. So what do we have to show for that? I have got three shirts I can wear when I go look for a job. I have got a pair of shoes. Here are my shoes that I am wearing around. I have never been given a penny from this government for clothing. We get \$607 a month right now to live on. When

my wife goes to work as a secretary at the Ste. Anne Collegiate High School and gets paid around \$70 a day, this government takes almost every penny of that with the exception of \$100, leaving us with \$707 a month to live on when she does work.

Mr. Vice-Chairperson in the Chair

I work for the Hanover School Division under an education and training program. Mrs. Mitchelson, you know exactly what happened in that program. The reason I say you know exactly what happened is because I have a letter here from Gerry Liske, a man that you know very well. What does this letter say? I think we should read it so everybody in this room knows exactly what it says. It is a short letter. It is from Gerry Liske, director of Employment and Income Assistance, to Gerry Schmidt, executive director of Client Services for Manitoba. It says here: Subject: Update Alan, Carol Maki. Our department continues to assist the Makis on a monthly basis. Enrollment was to be of a short-term nature; however, since enrollment of March 1, 1998, Mr. and Mrs. Maki have not been able to secure full-time employment.

Sandee Harder, councillor for Manitoba Education and Training, has been extensively involved providing training allowances for Mr. Maki to complete a bus driver course as well as training for custodial work at the Seine River School Division. Mr. Maki has assured me monthly that with part-time employment with the Seine River School Division and trapping income, he would be financially secure. However, on Thursday, November 26, 1998, Mr. Maki advised me 60 of his traps were stolen, and he is unable to trap. Furthermore, he has challenged the Seine River School Division—see copy of Carillon newspaper clipping—which you have in your files and which you told me that you have, Mrs. Mitchelson—on their hiring practices, as a result of only being hired to work one day as a custodian while other persons being hired on a more regular basis.

Sandee Harder advised me employment opportunities in the area are extremely restricted due to Mr. Maki's involvement with the Department of Immigration and his involvement

with the Communist Party. In the meantime, our office continues to assist on a monthly basis. Mrs. Maki continues to do periodic volunteer work at the local school. Unless Mr. Maki agrees to move out of the area, our department will be requested to assist the Makis as the doors to opportunity for employment have been closed for them in the area.

Now, Mrs. Mitchelson, you talk about people not wanting to work. I challenge you to find a family that wants to work more than our family. I challenge you to do that. The fact is you know that I have been systematically denied employment because of my political beliefs and because of our situation with immigration. You know that. Yet this letter was written on December 1. Ten days later our welfare was cut by over \$300, knowing full well that this is the situation we were left in.

Now Mr. Liske has ordered each of us to look for 10 jobs every month. You have not offered a single penny for gas for our car to get us there, knowing full well, it says right here in the area we cannot find work. Am I supposed to drive to Winnipeg every day to look for a job? What is there to guarantee that your department will do any more than you did in this situation?

I had the opportunity to get a job at Barkman Concrete. This is a matter of public record, Mrs. Mitchelson, and you know that as well as I do. The conversation between Ernie Toews at Barkman Concrete and Sandee Harder at Employment and Training was such that the only question that they had about hiring me for about an \$80,000-a-year job is that I was a Communist. That was the only question.

You know, when I came to you and asked your department to investigate to find out why exactly I was being denied employment, because that was a violation of my human rights to be denied a job in this province on that basis, you refused to do anything. When I went to Mr. Liske and asked him to put his investigators on this, Mr. Liske said: I will do that. No problem. Well, I waited three weeks. I called Mr. Liske three weeks later. Mr. Liske told me: Oh, I forgot all about it. I went on holidays and I forgot all about it.

Well, I have been through your records from your department. I am sure you know that, because you denied us the right to have access to most of the records from your department. Right? Am I right or not, Mrs. Mitchelson? Do you want to answer for everybody here to hear? Did you deny me the right to have access to those records?

You talk about people wanting to work or not wanting to work. Let us get to the bottom of this now. Here is a real case right here, a real case, not a number, not a figure, a living, breathing human being. See, and you sit in silence. That is what your government does all the time when it comes to poor people's problems.

You know, I came across the quote from Bertold Brecht. I am sure you know who he was, a very, very famous playwright and author. He said: The powerful of the Earth create the poor but cannot bear to look at them.

That is the policy of this government here. You know, you beautify this city for the Pan Am Games, but what about my right to work. You know, you do not care. You could not care less. What you care about is making a political statement to the voters: Oh, those dirty rotten people on welfare. They want a free ride. Well, now you have a case where a person wants to work. You have your assistants there. When am I going to get to work? That is what I want to know.

This government spent thousands of dollars training me to be a custodian, and I cannot get a job because I am a Communist? You told me yourself you know that I am at least capable of being a custodian, Mrs. Mitchelson. You told me that in your office. The Department of Education and Training told me that if I want to work I would be assured a job. All I had to do was agree to go into a custodial training program. How many months has it been? No job, Mrs. Mitchelson. No job. You just sit there in silence, yes. Mr. Cummings did not have the guts to show up. You know, this is the way your government operates. I want some real answers to some real problems.

You know, I think that you have to provide the people of this province with answers to these questions. Your government is going to have to provide answers as to why a report like this is in government records. Your department is going to have to explain why this editorial from the Calgary Herald is in my welfare file. It says: Go south, man. A very vicious attack on our family. When I asked why that was in your files, I was told because your department takes an interest in welfare recipients in this province. Yes, I can see what kind of interest your department takes in the rights of welfare recipients in this province, Mrs. Mitchelson.

You have encouraged employers to discriminate against myself. I wonder how many other people that this has happened to that you have not done anything about. It is despicable, as far as I am concerned, because I see the article here, Immigrant workers in demand, another statement from your government. Well, I am an immigrant worker, but I just have the wrong political beliefs. Is that it? Is that what is going on here? You know, I think we need some answers.

Here is another. This is the Winnipeg Free Press. This is what we are talking about. Welfare, get work, Tories say. Well, here I am, Mrs. Mitchelson. I want work. I have been denied the right to work because of my political beliefs in three cases now so far: at the Seine River School Division, in the Hanover School Division and at Barkman Concrete. Nobody denies any of this, yet your government has not taken action to defend my right to work.

Did you have something to say? Maybe you want to respond to what I have said so far.

* (1500)

Mr. Vice-Chairperson: Mr. Maki, there was a period in time there that you were drawing your commentary to a personal level. This committee has shown a lot of latitude in its presentations at present, but we are discussing and hearing presentations on Bill 40. I can certainly appreciate your comments; however, ones of a personal nature, from this Chair, will not be acceptable at these proceedings. However, as you moved away to a more general presentation,

I backed away from making comment at that time. Are you coming close to a conclusion of your presentation?

Mr. Maki: I am nowhere near done. I have driven here two times this far. What is your name again?

Mr. Vice-Chairperson: I am the Vice-Chair of the Standing Committee on Law Amendments.

Mr. Maki: You are an MLA?

Mr. Vice-Chairperson: I am an MLA. My name is Mr. David Fauschou. I am the MLA for Portage la Prairie, and I am the Vice-Chair.

Mr. Maki: Well, would you like to answer any of the questions that I have raised?

Mr. Vice-Chairperson: At this point in time, questions and answers are at the end of the presentation and therefore not accepted during the presentation.

Mr. Maki: You and the rest of your government sat in silence when Mr. Cummings attacked me in Estimates and now you want me to shut up, but I guess what is pertinent is Article 25 of the United Nations Universal Declaration of Human Rights. Does your government have a copy of this? I would like to know: does your government have a copy of this? When you were putting forward this program of yours for welfare reform, did you read the United Nations Universal Declaration of Human Rights first?

Mr. Vice-Chairperson: Mr. Maki, are you then at the end of your presentation because that is—

Mr. Maki: No, this is part of my presentation. I am trying to get some questions answered, because I see nothing in your proposed legislation that shows any indication that you even took the time to read the United Nations Universal Declaration of Human Rights.

I think it is very clear. According to this document, people have the right to a decent standard of living. You know, if you read Article 25, it says here everyone has the right to a standard of living adequate for the health and well-being of himself and his family, including

food, clothing—does that include clothes like I have got on right now; I do not know—housing and medical care. I should point out your government denied us medical care for over a year. We had to fight for that, and finally we got it, just like we had to fight for welfare and finally we got it, just like we had to fight for the right of our children to go to school. We finally got that with the help of a lot of other people in this province but without the help of your government. It goes on to say: medical care and necessary social services and the right to security in the event of unemployment, sickness, disability, widowhood, old age and other lack of livelihood and circumstances beyond his control. Motherhood and childhood are entitled to special care and assistance. All children, whether born in or out of wedlock, shall enjoy the same social protection.

Well, I am very interested in that particular Article 25. I hope you do not just think I am making a personal comment about that, just not my circumstances, but every single person that is on welfare in this province is concerned about this. Maybe you should have stuck that into the monthly welfare cheque that people receive, along with a notice to come to this hearing here. You know, I would like an explanation. I hope somebody will explain why that notice was not put into the welfare cheques this month. You know, I hope somebody here can explain that.

This government also knows that the municipality of La Broquerie denied our denied our family social assistance after the reeve, John Giesbrecht, launched into an anti-Semitic tirade against me. You know, you did nothing about that. I think that this government has a shameful, a very shameful record when it comes to the rights of welfare people and when it comes to the rights of working people in this province, and that is what we are really talking about when we talk about the legislation that you are proposing. We are talking about your attack on working-class families and farm families in this province, people that cannot make ends meet that need something to get by on until they can. Your government wants to take all that away from people. I think it is a shame. You know, I think you ought to hold your head in shame, I really do.

Yet you go to the news media and say you want to put people to work. Then you say, oh, you are making it too personal, when I am a living, breathing example of a person that wants to work. Your government has spent thousands of dollars training me for work, and you cannot give me a job. I would like an explanation for that, and your government will not even investigate. Your government has spent time following me around the country and newspaper articles and everything else. That is all in the files. It is all in your welfare file, Mrs. Mitchelson. I have seen it all. Hundreds of pages of this kind of thing where you have assigned investigators. You are trying to get me for some kind of welfare fraud for over a year now, and you have not been able to make a case—for over a year. This is a disgrace.

Now you say that you want to make people work for what they get. It makes me sick; it just makes me sick. I do not mean it as a personal attack, but I do not know what to say. But I think we have to use the United Nations Universal Declaration of Human Rights. When we talk about welfare reform, we should be using that as the point at which we start talking about welfare reform. That is the point where we start talking about it, not your phoney workfare schemes and community volunteer projects that is going to send people out here on the streets to work for nothing and then lay off people who are getting paid for those jobs. When I was working in the Hanover School Division, there were people there that were mad that I was there working as a welfare recipient, knowing that their jobs were in jeopardy, because here I was working for free. This is the living reality; this is the way your government seeks to divide working people, keeping people fighting over a job, something they are entitled to in the first place as a human right, as a birthright. Yet you want to make people fight rather than come together. This is the tactics that your administration has used, that this government has used, time in and time out.

You know, I have watched it for the last nine years. Divide and rule. Spread all kinds of vicious racism. I see it in the casino thing. Anybody can see it on the front page of the Winnipeg Free Press. We see that kind of racism in the aboriginal communities in the

North that I went through as a member of the board of the Manitoba Trappers Association that Mr. Cummings does not want to deal with. Sheer racism. I sat and watched at an annual meeting of the Manitoba Trappers Association as Mr. Newman from Indian and Northern Affairs sat and laughed like hell about a racist joke that was told from the podium, just totally disgraceful, but yet your government, to me, is disgraceful. Thanks.

Mr. Vice-Chairperson: Thank you, Mr. Maki, for your remarks. Are there any questions from any committee members? Seeing no questions, I would like to call upon Mr. Patrick Martin, Mr. Patrick Martin. Calling second time for Mr. Patrick Martin. Mr. Martin will be dropped to the bottom of the list. Calling Mr. Neil Cohen. Is Mr. Neil Cohen present? Mr. Cohen, have you copies of your written presentation for committee members? Will the page please distribute.

Mr. Neil Cohen (Community Unemployed Help Centre): I wish to thank the committee for the opportunity to appear today on behalf of the Community Unemployed Help Centre. The centre has been providing unemployment insurance assistance to unemployed Manitoba workers since the agency was established in 1980. The CUHC engages in three primary activities: helping unemployed workers obtain the UI benefits to which they are entitled; engaging in public education activities on UI and unemployment-related issues; and engaging in various social policy activities with an emphasis on UI, unemployment and poverty issues.

The centre is funded by the United Way of Winnipeg, with additional support provided by local unions, as well as through private donations and fundraising activities. In any given year, the centre provides direct assistance to over 2,500 unemployed workers, wins over 80 percent of its UI appeals before boards of referees and umpires who are Justices of the Federal Court of Canada. The centre recovers over \$1 million annually for its clients in UI benefits previously denied.

Madam Chairperson in the Chair

In addition to individual client services, the centre conducts over 80 workshops and

presentations annually, is regularly called upon by local and national media for comment on issues within its mandate and participates in a broad range of social policy activities both locally and nationally. We have been actively involved in the alternative federal budget, are currently participating in the federal government initiative mandated to produce a plain-language version of the Employment Insurance Act, while continuing to express our opposition to the act and the extent to which it denies benefits to the majority of Manitoba workers.

*(1510)

While our primary area of expertise centres on UI, we are concerned with all aspects of income support, including social assistance. I might also add that we are no less concerned about enhancing the capacity of individuals to break free of the cycle of poverty and welfare dependency. While Bill 40 purports to share that concern, the measures proposed by this view, in our view, do not address the fundamental issues. These measures do not address the lack of jobs. They do not address the lack of available resources to assist those individuals and families living in poverty.

The bill clearly blames the poor for their own poverty and dependence on social assistance. It paints a picture of those on assistance as being substance-abusing layabouts who would prefer the option of leisure at public expense to that of contributing to society through worker community service. There are, regrettably, many who share this view and are certainly politically expedient to advance that stereotype by diverting public attention from the real issues. The bill does not address poverty in any meaningful way. It fails to acknowledge that there are currently 78,000 individuals on assistance in the province of Manitoba in the face of 5,000 available jobs.

The mandatory work or community service approach is expensive and there has been little, if any, evidence to suggest that it works. We are aware of the tremendous cost of workfare programs in New Brunswick and the total abandonment of workfare by the province of Quebec after seven years. A preferred approach, in our view, to giving people a hand up and not a handout would be to ensure that they have

adequate resources to break free of welfare dependency, to ensure that they have adequate food, clothing and shelter, to ensure that individuals and families have access to affordable child care, to ensure that they have adequate opportunities to pursue their education and access to meaningful work experience and job opportunities.

This government has cut many programs which had greatly benefited those living in poverty, including the Access program by 50 percent in the past 10 years. New Careers was terminated. Funding was also terminated to the Manitoba Anti-Poverty Organization, the Indian and Metis Friendship Centres and our very public battle a few years ago to foster parents.

In our view, this legislation is punitive, meanspirited at best, preys upon the most cynical public views of welfare recipients and is entirely misguided. In the long run, it will do nothing to help individuals and families break free of welfare dependency. It will prove costly and impose greater demands on both line staff and municipal administrators. This has been the experience of other jurisdictions and will no doubt be shared by the Province of Manitoba.

It must be noted that social assistance recipients did not make a choice between welfare and other alternatives. They are, in the main, people who for various reasons are unable to work, while representing the entire cross-section of society. They are disabled. They are people who are unemployed and without alternative means of support. They lack the education, skills or resources to find work or to participate fully in society.

Bill 40 fails to address these fundamental issues. It paints a negative stereotype of the welfare recipient as one who lacks motivation and is content to live at public expense without obligation or responsibility. Bill 40 will not create additional jobs. It will not enhance the quality of life for the majority of those on assistance. It will not improve housing, provide families with better food or clothing. It will not enhance access to educational opportunities.

In our view, that is the preferred path, to give people a hand up by providing additional

resources that will help them make the transition from social assistance to work and to ensure that there are additional job opportunities for those who can work. Mandatory community service and workfare will not create more jobs. National unemployment has increased on average in every decade since the 1940s. At the same time, social spending has declined throughout the past 10 years in most parts of Canada. It is morally reprehensible and socially misguided to require more of social assistance recipients at a time in which governments are providing less.

We face enormous social problems throughout Manitoba and Canada. Unemployment remains unacceptably high. The rate of joblessness among youth is nothing short of appalling. Manitoba continues to possess one of the highest rates of child poverty in the country. Further, while Manitoba continues to boast the lowest unemployment rate among provinces, it does not factor in unemployment among aboriginal people.

How will this bill address these issues? If we are to seriously help those stuck in the cycle of poverty, we must begin by providing opportunities and help restore the dignity of those who have been marginalized. This will not be done by perpetuating myths and stereotypes about welfare recipients. Bill 40 imposes great obligations on social assistance recipients who face severe penalties for noncompliance while giving municipal directors broad discretionary powers.

We would encourage the Manitoba government to suspend its ideological biases to truly examine the experience of other jurisdictions and refrain from implementing this legislation. Thank you.

Madam Chairperson: Thank you, Mr. Cohen. Are there any questions from the committee?

Mr. Doug Martindale (Burrows): Madam Chairperson, I would like to ask the presenter if he is aware of any data on the number of people on social assistance in Manitoba who in the past may have been on EI benefits before the legislation was most recently amended, because I think that was when large numbers of people were ineligible.

Mr. Cohen: I do not recall specific data except to say that throughout the country over the last 10 years, with successive legislative changes to UI, 10 years ago the Unemployment Insurance Program provided benefits to about 80 percent of all unemployed workers, and that figure is now less than 40 percent. Presumably, more people turned to social assistance, but we are also aware of people who have been denied social assistance.

We certainly see this through some of the data and anecdotally, as well, that it does not necessarily correlate. There is not a direct correlation between the number of people who have been denied an increase in social assistance, and, in part, we think that many people have become dependent upon other family members, particularly younger people who are now compelled to live at home, and certainly the increase of discouraged workers has also increased.

Mr. Martindale: Can you tell me, if you know, what the cost is to the Province of Manitoba because of people who are on social assistance instead of EI?

Mr. Cohen: I do not have that exact figure except to say that when the current legislation, Bill C-12, the Employment Insurance Act, was introduced, I am aware that the Province of Manitoba, at least departmentally, did an impact study, as governments do, to look at the impact of offloading. I am certainly aware that at that time the study indicated that it would have the potential to cost the Province of Manitoba hundreds of millions of dollars in lost UI benefits.

Mr. Martindale: Can you tell me if the Province of Manitoba presented a brief or wrote a letter or appeared as a delegation when the federal EI bill was being amended to point out that the cost to Manitoba was going to be hundreds of millions of dollars?

Mr. Cohen: Not to my knowledge, but in fairness to the Province of Manitoba, I will acknowledge that the plight of people on social assistance has certainly been exacerbated, and in part the federal government is responsible for cuts in transfer payments. We see the end of the

Canada Assistance Plan, replaced by the Canada Health and Social Transfer. We see the reductions in funding in social assistance recipients agreements, cost-share agreements between the federal government and the province. You know, whatever is happening federally obviously has had an impact on the province of Manitoba. But that said, on a personal level I have certainly been disappointed to see that the provincial government has not been more public and more vocal in expressing its opposition. It is not to say that it does not happen privately or that briefs had not been presented, but I would have hoped that the province would have taken a more visible and vocal position on behalf of Manitobans to express its opposition to some of the legislative changes at the federal level which have had a dramatic impact particularly on people in poverty and unemployed workers and welfare recipients.

Ms. Diane McGifford (Osborne): Mr. Cohen, would it be accurate to conclude from your presentation that you are suggesting that this government first created the problem by increasing the numbers on social assistance with its cutbacks? You mentioned the 50 percent cutback to the Access programs, the termination of New Careers, funding terminated to the Manitoba Anti-Poverty Organization, the Indian-Metis friendship centres. Anyway, would it be accurate to say that you are suggesting this government has first exacerbated a problem and is now blaming the victims of their cutbacks? I think "mean-spiritedness" was one of your words.

* (1520)

Mr. Cohen: I think certainly the potential exists for that problem to have been exacerbated by the Province of Manitoba. In addition, I do not think the implementation of a social cattle prod is an appropriate response. I think many people have said we are not opposed to providing opportunities for people to work, but I think at the same time the government has to present the balanced approach.

I think it is a legitimate concern of this government or any government to be concerned about the ability of all parents to care for their

children in a safe manner. I think we are all concerned about dependency problems, including gambling, I might add, not simply chemical dependency, but I think at the same time it is unreasonable to remove the social safety net. I think it is the responsibility of all governments to ensure that people have an adequate level of both income support and social supports which will allow them to rise above poverty and help with reintegration.

With respect, if I could once again, to Mr. Martindale's question, if I am not mistaken—and there may be Hansard to this effect—I guess there are two views when we look at unemployment insurance and the position of the Province of Manitoba. There has always been a view between the social activists, if I may say, and labour to call upon the federal government to once again restore benefit entitlement particularly in view of the vast UI surplus which is now in excess of \$20 billion, and an alternative view which is expressed by Conservative governments and certainly small business that said their priority, rather than restoring benefits to unemployed workers, is to call for lower premiums. If I am not mistaken, I think I may have read that that is the position of the Manitoba government, is to say that rather than looking at the denial of UI benefits, to say that the premiums are too high, obviously we should lower premiums rather than restoring benefits to those who have been denied.

Ms. McGifford: You cite the examples, Mr. Cohen, of other jurisdictions in Canada where workfare has not worked. I think you cite New Brunswick and Quebec, and of course there are other examples in the U.S. which I am sure you are familiar with as well. I wonder why, in view of this, you think this government is determined to go ahead with this legislation.

Mr. Cohen: Well, I think a couple of things. I mean, I think it diverts people's attention from the broader issues, and it is very easy to come up with simple solutions to complex problems, again, to blame the individual and deflect your own responsibility for ensuring adequate access to social housing, to educational opportunities and so on, so I think there is this element that is very politically expedient. I think that is part of it. I think that it is very popular in some ways to

advance a public perception, that I think is wrong but I think many people continue to believe, that the vast number of people on assistance are people who prefer to live at public expense than to better themselves, so I think it feeds into that particular view.

Hon. Bonnie Mitchelson (Minister of Family Services): Thank you very much, Mr. Cohen, for your presentation. When you talk about poverty and welfare, I have made the statement many times that says a life on welfare will always be a life of poverty, would you agree with that kind of a statement or what would be your sense of what welfare rates should be?

Mr. Cohen: I think that we have a public responsibility to ensure that everyone has access to the—provide a decent quality of life for everyone on assistance. I do not believe, in saying that, that necessarily would serve as a disincentive for people to improve their condition in life, but I think it is certainly important that people have an adequate level of food, clothing and shelter to ensure that they are not living below the poverty line, because I think that is a life without hope, not only for people on assistance but also for their children.

Mrs. Mitchelson: I guess I would ask Mr. Cohen, the low income cutoffs which are used to measure poverty through StatsCanada, is that then what you would advocate for welfare rates?

Mr. Cohen: I think in principle, but I cannot comment without any further scrutiny, but certainly in principle I think that people should be entitled to a standard of living which is above the low income cutoffs.

Mrs. Mitchelson: Just one last question. Obviously, your presentation would indicate to me then that you do not believe that people should have to work or volunteer in order to receive welfare benefits.

Mr. Cohen: I think legislation and policy is very strongly based on values. In reading the amendments to the bill, my preference would be to talk about creating a climate of opportunity, and it does not. I think that the tone of the legislation and the values it reflects are extremely punitive in nature. I think the onus is

on the government, and that is really the thrust of what I am saying, that rather than turning attention to the recipients of social assistance is to say to the government, what are the government's responsibilities? Has the plight and lot of people on social assistance improved or has it worsened over the last 10 years? What about the programs and services which are intended or have the potential to improve the lives of people on assistance? Have they improved or have they worsened? Has funding been cut to those particular programs?

I think a balanced approach is in order. I think that people should be given opportunities. We should ensure that people are job ready or we should ensure that whatever barriers people face—I think often if people are forced into mandatory programs, and they are not ready, can have a devastating impact on individuals, so I think there are two issues. One is I think it is important to focus on the responsibility of government and saying that it is not simply the recipients of social assistance who have responsibilities. We have to look at the government record and their responsibilities as well.

I think in some instances, we have to look at whether people are ready. We have to look at the issue of addiction programs, for example, and I think addiction experts would, and I am speculating, I do not have any data on this, but I think they would say that the success is likely to be greater if people enter into these programs voluntarily. I think that we have to ensure that all the programs and supports are put in place. Why do people not want to work? Are there people on assistance who do not enter into training programs or who do not seek help for their recovery? It is often because people are without hope and forcing them into a program will not help them overcome the barriers. It will not help them develop a sense of self-confidence. For many, I think it can be very frightening and intimidating. Again, I am also concerned about the legislation because we have yet to see the regulations. We have yet to see the policies, procedures and practices which will be put in place, and I think it is important that people be aided and assisted. So I think that my approach should be a little different.

Mrs. Mitchelson: Thank you.

Mr. Cohen: Thank you.

Mr. Gerry McAlpine (Sturgeon Creek): Mr. Cohen, is there anything in this bill that you find that you could accept?

Mr. Cohen: I think in principle, or getting back to what I had said earlier, I think it is a legitimate role and responsibility of government to help people on social assistance overcome particular problems, that governments have a responsibility to care about the well-being of children. I think it is important. I think that in some ways, the bill puts additional resources into those particular programs for dependency, for child care, to help people become job ready. I think those are important initiatives, but I do not think that they address the real fundamental problem. To the extent that something needs to be done, I take great exception to the way in which things will be implemented. I think a recognition that people sometimes face barriers, and if the province is putting in additional resources in order to help people overcome those barriers, then I think that there is certainly some value in that. If it is certainly to help the children of those social assistance recipients and give them some hope for the future and to live in a more protected environment, then I certainly see value in that.

* (1530)

Mr. McAlpine: So in short, I am making some assumptions here, but what you are saying is that you do not support the bill. Is that correct?

Mr. Cohen: That is correct.

Mr. McAlpine: Do you know that the opposition members have supported this government on the balanced budget legislation, voted for the last budget? If they were to support this bill, how would you feel about that? Would you support that kind of an action?

Mr. Cohen: I would not support the bill, so I would hope that the opposition would not as well. I think that it is always difficult, because it is kind of a mixed bag. You would ask me if there is anything good in the bill, and, in fairness, I have to say, yes, there are some good intentions behind the bill. I think it is always

difficult to make any decision as to whether any opposition party will support a bill. I think on balance, I would certainly hope that the opposition would not support this bill and prefer them to articulate a different vision on behalf of social assistance recipients and Manitobans. I think it gives them an opportunity to talk about the failings of this government in terms of improving the lot of social assistance recipients rather turning its attention on people who they think to be abusing the system.

Mr. McAlpine: So what you are saying then, you are open to some amendments to this bill. Is that what you just said?

Mr. Cohen: I think it goes further than that, because I think it really calls for a program review to look at all the programs not just at the provincial level but to look at the impact of all the federal cuts and to see what that impact has been on people in poverty and social assistance recipients. I do not think an amendment to the bill would really go far enough. I think it would call for more of a comprehensive view to engage social assistance recipients, advocates, those who work with unemployed workers, and so on.

Madam Chairperson: Thank you very much for your presentation, Mr. Cohen.

Our next presenter is Sylvia Farley or John Doyle from the Manitoba Federation of Labour. Mr. Doyle, welcome here this afternoon. Do you have written copies?

Mr. John Doyle (Manitoba Federation of Labour): Yes, I do.

Madam Chairperson: Okay, the Clerk will distribute them. [interjection] Order, please. Mr. Doyle, please proceed with your presentation. [interjection]

Mr. Doyle: I have not started yet; I cannot be lying.

An Honourable Member: I do not mean you.

Madam Chairperson: Order, please. I have asked Mr. Doyle to please begin his presentation, so if we could please pay attention to him. Thank you.

Mr. Doyle: The Manitoba Federation of Labour is pleased to take advantage of the opportunity to share our views on Bill 40 with this committee. The MFL is Manitoba's only province-wide central labour body, representing nearly 40 unions and their more than 90,000 members. The federation is mandated to speak on behalf of these working women and men and to promote policies debated and formulated at our general conventions and conferences.

The issues raised by Bill 40 have long been the subject of scrutiny by trade labour unions, and our members have worked hard to develop strategies to deal with them. According to the news releases issued by the government of Manitoba around Bill 40, the act is meant to reduce welfare dependency and ensure all Manitobans capable of working find jobs, or provide community service in exchange for income assistance; to help ensure that young Manitobans have the best opportunity to achieve success in the future; and, ensure all children get an equal chance in life.

The trade union movement in Manitoba has long promoted the notion that everyone should have access to a full-time, fairly paid, satisfying job. In this context, we support any genuine effort to promote the transition from participation in social safety net programs to employment. Social assistance is an important component of the social safety net that characterizes the Canadian concept of community and our sense of responsibility for one another. It is a program that is designed to ensure that there is a threshold of quality of life that Canadians will not allow human beings to fall below. It is a last resort for those unable to find work, those who cannot work for a variety of reasons, and for those in short-term but critical need.

There are a number of ways to move individuals and their dependants from social assistance back into the mainstream of economic participation. One is to simply cut people off by direct qualification, or by raising the qualification bar to a height that is unattainable. Another way is by investing in skills development, job creation or promotion and social supports. If a program provides real opportunities, then social assistance recipients will

participate willingly. This second approach is characterized by mechanisms that promote job search, academic upgrading, skills training and job creation by both the public and private sectors. It includes critical components such as high quality, accessible child care and accessible linkages between individuals and potential employers such as telephone, e-mail, or Internet communications. It is more than an initiative by one government department. It is an amalgam of strategies implemented by the departments of Justice through child support payments policies, Education, Industry and Labour. It is a program that promotes human dignity and well-being.

Our concern about the effectiveness of Bill 40 in meeting the objectives articulated in the government's news releases are focused in two areas: what is actually in the bill, and the absence of the things I mentioned from the government's overall plan.

Amendments contained in Section 3 of Bill 40 empower the director or municipalities to reduce or terminate benefits for recipients and their dependants for a variety of reasons. There is no suggestion that there will be specific criteria that will be applied province-wide, creating the potential for an uneven application of the provisions of the bill from jurisdiction to jurisdiction. Manitobans must be assured that the same tests and standards will exist no matter where they are in the province. This danger is increased by the vagueness of the phrase "has reason to believe." Fairness requires that tests applied to determine eligibility for benefits are transparently clear and fair. The bill sets out definite obligations for social assistance recipients to meet or face the possibility that an already meagre income will be reduced or terminated altogether. There is no attendant obligation on the director or municipalities to ensure that the necessary mechanisms and programs are available for recipients to use to fulfil their obligation.

Another element of Bill 40 that causes us concern is the potential for a dependant's action or lack of action to result in the termination of benefits for a recipient. While there is a reasonable expectation for an adult to exercise a level of influence over a dependant, there are many circumstances where that is simply not

possible. We urge this committee to take steps to ensure that other measures are in place to modify the behaviour of a dependant rather than reducing or terminating social assistance benefits for the entire family unit.

Similarly, there appears to be no provision to address the circumstances of a benefit recipient not being able to fulfill their obligation because of incapacity-related lack of judgment. It is one thing to say that people must be encouraged to do something that the act says they must. It is quite another to carry through with the consequences when the recipient's failure to act is the result of an illness or a condition that makes compliance impossible.

Mandatory measures may not be appropriate for other participants. Some social assistance recipients are in need of assistance for only a short period of time. Examples would include those who are temporarily incapacitated, those who have a child or parent with a short-term illness or disability but nevertheless requires the recipient's attention and care, or victims of family violence. They do not need retraining or community service to develop job skills. They just require some short-term financial aid to help them through a difficult period in their lives.

Requiring social assistance to perform community service for as many as 35 hours per week is one of Bill 40's more puzzling provisions. The government appears to want someone who cannot find work to do public work without getting the job. If there is enough community work to amount to a full-time or even a part-time job for a social assistance recipient, then surely that person should be hired at a fair wage. Since there are far more social assistance recipients than there are available jobs, then this is obviously a sensible direction to take.

One of the injustices that has appeared in other jurisdictions with provisions similar to Bill 40's community service section has been the use of social assistance recipients to replace laid-off public employees at a much lower wage rate. They have even been used to replace employed public employees to reduce wage costs, adding that employee to the social assistance list. The MFL urges this committee to amend the

community service section to make sure that social assistance recipients will not be used this way in Manitoba.

* (1540)

While the government is obviously proud of how it has reduced the number of social assistance recipients in the last couple of years, there are about 78,000 Manitobans who rely on social assistance to eke out the meanest of existences today. That is about 12,000 more than the number that existed when the Conservatives took office.

Through its terms of office, this government has reduced or ended altogether funding for programs and agencies that were dedicated to helping people in need, many of them instrumental in helping people leave or avoid social assistance. For example, the government ended provincial funding for the Community Unemployed Help Centre in 1989. The \$66,000 it withheld was 43 percent of the CUHC's annual budget. The centre advocates on behalf of unemployed workers who lose all or part of their entitlement to unemployment insurance benefits and are then forced onto social assistance rolls. The centre continues its work achieving a success rate of about 80 percent, bringing millions of dollars into Manitoba, helping people between jobs, aiding them in avoiding social assistance and bolstering the provincial economy.

The government cut funding to the Manitoba Anti-Poverty Organization, a group that provides a voice and support to the victims of poverty and provides important research. The government halved its support for Access, a program designed to help disadvantaged people obtain post-secondary degrees. New Careers, a training program with a 93 percent job success rate and the envy of the country was ended, as was funding for Manitoba's 11 Indian and Metis Friendship Centres. Payments for foster parents who care for relatives were cut in half, affecting greatly the aboriginal community and northern residents. In 1996, this government cut social assistance benefit rates for single adults by 21 percent.

These are not the kinds of actions I would expect of a government that is committed to

helping people make the transition from social assistance to the job market. When the government's announced objectives for Bill 40 are compared with its actions, the inescapable conclusion is that the Conservatives are pandering to poor-bashing and intolerance to improve their electoral chances. Bill 40 is not a genuine attempt to improve the lives of Manitobans on social assistance. It is a genuine attempt by the government to shift the focus from its record.

Madam Chairperson: Thank you very much, Mr. Doyle. Are there any questions from the committee?

Mr. Martindale: Can you tell me if this government has ever consulted the MFL about creating opportunities for people on welfare to work or get into paid employment without displacing existing jobs?

Mr. Doyle: I have been employed by the Manitoba Federation of Labour since the end of 1989, and, to my knowledge, that consultation has never been requested or taken place.

Ms. Marianne Cerilli (Radisson): I want to deal with a statistic that has been quoted in a couple of the briefs, which is this comparison between the number of people who are on social allowance and are employable and the number of jobs that are available. I know that we had someone here from the Chamber of Commerce last week, as well, and the figure that is often used is 5,000 jobs available. You have used that in your brief.

Do you think that is a figure that is accepted? Is that going to be disputed by the government? Are there any other programs out there that are going to try and address this issue, that the bill does not create jobs, that there are no job placements for these people to go into, there are not enough training programs for people to go into, there are waiting lists for the addictions programs and a number of the programs that do exist? So how do we deal with that? Is this a figure that is going to be changed, are you aware?

Mr. Doyle: I think the figure that you cite is interesting from a couple of perspectives. On

the surface, it, I guess, is an indication of how easily people can fall into a hopeless frame of mind, with, I have heard, estimates of between 70,000 and 80,000 people who are relying on social assistance these days. You compare that number with the number of available jobs that are advertised, around 5,000 at this point in time, and the simple math tells you that over 70,000 people, if they were all trying as hard as they could, the simple math is they will not find work.

I think the statistic is interesting from another standpoint in that the public policy here in Manitoba has tended toward the de-emphasizing of public employment, of the number of jobs in the public sector for the past decade. But, more interestingly, it speaks to the total failure of the private sector in living up to its responsibility of doing more than being a profit-making machine in a community and taking profit out of a community. It has failed to live up to its side of the so-called social contract and return something to the community in the way of well-paid jobs.

I think the task of this and any government in Canada right now has to be to find some way to move the private sector into recognizing its responsibilities and undertake an aggressive job creation program and establish those public sector jobs that are needed for the effective execution of programs.

Ms. Cerilli: You made another good point in your brief which is that if there is work available to employ someone on a volunteer basis 35 hours a week, then perhaps there is room there to create a job, a paying job.

I know that the minister has been asking the question of a number of presenters about do you support cutting people off if they are not going to work, that people should have to volunteer or do something to get their welfare benefits, and I am sure the Manitoba Federation would speak to the issue of employing people at less than the minimum wage in a capacity where they are working 35 hours a week to get their social allowance benefits, which are going to be less than the minimum wage. I am wondering if you would want to speak to that issue.

Mr. Doyle: Organized labour in this country has long been committed to the notion that if work is worth doing, it is worth being fairly paid for. It is worth being the basis of a full or even part-time job that that recipient can use, and at a fair rate of pay which would be above the social assistance levels. Now, if a job is not worth doing and it is being done for some other reason, then I just cannot see how that is productive either for society at large or for the individuals involved. If work is available on a community service basis, then that work should be the basis of a full-time or part-time job at a fair rate of pay.

Ms. Cerilli: Just quickly too, one of the other issues that was raised by other presenters is the fact that there is this discretionary nature of the bill, especially in the area of people with disabilities, that there is going to be this very large gray area where, it is ironic, there may be people who have very visible disabilities who are very capable of working. On the other hand, there may be people who have very invisible disabilities that are incapable of working. For employers to deal with that is going to be a big issue.

It also addresses this problem I was just explaining of having people work for their welfare benefits and volunteer up to 35 hours a week when they would not be able perhaps to hold down a job. So I am wondering again if—sort of flows from what you were saying earlier about people being able to have a paying job if they are able to do that amount of work. I am just again wanting to see if the Manitoba Federation would like to address that issue.

Mr. Doyle: Well, I think the way to look at it is to view it as a challenge that we have failed to address so far, and that is the creation of an adequate number of jobs to meet the needs of our society. The transition from social assistance to the job market I believe would be enthusiastically supported and endorsed by most social assistance recipients, those that are able to.

Social assistance is not a preferred lifestyle for anybody, and making that transition to the job market should be the principle focus of a government's policies in this area. Penalizing somebody for being on social assistance, in

whatever way, I think is looking at it in a backwards kind of way. The challenge must be to create the conditions that are necessary in order to move people from social assistance into productive jobs that have dignity.

Mrs. Mitchelson: Thank you very much, Mr. Doyle, for your presentation. I guess I would just ask a question, whether the Manitoba Federation of Labour has ever taken a position or has ever discussed the issue of volunteer work being something that might be looked at or supported by the Federation of Labour with the companies that they might represent, the organizations that they might represent. I guess I am asking whether the Federation of Labour would believe that volunteerism would be an asset to anyone that would be applying for a job.

* (1550)

Mr. Doyle: I think the Manitoba Federation of Labour and most central labour bodies across the country have a long history of endorsing and supporting volunteerism in the form of the United Way campaign, in the form of needed activities that otherwise would not occur.

Now, insofar as volunteerism within a company or within a work program to gain experience for the future, we are of the opinion that work done should be work paid, and paid at a fair rate. It should take the form, even at the learning stage, that person brings abilities and skills and work to an organization, be it a public program or a private sector company, that deserves to be recognized for what it is, and that is a value for the company, and they should be paid fairly. I do not think training programs are the appropriate place for volunteerism to be taking place.

Mrs. Mitchelson: Madam Chairperson, so if I understand correctly, you would not be supportive then of people being able to use volunteer activity or experience as part of a resume that might help them to obtain a job. I am not quite sure, I guess, maybe if you can answer that question for me.

Mr. Doyle: The doing of the work, the learning of the trade is something that I am personally in favour of and, I believe, the organized labour

movement is supportive of. Where we seem to be parting company is whether or not there should be volunteerism or whether it should be paid work. The act of learning, the act of working is something that is positive. Equally positive is the notion that they get a fair wage and some kind of prospect for the future out of that experience and not do it as a volunteer. Now I am prepared to be a volunteer myself if I am knocking on the door raising money for the United Way, but if I am in a workplace learning a skill to improve my chances for more productive work in the future, I think I should be paid. I think I should be paid a fair wage.

Mrs. Mitchelson: I hear where you are coming from, Mr. Doyle. I guess, the question for me would be: if it was a woman who maybe was a single parent on social allowance and volunteered in her child's school to help out, I know from time to time there are all kinds of volunteers required within the school system, are you saying that she should not volunteer her time, that she should be paid if she goes into the school to volunteer, and that kind of volunteerism is not worth being able to include in a resume when someone is seeking employment?

Mr. Doyle: No. It is a very valuable thing to include in your resume. It is a very valuable experience, but I cannot think of a more appropriate person than a woman who is a single parent, who more appropriate than to get a fair wage than that person, than not going there as a volunteer, that is going there as a paid worker.

Mrs. Mitchelson: So, I guess, Mr. Doyle, then if I can interpret what you are saying that there is not room for volunteerism within our school system, because everyone who volunteers within our school system should be paid.

Mr. Doyle: No, that is an overstatement. The parent structure and organization at my child's school does a lot of very valuable work for the good of the children and the good of the school on a volunteer basis. I think the various activities that they undertake on a volunteer basis are very valuable to the community, and my son benefits greatly from them. Now, where I go to my child's school to learn job skills for the future and to perform work that is of value to the school system and to the school division, then I

think that should be a paid work, not on a volunteer basis. I think the act should happen. I think the act of going in and learning these skills should occur, and we should be promoting that as much as possible. But I am reluctant to say let them do it on a volunteer basis and not as the recipient of a fair wage. You see, I am in favour of people doing this. I just want to see them fairly paid.

Mr. McAlpine: Madam Chairman, just a question, Mr. Doyle. You made this reference in your brief that it is government's responsibility to look after those who are on social assistance. Is that correct?

Mr. Doyle: It is correct insofar as that the government is the voice of the people of Manitoba. The government is elected by the people of Manitoba to carry out the people of Manitoba's wishes, that as the people's representative, it is the government's responsibility, it is society's responsibility, but government is the structure that we elect and organize to carry out the responsibilities of society. So, in that fashion, yes, that statement is accurate.

Mr. McAlpine: Then what is the role of the union, Manitoba Federation of Labour, and all other labour unions who gain their fees and resources from people who are working? What does labour do in order to help these people who are on welfare and maybe not have any other means? I would think it would be in the interests of labour unions to try to help these people off social assistance instead of what you are advocating, that is, leaving it all to government.

Mr. Doyle: Trade labour unions in Manitoba and Canada have a lengthy history of entering into agreements with employers and agencies that represent people who need training, that represent experiences in the work culture and in the workplace. Our union structure has been very open to the idea of that kind of activity occurring, that kind of training unfolding in our workplaces. Co-op education is simply one example of that. If you are not familiar with co-op education, it is a process where students at the learning level are given a blend with the work market, the job market, in workplaces. What we insist upon is that our members not be

penalized for providing that kind of assistance. Training programs being used to avoid the recall of laid-off workers would be one example of that. Trade unions represent the interests of their members primarily, but it has also developed, over the years, that we take a keen interest in workers without jobs and assisting them in re-entering the workforce and possibly even becoming one of our members.

Mr. McAlpine: What is the difference or what difference do you see between this Bill 40, workfare in the reference in the bill, and co-op education? What is the difference really, because what you are saying, you see no difference with students going out and doing the work for the employers, but you have difficulty with the people on social assistance, who maybe do not have the education and maybe do not have the means to get the education, to go out and learn some opportunities and maybe be exposed to the job opportunities that are available to them through volunteer or something along that line, which is outlined in this bill?

Mr. Doyle: Well, I guess the major difference would be students entering a workplace under co-op education receive a fair wage, and volunteerism does not include that as a feature, which is an important distinction, Mr. McAlpine. Work worth doing is work worth being paid for.

* (1600)

Hon. Linda McIntosh (Minister of Environment): Thank you for your presentation, Mr. Doyle. I am still a bit confused about this statement, and I know you and the minister had a question and answer on it, but I did not get the gist of your answer. You had said here on page 3: "Requiring social assistance to perform community service . . . The government appears to want someone who can't find work to do public work without getting the job. If there is enough community work to amount to a full time or even part-time job for a social assistance recipient, then surely that person should be hired at a fair wage."

And that was the basis for the series of questions that the minister asked and you did respond, but I did not understand your answer. In terms of having been with school divisions for

many, many years in my previous life, I know that in my local school division, for example, every year there are about a thousand volunteers. They do a whole range of tasks that are not jobs per se, and if the volunteers did not do them, they would not be done because they are not part of the mandate. They are enhancements. They are extra things that are done to increase a quality of life, a quality of communication and so on.

So those are not things that would be done unless a volunteer said, you know, I would like to come in and start a little project in the school doing such and such, would that be all right, and the school division said that is wonderful, thank you so much.

Those jobs would not get done. So when you say that if there is enough work that could be done, then it should be paid, but there is always, if a person has creativity and commitment, something that can be done in any endeavour that could enhance the quality of something.

We have volunteers in government service, many, many hundreds of volunteers in government service. Many take that on for altruistic reasons. Many others take it on plainly and openly to acquire experience that would enhance their resume for seeking employment. These are not things that government would do if it were not for volunteers. They are not about to become paid jobs. They just simply would not get done. And what I thought I heard you saying in each of your responses was that there would be some things that could be volunteered for, but others, if certain kinds of things were to be done, they should be paid jobs.

I am wondering, if you could sort of clarify then, what sorts of things should be paid for that are currently done as volunteers? For example, we have lots of moms who go in and help run lunch programs for kids who do not have to stay at school but who would just like to. They do not have to stay. They live close enough to go home for lunch, but they like to stay because maybe they are going to play some games at noon hour or something. The moms come in and volunteer for a lunch program. Should the taxpayers pay

for that even though the students live close enough to go home for lunch?

Mr. Doyle: I think the point that really has to be made is there is a world of difference between me or anybody around this table undertaking a volunteer activity because we are able to, because we want to give something back to our community for whatever reason. There is a world of difference between that and a social assistance recipient being asked to do the same thing. Even though their altruistic heart might be in the right place, their physical and economic ability to carry out altruistic activities on a volunteer basis is flat-lined. They simply do not have the capacity that you and I do in terms of performing volunteer work, and I would not ask them to.

Mrs. McIntosh: Excuse me, but I think that is quite an assumption to make about the abilities of people who happen to be on social assistance, and it is not an assumption with which I agree. I know people who are on social assistance who certainly have the desire, the capability and the willingness and who are actively involved.

In fact, in the presentations we have heard to date, we have heard many social assistance recipients say that their volunteer work justifies them receiving welfare and that without them a lot of volunteer work would not get done. I think it is an assumption, and not a very nice one actually, to think that welfare people would not be able to or want to do this.

Mr. Doyle: It is not a question of not being able or wanting to, it is a question of the amount of their time they have to spend on economic realities, on securing money to buy food for their children. It is not a question of not wanting to volunteer and not wanting to do altruistic behaviour, it is just that they are so time-consuming in trying to make that transition from social assistance to the job market, and that level of commitment to that project takes away a large number of the opportunities that they might be able to exercise to get into a volunteer program.

I believe that these individuals, if they are doing work in a public school, for example, then of all the people in society doing that kind of

work, they, most of all, deserve a fair wage and a job if that is possible.

Ms. McGifford: At the risk of belabouring this issue, I wanted to ask Mr. Doyle if I was correct in understanding that he was distinguishing between volunteering, for example, at community-based centres or agencies like a community centre, a kind of volunteering which promotes community cohesion and is in the interests of the public, and working for nothing for corporate profit-making enterprises and calling it volunteering or job training. It seems to me that is the issue, and I understand you to be supportive of volunteering. In the one sector, you did speak about the United Way. But you believe, on the other hand, that Great-West Life does not need volunteers, thank you very much. In addition, it seems to me, Mr. Doyle, maybe you would like to comment on this, that it is also a question of time, four or five hours, maybe even 10 hours of volunteer work a week may seem reasonable, but 35 hours of volunteer work seems to me to have left the realm of volunteer work and becomes exploitation.

Mr. Doyle: Well, you know anything more than a few hours a week is a job. If it is not a part-time job, it is a full-time job, depending on the number of hours spent in that activity. That is not volunteerism; that is, as you say, exploitation. That kind of activity should be paid. It should be paid employment at a fair wage.

Mr. McAlpine: Just one more question, Mr. Doyle. In the situation where a person on social assistance were to go and start working with one of your employers who had a union shop, would they be charged union dues immediately upon starting, even though they would be on probation for three months or whatever period?

Mr. Doyle: The Federation of Labour represents trade unions, and it has been a few years since I was in that kind of a position that you are describing. My recollection of it, at least the union that I belonged to and was the president at that time, union dues were not charged to employees until they had passed their probationary period and were full-time employees of the company.

Madam Chairperson: Thank you very much, Mr. Doyle, for your presentation this afternoon.

The committee has just received notice that there is a meeting tonight. The Standing Committee on Law Amendments will meet tonight at 7 p.m. What is the will of the committee in terms of when it wishes to rise?

An Honourable Member: Today or tonight?

Madam Chairperson: This afternoon.

An Honourable Member: Six o'clock.

Madam Chairperson: Six o'clock. [agreed] Our next presenter is Rabbi Levenson, Temple Shalom. Rabbi Levenson, Temple Shalom. Seeing that he is not here, his name will be dropped to the bottom of the list. David Henry, private citizen. David Henry, private citizen. Seeing as he is not here, his name will be dropped to the bottom of the list. Peter Kaufmann, private citizen. Welcome, Mr. Kaufmann. Do you have papers for distribution?

Mr. Peter Kaufmann (Private Citizen): I do.

Madam Chairperson: The Clerk will distribute them then. While she is doing that, if you care to proceed.

* (1610)

Mr. Kaufmann: Thank you.

Madam Chairperson: Thanks.

Mr. Kaufmann: Madam Minister, members of the committee, first of all, I want to thank you for allowing me the time to speak as a private citizen on this bill, this very important matter before the Legislature. I also want to say at the outset, I want to commend you as a government and as a minister for bringing forth some very forthright legislation, legislation that I think people who are on social assistance and people who are not can both agree with. I heard the other day when I was sitting here, some of the people came up and said that they would applaud the government bringing forth this legislation.

Welfare, social assistance, income assistance, and I do not know what the latest name is. The word "welfare" in the Webster dictionary means the state of doing well, especially in respect to happiness and well-being; organized efforts for the social betterment of a group in society; and No. 3, relief. However, "welfare state," a nation or state that assumes primary responsibility for the individual and social welfare of its citizens, in my opinion there is a conflict. Let us face it, for the most part, we assume responsibility for ourselves, and the greatest social safety net is our family and our circle of friends. Happiness generally comes in human beings when they are allowed to achieve and better their own lot in life. The greatest welfare that any one can have is a job, and any system that gets bogged down in promoting the system without change is promoting the welfare of the system, not the being. I think that is where we are at. I really believe that the system is so inward looking that we have come to the point we do not want changes, because everyone has accepted ownership of the system and has a certain place in that system and does not want change.

The greatest dignity that I have personally seen as an employer over the last 20 years is to help a person to gain employment so they can rely less or not at all on the state. It is not always possible. People have mental and physical disabilities which have to be taken into account, but able-bodied men and women for the most part prefer the dignity of gainful employment than to be stuck forever in a system where they cannot hope to achieve their goals, because we all have goals.

Sixteen or 17 years ago a young man named Michael, who was 18 at the time, came to apply for a job when I was in the grocery business. I could see Michael had some problems. He presented himself dressed up in a suit; he was shaking and very, very nervous. I felt I should give him a job, give him a chance. Michael told me up front that he was suffering from schizophrenia. He would not be able to work a full shift, and every second Thursday he had to go to the hospital for a needle. Michael has been with the family grocery business all those years, and other than \$200 a month that he needs to get help with his rent, he is totally self-sufficient.

He can only work 20 to 25 hours a week. He is the only one in his entire group, his support group, who works and is a role model for the others. He is very, very proud of his work, and he is proud of being able to contribute.

Really, the only thing that keeps Michael going is his job. He has tried to take his own life twice. His brother ended his own life successfully or unsuccessfully however you want to look at it. Michael really needs a job. He wants a job; he wants to work. I think there are lots of people like that out there. So there is Michael. He has a mental problem. He is schizophrenic. He is a manic depressive. He is working. So a 16- or 17- or 18-year old who leaves home because of the rules and cannot get along with his parents or guardians and is on government assistance also needs to have the dignity of work, education, and preferably both. Those who are able to work should be given every encouragement and assistance to get out of the revolving door. It is not easy, but as we approach near full employment in our province, we can see the ads in newspapers, on bulletin boards, on the store signs "Help wanted, apply within." Sure, they are not \$10- or \$15-an-hour jobs to start with, but where did we start? We have all of these people saying, oh, those are just \$7 jobs, those are just \$8 jobs. I remember, when I started working, I was making \$325 a month, my wife was making \$40 a week. We paid \$110 a month for rent. We had no car. We took the bus. Most of us in this room started in a situation like that, so for people to say, oh, we have to have \$15 an hour or \$20 an hour to start with, give me a break. Industry cannot afford that.

The post-war baby boomers are starting to retire in numbers, and we are on the verge of labour shortages. The challenge is going to be to channel all these young people and people in their 30s and 40s who are abled bodied, channel them into education and gainful employment.

Those who abuse substances need our help to get them off their addictions. Those who are able bodied need to get trained or retrained to get gainful employment, and those who need education need our assistance. I applaud our government and especially our minister, deputy minister and her department for introducing such

innovative, forward-thinking legislation as Bill 40.

There are many people like Michael who are special cases but many, many more who need firm direction to get them on the right road, the road to personal success and happiness and well-being, as the dictionary points out. I do not think any political party will stand in the way of this positive reform. Ask Michael about the value of a job and the dignity of work. He will tell you that his workmates are his friends and that he enjoys his labour. His social safety net is his workplace. Everyone needs to have that opportunity. Thank you very much, ladies and gentlemen.

Madam Chairperson: Thank you, Mr Kaufmann. Are there any questions from the committee?

Mr. McAlpine: When you talked about Michael—and thank you very much for your presentation, Mr. Kaufmann—I could not help but agree with you, what you were saying, \$6- and \$7-an-hour jobs. I have a daughter, and I am very proud to say this. She started four years ago on a job for \$7 an hour, and she is working today for the neat sum of \$70,000 a year. So that is how she got her start, and she just needed the opportunity, so I agree wholeheartedly with what you are saying. Thank you.

Mr. Martindale: I would like to ask Mr. Kaufmann, if you were an employer and you had a choice between a welfare recipient working for you for free for 35 hours a week or hiring someone at \$6 an hour, which would you choose?

Mr. Kaufmann: I would choose the one who would be the most productive and fit in the best with our staff and do the best job. Believe it or not, in all the time that we have been in business, for 20 years, I believe that Michael is the only person who gets any assistance at all, and he gets it on a regular basis. Generally speaking, I have never participated in government programs because of the red tape.

I can give you an instance. Just recently, I would say about a year ago, a young lady whom

I happened to know who has two children and lives in the complex right next to us came to me and said, Peter, I need to get a job. I said, well, I have one for you, but I can only start you at \$7 an hour. She said, well, I get \$11 on social assistance, the way I figured it out, and I really cannot take your job at \$7. So we need to work very, very hard to make people like Jennifer, not make but give her the incentive so that Jennifer who wants to work can somehow see her way to working, getting an education and getting out of the system.

Now, thankfully, Jennifer has done it on her own and she is working now. She is off social assistance, but she is someone who genuinely wanted to get off but somehow could not afford to at the time. She has managed it on her own. So anything that the government can do to help the Jennifers, the single mothers, the people who have the capabilities and just want to get off social assistance, I think we should do that.

* (1620)

Hon. Frank Pitura (Minister of Government Services): I just would like to ask Mr. Kaufmann, in the second last paragraph of your presentation, you say in a sentence that many, many more people like Michael, but Michael is a special case, but many more who just need a firm direction to get them on the right route. In your opinion, this legislation that is before us now, is it the kind of firm direction you are talking about or is it too firm?

Mr. Kaufmann: It is not too firm. I am a father. I have two boys who are 25 and 26, and thankfully they have never gotten into any trouble that I know of and are generally good boys. There are some times when you have to be firm. I do not know what the word "too firm" is, but I know that when it comes to drugs or alcohol or the way they look after their duties in the house, you have to say, well, this is what you have to do. There are rules and regulations for all of us. Even fathers and husbands have certain duties, and we are expected to fulfill, as any married guy knows.

What I am saying is, I really do not believe that if you are not firm, you are not going to get anywhere with this legislation. It has to be

spelled out and say, okay, if you do this, we will do this; if you do this, we will do this. It sort of has to lead them through a series of steps that they make a little step and we give them. They make another step, and we give them some more. Eventually they step themselves right out of the welfare system.

Mrs. McIntosh: Could I just ask one question? I was just interested in you describing people coming off welfare. What is it, do you think, that prevents people now from doing that? [interjection] That is what I would have thought, too. I have known people on welfare who are afraid to take that first step. They do not quite know how to do it or where to go or how to do it. I have counselled some, and I have worked with some of them. I have gone with some of them. I have helped some of them individually take that step and get going. What would you think then in this bill is there that will help them face the fear and start moving towards getting off welfare? Is it the carrot? Is it the stick? What is it?

Mr. Kaufmann: I think it is a combination of carrot. There is not that much stick in there, but it is I think a program that they can actually see. They can touch it. Before, when government wanted to deal with this, they would have to have a committee, and the committee would have to meet for a year. Then they would have to have a white paper, and the white paper would have to be studied for another year. Then they would have to have another committee deciding the white paper again. So, at least, here is something concrete. You can see it. You know if you do this, you will be helped along, and I think that will overcome a lot of the fear.

Madam Chairperson: Thank you very much, Mr. Kaufmann, for your presentation today.

Mr. Kaufmann: Thank you for the time. Thank you.

Madam Chairperson: You are welcome. Our next presenter is Valerie Price, Manitoba Association for Rights and Liberties. The Clerk will distribute your brief. While she is doing that, Ms. Price, please proceed with your presentation.

Ms. Valerie Price (Manitoba Association for Rights and Liberties): Thank you. I would like to begin by thanking you for providing this opportunity. The Manitoba Association for Rights and Liberties is a provincial nonprofit, nongovernment volunteer organization established in 1978 as a human rights and civil liberties advocacy group. MARL's objectives are to promote respect for and observance of fundamental human rights and liberties and to defend, extend and foster the recognition of these rights and liberties in the province of Manitoba.

The Manitoba Association for Rights and Liberties appeared before you in 1996 to express our concerns about the introduction of workfare as provided in Bill 36. Although we welcome the opportunity to appear before you again, it is indeed disappointing to find that we need to address the same issues. Much of what we will present, you have heard before from us and numerous other presenters in 1996 and, again, in this round of hearings. However, we are here before you again because workfare and its latest variance, rehabfare and learnfare, raise significant human rights issues. You may be asking yourself: is workfare a human rights issue? The answer we provide in what follows is a resounding yes, and we will explain why.

We begin by noting the lack of detail contained in the bill. As much of the detail has been left to regulations, it is difficult to comment substantively on many aspects of the legislation. This provides little opportunity for a meaningful public debate, especially since the process of implementing regulations carries with it no mechanism for public input. We would prefer to offer a reasoned response to legislation rather than having to guess at the intent on the basis of press releases. We join others in urging the government to table detailed regulations so that Manitobans and legislators can understand the government's intentions.

We are troubled by the provisions of Sections 5.5(1) and 5.5(2) for a number of reasons. First, have you heard from others? It is unlikely that these provisions will be effective. It is widely accepted the treatment for addictions is effective when someone chooses treatment. Coercion is misguided however well intentioned

it might be. We also object to these sections on matters of principle. In a free and democratic society, it is wrong for the state to use its coercive power to restrict a person's individual liberty.

We note as well that these measures contradict human rights legislation and practice in this country. Both the Canadian and the Manitoba Human Rights Commissions include in their definitions of disability previous or existing dependence on alcohol, drugs or addictive substances. This bill fails to recognize that addictions are disabilities. While the government has expressed a desire to improve the income support provided to people with disabilities, this legislation separates people with addictions from those with other forms of disability and, in effect, sets up two classes of people with disabilities—the deserving and the undeserving.

We are also troubled by the arbitrary manner in which this section is to be applied. A welfare recipient "who the director believes on reasonable grounds has an addiction problem" can be forced into treatment or risk losing income assistance. It is not clear that the director would have any expertise in diagnosing addictions problems. In the interests of due process, procedures should be clearly defined when the government intends to use its power to interfere so profoundly in a person's life.

Finally, we are not convinced that withdrawing benefits from someone who refuses treatment or does not perhaps succeed at treatment for addictions is in anyone's best interests. The individual would be further marginalized and stigmatized. Without a source of income, the individual would be more likely to resort to criminal activity in order to survive. Such measures only serve to deepen social inequality, weaken social cohesion and have the potential to threaten public safety. The social and administrative costs of these provisions are simply too great.

With respect to Section 5.6, we do not believe that there is any need for this section. The Child and Family Services Act already provides for the protection of all Manitobans including welfare recipients. Requiring welfare

recipients to participate in parenting support programs is to hold them to a higher standard than other Manitobans. Such differential treatment is unwarranted.

* (1630)

With respect to Sections 5.7(1) and 5.7(2), this section appears to be intended to get young welfare recipients to go back to or stay in school. It is a simplistic attempt to address a complex problem; of course, we want all young people to receive education. However, these provisions fail to recognize that the reasons for young people leaving school are complex. A young person who is a welfare recipient is someone whose life is already in upheaval. Punishing them for being unable to attend to education while dealing with other problems in their lives is unwarranted. Again, this holds welfare recipients to a higher standard than other Manitobans who can choose to leave school at age 16. This constitutes differential treatment.

Again, we also question the effectiveness of these measures. If, even in the face of the loss of income assistance, a youth is unable to focus on education and fails to comply with this section, in whose interests would it be to withdraw income assistance from the youth? Loss of income would send the youth into the streets. This will not help the youth or the community.

Whether it is workfare, rehabfare or learnfare, the thrust of this legislation is punitive rather than supportive. Section 5.4 of the existing act and the addition of Sections 5.5 through 5.8 are likely to exacerbate social inequality. As a matter of principle, we must express our opposition to forcing people into work, education, training, addiction treatment or parenting programs as a condition for income assistance.

The employment and community service obligations imposed in this legislation will lead to two classes of employees and volunteers. There is the danger that employees or volunteers so coerced would be vulnerable to exploitation in the workplace, since their employment or placement is a condition of receiving public assistance. Those who are among the most vulnerable will be forced by the state to make a

contribution to society while no similar compulsion is imposed on those who are not in need of assistance.

While we agree that it is desirable to facilitate the successful transition from welfare to employment, we find the idea of coercion to be repugnant. We would argue that the freedom from forced labour and the freedom to choose one's occupation are fundamental aspects of liberty. The imposition of employment obligations and employment enhancement measures under the threat of withdrawal of assistance constitutes a form of involuntary servitude, a condition that has been widely condemned.

Our concerns with Bill 40 really begin with the preamble. In 1998, governments around the world, including the government of Manitoba, observed the 50th anniversary of the Universal Declaration of Human Rights. We draw your attention to the preamble of that fine document: whereas recognition of the inherent dignity and the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world. This preamble stands in stark contrast to that of the preamble contained in Bill 40. Where the preamble of the declaration speaks of human dignity and equality, the preamble of Bill 40 rests on the implicit assumption that welfare recipients do not accept personal responsibility. It fails to recognize the need to provide assistance in a manner that does not rob people of their human dignity by singling them out for treatment that differs significantly from that of other citizens.

The provisions of this bill rest on a foundation of stereotypes about welfare recipients. The first of these is that people need welfare because they will not work. Other assumptions include: people become dependent upon welfare because it is available to them, welfare recipients are bad parents and welfare recipients are drug addicts. These are myths. This bill also rests on the assumption that people in paid employment make a contribution to society and people who are not in paid employment do not. No objective standards are applied in assessing who makes a worthy contribution to society. The assumption is that welfare recipients are not working and must be forced to

contribute to the community. There is no recognition that many already are contributing in informal ways.

As human rights advocates, we look to our legislators to help dispel myths and stereotypes about particular groups in our society. Sadly, that is not the case with Bill 40. Instead, it serves to reinforce and perpetuate those myths.

In conclusion, we have indicated to you the various ways in which Bill 40 and earlier amendments to The Employment and Income Assistance Act violate principles of human rights and liberties. In some instances, the provisions of this bill appear to contradict human rights practices in this province. In general, the coercive and punitive nature of this legislation is disrespectful of fundamental notions of human dignity. By introducing legislation that characterizes welfare recipients in negative terms, the government is contributing to their marginalization and itself seeks to treat this group in a different manner from other Manitobans. It is difficult to understand how robbing individuals of their dignity will lead them to become self-sufficient.

Earlier, we referenced the preamble of the Universal Declaration of Human Rights. The first article of the declaration offers a valuable standard that the drafters of any piece of legislation should aspire to meet: all human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in the spirit of brotherhood.

In the spirit of the declaration, we recommend that the government withdraw Bill 40 and repeal Section 5.4 of The Employment and Income Assistance Act. We further urge the government that when developing measures intended to reduce dependency upon welfare, you do so in the spirit of brotherhood and with respect for the spirit of the United Nations International Covenant on Economic, Social and Cultural Rights to which Canada is a signatory. In signing that covenant, Canada recognized the right of everyone to an adequate standard of living, including adequate food, clothing and housing and to work which is freely chosen and

accepted. The legislation before us today does not meet this standard.

Madam Chairperson: Thank you, Ms. Price. Are there any questions from the committee?

Ms. Cerilli: Thank you for your presentation. I am pleased that MARL has made a presentation. You always raise issues either in such a way or that other groups are not able to raise. I think as I was following through, I identified three specific sections where it sounds like your organization is considering if the legislation is going to be a breach of other legislation. Is that correct?

Ms. Price: Yes. A preliminary look at human rights legislation and practice in this province does lead us to raise questions with respect to people with addictions. We are looking at other provisions in this act to see whether it would meet the requirements of Manitoba's human rights laws, yes.

Ms. Cerilli: Just to clarify then. It is the section that would deal with the definition of disability where those deemed to be addicted to substances, maybe that goes for gambling, as well, are being held to a different standard or being differentiated between people with other disabilities. There is a double standard that is imposed on people with respect to Child and Family Services legislation and requiring them to take parenting courses, and then there also could be a double standard in terms of a young person being required to attend school beyond the age of 16. Are there any other? Those are the sections that I identified.

Ms. Price: I think that is it, yes.

Ms. Cerilli: So just to clarify then. Explain what MARL is doing in terms of legal analysis.

Ms. Price: It is actually a little early for us to be able to do that. As I said earlier, there is not a lot of detail in this legislation. Some of what we will need to see is the regulations to see how this is implemented. So it is work that we have identified that we want to do. We cannot do anything more than we have done so far at this point.

Madam Chairperson: Mr. Faurischou, did you have a question? [interjection]

Ms. Cerilli: I am wondering if you have been invited to be part of the consultations that the government is going to be doing on the bill in terms of people with disabilities.

Ms. Price: No, we have not.

Ms. Cerilli: Would you like to be part of those consultations?

Ms. Price: Sure. Yes.

Ms. Cerilli: Madam Chairperson, just finally, too, since you mentioned the Covenant on Economic, Social and Cultural Rights, were you involved with the groups that were preparing for the accountability sessions, for lack of a better word, on dealing with that section? I know there were questions about that this provincial government's reductions to social allowance. Were you part of that review?

Ms. Price: No, we were not.

Ms. Cerilli: Okay, thank you.

* (1640)

Mr. David Faurischou (Portage la Prairie): Good afternoon, and thank you very much for your presentation. It is much appreciated and certainly your organization has done much commendable work over the years.

Ms. Price, though, I am just wanting to ask to make abundantly clear what you are stating here, is that your organization says there is not one single individual in 78,000 people in Manitoba that is on the welfare roll that is there not of their free accord, that you believe that there is not one single individual there that is there because they do not want to work?

Ms. Price: No, I think what we are saying is, if such people exist, if there are people on welfare who refuse or appear to be reluctant to find work, that this is not the way to get them back into the workplace. If you think back to fundamental intro psychology, you are trying to accomplish behaviour modification. That is

what this bill seems to say to me. You are trying to change people's behaviour. The most effective way to change people's behaviour is to reinforce positive behaviour, not punish undesired behaviour. So I would be looking for more incentives, more opportunity to say, if you take this step, you know, if you are working, you get to keep this much of additional income, those kinds of measures that help people move their way along, rather than, if you do not comply, we are withdrawing your benefits. That is the approach we would prefer.

Mr. Faurischou: So then you are saying the fact that you have chosen the wrong words in this; you do believe potentially that there are individuals out there that are on welfare that choose to be there because they do not want to work. It is just yes or no. Do you believe that there are people out there that have chosen to be there?

Ms. Price: There may be, but we certainly do not perceive them to be anywhere near the majority. We would say that it is a minority, and we still maintain that this kind of approach perpetuates the notion that that is who is on welfare, and we do not believe that to be the case.

Mr. Faurischou: Then you are saying it is almost a myth there, and I understand that you recognize that there is a possibility of people being out there that are there by their choice. The other question that I had here: you state that it is by right to have society provide for those persons that choose or by situation or however they are on the welfare roll. Where do you address the other side of the ledger insofar as those individuals that are working and paying taxes and are participating in society in employment or providing employment roles? Is that not an inherent right as well as to see how the expenditure of their dollar is generated? There are two sides to the ledger. Where is this? Where is your point of view on the taxpayer's right?

Ms. Price: Well, we were commenting on what we found in the legislation, and we find it to be excessive, and so that is what we were addressing.

Mr. Martindale: Thank you, Ms. Price, for your presentation on behalf of MARL. Since your analysis finds that there may be human rights violations, would it surprise you to hear that this legislation was cobbled together in one day in the Premier's (Mr. Filmon) office?

Ms. Price: I really cannot comment on that. I do not know.

Mr. Martindale: If there was a voluntary program to get people to work as volunteers and someone, either the government or government in partnership with nonprofit organizations or the private sector, were to screen people and train them and place them and supervise them and evaluate, do you think that the vast majority of people would take advantage of this kind of opportunity?

Ms. Price: Which people? I am sorry, I am not following you.

Mr. Martindale: The recipients.

Ms. Price: Recipients? I do not know. I question the definition of volunteer. If there is the coercive element, then I do not believe someone is truly a volunteer. Our organization relies upon the efforts of volunteers, and one of my responsibilities is to co-ordinate volunteers. The ones that we have come through our doors are there because they want to be there, and they are committed to the work our organization is doing. That is what I call a volunteer.

Mrs. McIntosh: Madam Chairperson, you have indicated on page 5, under Stereotypes and Faulty Assump-tions, something that sounds to me like in itself a faulty assumption. It sounds to me like in your paragraph here that you have made the assump-tion that we assume that all welfare recipients are drug addicts or that all drug addicts are welfare recipients. I am just wondering if you would acknowledge what I believe to be true, that people from any sector of society, be they fabulously wealthy or horrendously poor, or on welfare or not on welfare, or women or men, or old or young, have the potential and, in fact, do become and can become drug addicts, that it is not confined to any one sector of society. It crosses the board. Would you acknowledge that that is so?

Ms. Price: Of course. The reason we have listed these myths is because we feel that, by giving the amount of attention and publicity to this legislation in press releases and in an advertising campaign, it leaves the impression that this is what welfare recipients are like. Okay. I do not know whether you have assumed that all welfare recipients are drug addicts, but I think the cumulative effect of this legislation is to leave a pretty negative impression with the public as to who is on welfare.

Mrs. McIntosh: In other words, it is, then, your assumption that this government has made an assumption that a lot of welfare recipients are drug addicts or that they are the only ones we need to worry about. I thank you for that clarification. I do not believe that was the intent. I think what government was saying here was that, if a welfare recipient is a drug addict and the difference then that they would be using tax dollars for purposes of feeding an addiction as opposed to their own dollars, should government do something about it or should government continue to feed the habit without providing some sort of requirement or assistance to get into therapy to help them get off the drug problem?

Ms. Price: One of the reasons we have reacted so strongly to this section is that we were one of the interveners in the G case that went to the Supreme Court and that, by participating in that process, we learned a bit more about addictions. One of the things we learned is how hard it is for people to get into treatment programs, how there simply are not enough of them. I am aware that, in addition to this legislation, there is more money going into supporting treatment programs, and that is commendable. It appears from my conversations with people who work in that field that it will not be enough, so I guess we wonder how you can punish people for not getting treatment that is not even available.

Mrs. McIntosh: So then for clarification, you do not object to our saying you must go for treatment. Your concern is that there may not be treatment for them if they go. It seems to me that you have just told me, that you said it was commendable to try to get them off the drug addiction but that you believe there would not be programs there for them. It seems to me, then, your question is not the insistence that they get

help and stop using other people's money to feed their addiction, but rather that we should be guaranteeing that there will be addiction programs there to assist them, which, of course, is something that I would agree with.

Ms. Price: I guess our concern is twofold. What I said was: it is commendable that more money is going into treatment programs. I do not think we would say that it is commendable that you are going to force people into treatment programs: (a) we do not believe it works; and (b) we fundamentally object to that kind of interference in a person's individual liberty.

Mrs. McIntosh: Two final quick questions. One, you talked about not saying to people that you must volunteer for something, because if they do not want to volunteer, it will not work sort of thing. Yet we have the fine option program through the police department where people can pay off by doing volunteer work in the community. That has been extremely successful, and I personally know one person who has found a whole new career by working as a volunteer, a forced volunteer in a fine option program, who now has entered a whole different field of work because he had that opportunity as a young man, which, he said, changed his life absolutely for the good. I can give you his name and the details, if you are interested.

Do you feel that this is different somehow than the fine option program, which has been proven to be successful in terms of motivating people in addition to a lot of other things?

* (1650)

Ms. Price: I think the reason why someone is there is completely different. I think that is significant. With a fine option program, somebody has an obligation to society. They have had a fine to pay, and this is their way of paying that obligation to society. It is a completely different set of circumstances. So it is the coercive element we object to.

Mrs. McIntosh: So the thing, then, is not that volunteer work will not work if someone is told they have to do it. It is that the reason the person has been given the fine is different from the reason the person has had to accept social

assistance. I quite agree. The reasons would be quite different. But you are talking about a different aspect then. You are not talking about volunteerism not working if it is required. You are talking about the reason the person has been asked. One here, we are saying we would like you to go and volunteer for these reasons, and the other is being told: volunteer for those reasons. It is the reasons that are different, not the volunteering that will not work.

Ms. Price: I think we would still question the effectiveness of volunteers who are coerced to be there. You have cited a success story, and perhaps they exist. I know, as someone who supervises volunteers, I would rather have them there because they want to be there.

The reasons for people volunteering, whether it is fine option or whether it is welfare, yes, that difference is significant.

Mrs. McIntosh: On page 3, you have indicated that you express opposition, as a condition for income assistance, to forcing people into work, having them take education, having them take training, having them take addiction treatment, having them take parenting programs, that none of these should be conditions for income assistance. I guess I should ask the question then: under what conditions should a person receive welfare?

We know there are people in our society who need the help of government. They absolutely need the help, and we are there to help them. But under what conditions should that help be provided. You have listed a whole bunch of things that should not be conditions. What, in a positive sense, should conditions be that would allow us to support someone for welfare or social assistance when needed?

Ms. Price: I guess we would look to the universal declaration, the international instruments that Canada has signed. We believed that the provisions of the Canada Assistance Plan, which, we realize, is no longer in place, that was a standard that we would hold things to, that there ought to be a guarantee of a right to support, if people fall into difficult times.

Canada Assistance Plan did provide for that, and, with its disappearance, we are seeing that provincial governments have the discretion to introduce legislation like this that removes—there is now no safety net for some people. It is possible to fall completely through and have no means of support.

Ms. McGifford: Ms. Price, I wanted to ask you two quick questions. First of all, I understand you are here as a human rights activist representing the Manitoba Association for Rights and Liberties. It would seem to me, then, what I understand you to be saying is that as a human rights activist you object to the notion of coercion and force.

Ms. Price: Yes, that is one of our fundamental objections here. Yes.

Ms. McGifford: In your opinion, can an individual be considered a volunteer if that individual is forced to assume an employment or forced to volunteer?

Ms. Price: As I said earlier, I do not consider that a true volunteer.

Ms. McGifford: So then you object to the use of the term "volunteer" as it is in this?

Ms. Price: I suppose.

Madam Chairperson: Thank you very much, Ms. Price, for your presentation this afternoon.

Our next presenter is Thomas Novak, Oblate Justice and Peace Committee. Mr. Novak, could you please come forward to make your presentation? Do you have written copies of your brief?

Br. Thomas Novak (Manitoba Oblate Justice and Peace Committee): Yes, I do.

Madam Chairperson: The Clerk will pass those out, and while she is doing that, please proceed with your presentation and thank you.

Mr. Novak: Good afternoon. As you know, the missionary Oblates are a Roman Catholic missionary order that works primarily with the marginalized, and we have worked especially

with aboriginal peoples in what is now the province of Manitoba for over 150 years.

Work is something sacred. Since Catholic social teaching was reborn toward the end of the last century, work has been one of the dominant themes of Catholic thought.

Human beings are born to speak and communicate. They are born to love and be loved, and they are born to work. In the words of Pope John Paul II, "through work man not only transforms nature, adapting it to his own needs, but he also achieves fulfillment as a human being, and indeed, in a sense becomes 'more a human being.'" It should therefore be the goal of every government to achieve the conditions that permit every one of its adult citizens to have access to work.

However, work must never be used against people. Work can be used to punish or degrade as a means of oppressing one's neighbour. This occurs when work is forced or imposed or when the labour of the human being is exploited unjustly for the benefit and enrichment of another.

Every society which strives for justice and equity must also strive to maintain this delicate balance whereby there is sufficient and meaningful work for all of its citizens and where work does not become sheer exploitation or slavery.

In traditional hunter-gatherer societies or agricultural societies, this balance was rather easily maintained. As long as human beings maintained a close connection with the earth and their daily survival depended on their hunting, fishing or tilling of the soil, there was productive and meaningful work to do. The key was to assure that every human being and every family had access to sufficient land and resources to survive and prosper. However, the industrial or even post-industrial society we live in today is far more complex. Very few of us in this room provide for ourselves and our families by hunting, fishing or tilling the soil. Most of us in this room here do not work in the traditional sense.

Many of us likely have been labelled as officially unemployed or work-less. This is no

accident or a glitch in the economy. The industrial market economy is dependent on the maintenance of a pool of unemployed workers, so there can be relatively easy shifts in the labour force from one industry to another as market conditions change. As the economy has changed and evolved, we have collectively made some fundamental and fateful choices. Some new activities, such as arguing before judges, writing down stories about local events or discussing new laws in the Chamber down the hall, have been designated as productive and meaningful work. A parent caring for his or her own children, on the other hand, is considered to be work-less as not employed in any productive or meaningful work. Those who are not engaged in work that has been designated as productive and meaningful, that is, an activity for which there is no pay cheque, are labelled as lazy and a drag on society.

At this very moment, Manitoba's society is in the throes of a major revolution. Thousands of people who once provided for themselves and their families by traditional activities, such as fishing, hunting and trapping, are no longer able to survive in that way. Many of them are highly educated and highly trained people. It takes many years of intense-training apprenticeship, and apprenticeship to be able to find one's way around a vast forest, to track silent animals who are many miles away and to know exactly where the fish may be found on the vast expanses of the lake. The years of training and experience of these people are still highly meaningful, but it is no longer productive. The cheques that these activities bring, where there are cheques, are very small.

There are many reasons for this revolution: the change in the fur market, the damming of major waterways for hydro power, an intense population explosion amongst those who once lived directly off the land and education systems that made the traditional apprenticeship on the land impossible. In these days when Canadians have been preoccupied by the plight of refugees thousands of kilometres away, our own province has seen a vast wave of refugees swell up right here in our midst. Thousands of men and women have found themselves displaced persons in their own land as the traditional economy can no longer provide for them and their children.

Thousands more have joined a relentless migration to the foreign economies to the industrial cities of the north and the south. Sadly, a great many of them have found that their skills and carefully refined ways of living not only are of little use in the industrialized economy but that they are major blocks to effective participation in the industrialized economy.

* (1700)

Many of those who put Herculean efforts into the task of adapting to the foreign economy of the city experienced the doors to unemployment slammed in their faces over and over, and so they drop out. Labelled failures by those who have, over generations, learned the skills needed to survive and prosper in the industrial economy, they seek to escape the hard reality of no longer having any tie to work which is for them both productive and meaningful.

I am deeply concerned about Bill 40 and by similar legislation that appears to be popping up at this moment all over the country. On the surface, the intent seems to be just and noble, giving people on welfare and with chemical dependencies a hand up into the market economy. However, I fear that there is a dangerous and unspoken subtext in the legislation of this type which the honourable members have been asked to consider this week. The subtext is that there are vast numbers of people in our society who are not doing activities that are valued as worthy and legitimate by our society and by the people who make the laws. These include stay-at-home parents; these include huge numbers of aboriginal people who can no longer live by their traditional occupations and who are having great difficulty adapting to the new and vastly different universe of the industrial society. The implication of legislation like Bill 40 and the rhetoric that accompanies it is that there are two kinds of people in our society today: first, the deserving who have succeeded in our advanced industrial society; and, second, the undeserving who have failed to adapt and achieve and therefore must be punished for their failure.

I do not want to go to the other extreme, which may be a position that is even more naive, and that is blaming it all on the advances of

industrialized society and insisting that we must simply have compassion for those who find themselves unable to adapt to the majority of society. Industrial society has advanced. The dams have been built, the buffalo has gone, and the social welfare system has become a deeply embedded fact of life. Moreover, compassion without action is demeaning and degrading. What, then, do we propose?

We propose that any legislation which would endeavour to get people off the welfare rolls and into work that would be considered productive and meaningful by both the framers of the legislation and those whom the legislation is targeting be only put forward as part of a global and holistic strategy for addressing the root causes of the high rates of welfare dependency and nonparticipation in the dominant economy. Blaming and punishing the victims of cultural change is an extremely shallow and inadequate response to a complex and profound dilemma. It may be compared to telling someone who presents himself to a hospital emergency ward with symptoms of a heart attack to go home and go on a diet.

The apparent concern for those suffering chemical or other kinds of addictions is laudatory. But my own experience as an addictions counsellor makes me all too aware that a few weeks in an addictions program are, by themselves, often vastly inadequate for a great many of the people who are caught in the web of addiction.

My years of living in isolated northern communities makes me highly skeptical of the simple panacea of sending people on social assistance for training. Training for what? In many parts of our province, there are simply not enough jobs to go around.

The time I have spent with aboriginal refugees in the city has made me very conscious that the threat of losing one's welfare, or the simple fact of taking on a new job, or even being placed in a training program does not suddenly and automatically equip someone from a vastly different universe with all the skills needed to succeed in a job in an advanced industrial society. Nor does it break down the barriers of racism and misunderstanding which such

refugees all too often face in their efforts to integrate into what is for them a very strange and foreign land.

Finally, we question the practicality of legislation like Bill 40. The incredibly high tuition fees and associated costs of university are making university education practically out of the reach of those who come from low-income backgrounds. Community college places per capita here in Manitoba continue to be among the lowest in the country. The number of programs for aboriginal people and other low-income or marginalized groups, which would help them adapt to Manitoba's industrial society and to develop the skills necessary to hold down a job in the city, continues to be woefully inadequate. Programs such as New Careers and Access, which worked out of a holistic approach, have been partially or completely shut down.

In place of Bill 40, which a cynical person would have a hard time not to perceive as subtly racist, and which a more indulgent person might more generously evaluate as practically meaningless, we would like to suggest the following measures:

1. In conjunction with other levels of government, a serious evaluation of the current economy of the North and other areas of the province where aboriginal populations are significant needs to be undertaken. In partnership with First Nations and other aboriginal groups, an industrial strategy needs to be developed that would be consistent with the very different world view of the various aboriginal nations.

2. Greater participation of aboriginals in the economic development of their regions and providing serious opportunities for aboriginal people to develop management skills. In regions where there are significant aboriginal populations, First Nations and non-Status Indian communities need to have greater authority over industrial development in their traditional territories.

3. The establishment of a new agency to develop and foster partnerships between aboriginal nations and organizations and companies which have developed skills in

specific fields which aboriginal organizations and communities may wish to target as potentially viable sources of employment for their membership.

4. The development of programs, similar to those offered for immigrants and refugees from other countries, for aboriginal refugees coming into the cities, which would equip them with skills for adapting to a society very different from the one they left at home.

5. The immediate development of education programs for employers in the cities and towns of Manitoba to educate them in the cultural differences between aboriginal peoples and the other minorities and the majority society.

6. A major extension of apprenticeship programs such as the one initiated by Manitoba banks for aboriginals and other visible minorities.

7. A reorientation of addictions treatment programs in the province of Manitoba enabling them to undertake a more holistic treatment of their clients such as the treatment of entire families and a wider participation in a client's therapy of his or her circle of support from their home community.

8. The launching of a serious public discussion which would have as its aim the redefinition of what constitutes productive work, with serious consideration given to nonofficial work such as the activities of stay-at-home parents, volunteer activity, et cetera.

9. A cap or even a reduction in university tuitions.

10. Significant increase in available places in community colleges and parenting classes, training programs and life skills programs. Holistic programs such as were offered by New Careers and Access need to be expanded.

11. An increase in the minimum wage to levels that would bring its recipients at least in sight of the poverty line, a level that would no longer be a disincentive for someone on welfare to move into the labour market.

12. An immediate increase in the amount of earnings that someone on welfare can earn in a month without the corresponding amount being deducted from his or her welfare cheque. Above all, we would propose an immediate end to the rhetoric which would divide Manitobans into the worthy and the unworthy, and the development of concrete strategies that would seriously address the movement of more and more of the economically marginalized into the economic life of the province. Thank you.

* (1710)

Madam Chairperson: Thank you. Is it appropriate to address you as Brother Novak or Mr. Novak?

Mr. Novak: Brother Novak, if you wish.

Madam Chairperson: Br. Novak, thank you very much. Are there any questions for Br. Novak?

Mr. Martindale: Thank you, Br. Novak, for your presentation here today. I am looking at your recommendations. It is a lengthy list, and they are all excellent or interesting recommendations. I am sorry, I do not have time to comment on all of them.

Regarding the first one about the North. I know a couple of aboriginal people who have worked as hard rock miners. I also know that with the Limestone hydro dam that there was a Limestone training program. In fact, it is too bad that the MLA for Point Douglas (Mr. Hickey) is not here because he was one of the trainers. He can talk about it much more knowledgeable than I can, but my understanding is that it was a successful program, that it helped to get northern people trained and hired to build the Limestone hydro dam. Do you think there is a need for more training in order to get aboriginal people into the workforce and that this training is not just needed in Winnipeg but also in northern Manitoba?

Mr. Novak: I do not think it is a matter simply of training. I think the realities go far deeper. I am just coming back from Cross Lake where we were having, as you probably know, an inquiry into northern hydro development. The vast

majority of the people in the North are aboriginal except in Thompson, Flin Flon and The Pas, but those people only came recently. The vast majority of people who are working in hydro or mines are nonaboriginal people, so the question is: how has it happened that we have had all this industrial development in the North and only a tiny percentage of the people who live there have benefited from that industrial development and have jobs there? I think that is where we have to sit down with aboriginal communities and take them very seriously.

I know the minister was just in Cross Lake and saying there is a possibility of opening a mine just down the road in Cross Lake. We will get to it and let the company open up a mine and everything will be fine, but the problem is they have looked around, and they have said, well, you open up a mine and we get all the social problems and almost none of the employment.

There needs to be something deeper than just single train some people, but aboriginal communities need to have real access into determining of how projects, industrial projects, are going to be put in place in the North or in rural Manitoba or even within the city and at their pace, so the training is not suddenly, well, we have to train a bunch of people, we have a project, but at their pace and somehow a little bit more adapted to their own culture, otherwise, all we do is repeat the same old programs over and over. We keep having people that do not feel that they fit in that kind of industrial workplace.

Mr. Martindale: Under recommendation 10, do you think it is contradictory for the government to eliminate funding for New Careers and cut funding for Access programs and then bring in Bill 40?

Mr. Novak: I think I have real concerns about Bill 40, as I have said, not being about getting people into the workforce, but about making some simplistic evaluations about our society, labelling some people as worthy and some people as unworthy. I think there are some theological and anthropological questions that are underlying the bill that I am deeply concerned about, where we consider some members of society to be good and some

members to be not so good, and if they are not good, they have to be punished into being good.

Mr. Martindale: Are you aware that there are other programs that have been eliminated or cut back as well, which would suggest to me that the government does not see education and training as an investment but only as a cost to government. For example, the SOSAR program was almost eliminated. It allowed single parents to pursue post-secondary education. My understanding of training is that there are limits in the number of weeks that government will pay for people to be trained. If you want education, regardless of whether you are on social assistance or not, you are told to take out a student loan and that these rules are being applied retroactively. For example, I had one person contact me who wanted to take a training program. They were reminded that the government spent money on them in training 18 years ago, and so they were not eligible. It seems to me that it is not really being viewed as an investment in order to get people off social assistance, but as a—I do not know. I will ask you: what do you think?

Mr. Novak: I am not aware of all the details that you are. You hear many stories as people like me come before you, and you listen very patiently. I am concerned about some of the shifts in public policy that have been happening over the last 10 years, and it is not confined to this government. For example, we put less and less public resources into education. We make people pay more and more for their own education, saying, well, they are the only ones that are going to benefit, pretending that society as a whole does not benefit from increased education, especially thinking kind of education, like university.

On the other hand, we put more resources into jails, into building bigger and more expensive jails. This is one of the deep concerns of our committee, the Oblate Justice Committee, that people are being warehoused in jails. We do not give them the opportunities to be able to work and the training to be able to work and the supports needed to get them out of unproductive lifestyles into work, and so we have to build bigger and bigger jails to warehouse them. Then that takes more and more of our energy, and

there is less available for training and social supports.

Ms. McGifford: Thank you, Br. Novak, for your very thoughtful presentation. I think you are the first person who actually provided us with a definition of work, and as well, I am pleased to see that you dealt with officially designated work as opposed to what might be considered work if one approaches the question from a different perspective. What I wanted to ask you, however, was that basically your paper addresses the interests of aboriginal people, and I wonder if you feel that this legislation particularly targets aboriginal people.

Mr. Novak: I think, as the previous speakers have said, that there is a perception that aboriginal people, the majority of them, sit around collecting welfare cheques. Aboriginal people make jokes about that among themselves, and, where I used to live in Gods Lake Narrows, I think there was something like 80 percent unemployment. Of course, unemployment insurance runs out for a while, so there certainly are incredibly high rates of unemployment in these communities. So I think Manitobans are quite aware of that. I think that Manitobans know when we are talking about people who are living on welfare or social assistance, we know the majority of them, I do not know if it is the majority, but great numbers of them, the highest proportion of people, receiving unemployment are aboriginal people.

So I do fear that in the minds of people reading this bill, and hopefully not in the mind of the government, but in the mind of the average person who picks up the Winnipeg Sun that it sounds like the government is chasing after aboriginal people and getting them to work. If you live in a community like Gods Lake Narrows where there is 80 or 90 percent unemployment, well, I wish it were so simple as just threatening to take them off their welfare.

Ms. McGifford: Did you use the term "racist" in describing the legislation?

Mr. Novak: I do not think you can call the legislation racist, but as previous speakers have said, I think the danger is that this legislation can pander to a racist element within society.

Ms. McGifford: Again, you have pretty well confined your presentation to the special situation of aboriginal people. I do not want to put words into your mouth, so let me ask it as a question. Your presentation suggests that you believe that the issues of aboriginal people are extremely complex. I think your presentation suggests, and you suggested in your remarks that the current situation vis-a-vis aboriginal people is kind of, I suppose, a colonialism, and that the best way of dealing with aboriginal people and the numbers on social assistance is to be more consultative. I think you talked about greater participation in the economic development of the regions, and you also I believe talked about the impossibility of obtaining a job in many of the remote and northern communities because there simply are not jobs to obtain there.

* (1720)

Mr. Novak: I would also like to point out that I know many people who seem able bodied, but they are a victim of—and I am not going to blame anyone in this government for the colonization that has happened over the last 300 years. It is a fact. We can apologize all we want for it, but it is a fact. But we are at a point now where we are in this very painful, especially for these people who I know that should be out and working, but they are so deeply wounded and terribly confused because they are right on this edge between the traditional hunting-trapping society and the industrial society that has come. They are caught in between, and there is that whole generation that seems to be lost. We tend to want to judge and say why do you not just go and get a job.

Well, as I said, they are highly, highly trained in what they knew how to do. For 20 years, they learned how to hunt and trap, and some of them did not even learn that properly because they were out at residential schools—you know, I could apologize for that and my community has—but suddenly now that they are 40 years old they have all this background, and they say, well, suddenly you have to adapt to an industrial society somewhere else, in Thompson, in the city or on the reserve. It is just not going to happen. There is going to be this in-between time where we have to have some compassion and work very hard with people to do the best

they can do. But it is not as simple as telling them we are going to take away your social assistance and then you will get a job, because these people are so deeply wounded and confused.

Mr. Faursehou: Br. Novak, I just want to express my commendation on the amount of thought and your experience that has gone into this paper, and most sincerely appreciate your time here with us today. Thank you.

Ms. Cerilli: Madam Chairperson, I also want to thank you for your presentation. I want to pick up on the issue of your experience in working with people who have addictions. We have heard a number of other presentations expressing concern about this portion of the bill, and we have heard people talk about the waiting lists and the fact that there is not support for families when the primary caregiver in a single-parent family or even in a dual-parent family has to go in for treatment and what happens with the children.

The questions I want to ask you are to talk a little bit about the time it takes and what it takes for someone to make that transition, given that they have all the support that they need from being addicted into being productive in the paid labour force. The other thing I want to ask about is from your experience if you reduced social allowance: what would be the result in terms of increase in crime, increase in perhaps even things like selling drugs for income, prostitution, theft, and if that is something that should be seriously considered if people are that addicted while they are on social allowance?

Mr. Novak: Maybe I could address more the first question. This is deeply mysterious. I was very frustrated in the years that I worked more or less as an addictions counsellor in the North. Most of my time was spent in that. It is deeply mysterious why some people are able to stop their addictions and move on with life and some people just die in their addictions. That is something I wish I would have understood. To me it was always extremely frustrating.

I remember one of my cases, taking a young man who had a very bad sniffing problem, addictions problem, we took him out to treatment in another province. He went through

treatment more or less there, but he started using while he was there. He came back a little bit more optimistic about life, and two weeks later he hung himself.

Why did he hang himself? Well, because he came back to the very same situation that he had left. He felt better about himself, but the situation was dragging him down and making him more hopeless than ever. So there was only one thing to do, and that was to kill himself.

I think that is very illustrative of very often what happens when people, you get them into an addictions program, but there are their families that they go back to that are in the same patterns. The community, there still may be incredibly dysfunctional things happening in the community, one of the problems being there are no jobs to go to. There is nothing to give a person that better, ongoing raising of his or her self-esteem. They may live in absolutely incredibly poor housing. There are all these other things that need to be addressed. I have learned more and more, they may have a series of issues like abuse and sexual abuse and cultural questions where they feel very inferior. If you cannot address all of these situations, simply getting them into an addictions program is not going to make a big difference. Often you put them in an addictions program and they come out worse. They come out more despondent.

So it was my great pain to see, working very hard to get people into an addictions program, you cannot believe how hard I worked to get people in, and they come out and they go back drinking the same day or be even more hopeless.

So I think these problems are incredibly complex. We are talking about cultural change. We are talking about a lot of things we do not even understand like sexual abuse and other kinds of abuses, cultural inferiority, and the lack of people feeling they have any autonomy in their own lives. It is all taken away: they pushed me, they told me I had to go to a treatment program, I could not even make that decision for myself, so I was just led around. I am not going to blame any government for that. These are things that have happened over hundreds of years.

The other question, I am sorry, I am not an expert on that. I just know that people on welfare, you can see over and over how much the young people who have parents who are on welfare deeply, deeply resent not being able to have what they think the rest of the world has, be it through television or their neighbours. When they are so poor that they cannot afford a Nike this or Reebok that or money to go here or there, there is this incredible urge that you will do anything you can to have it, so you will steal, just so you can feel normal. Because it is again about that cultural inferiority that people feel: I am not good enough. I cannot even have the things that my neighbours have.

Madam Chairperson: Thank you very much, Br. Novak, for your presentation this afternoon.

Mr. Novak: Thank you for your kind words.

Madam Chairperson: The next presenters are Catherine Stearns and Glen Michalchuk, Workers' Organizing Resource Centre. Do you have written copies of your brief for distribution?

Ms. Catherine Stearns (Workers' Organizing Resource Centre): Yes, we do.

Madam Chairperson: The Clerk will distribute. While she is doing that, please feel free to proceed with your presentation.

Ms. Stearns: We appreciate the opportunity to address the committee on this issue. The Workers' Organizing Resource Centre is actually a pilot project of the Canadian Union of Postal Workers. The centre was opened in Winnipeg because of the commitment of a number of local union activists, one of whom it was his idea to do so, John Friesen, my partner and someone I work with. Living here and knowing the community groups that are very active, many of whom you have already heard from at some point in time, who are not funded and needed assistance, as a union activist, we decided to go back to the grassroots of organizing and community unionism.

The centre is committed to working with these people who do not have a union, with these people and organizations that represent workers

and everyday people, and community groups that share the common interests and need some type of support and that is what we offer. I have been listening to the debate and, of course, there is talk about jobs and in our pamphlets we explain to the workers by helping them realize what their rights are within the workplace, if they are fortunate enough to have a job, as well as the community support for these other community groups and organizing unorganized workers into collective action to protect themselves on the shop floor. That is my part. I just simply wanted to explain who the Workers' Organizing Resource Centre is, and Glen Michalchuk, who is one of our volunteers, is going to make our presentation. Thank you.

Mr. Glen Michalchuk (Workers' Organizing Resource Centre): The Workers' Organizing Resource Centre is appearing here today to oppose the amendments to The Employment and Income Assistance Act, contained in Bill 40. We do so for the following reasons: (1) The amendments are an attack on the most vulnerable section of society; (2) it is another step in the overall retrogression of social assistance and social programs; (3) it further enshrines in the statute that any claims Manitobans have on society are extremely limited and restricted; (4) the amendments are not consistent with the needs of the time or the development of a truly modern, humane society.

If one reads the current statute, what it gives on one hand it takes away with the other hand. The statute already contains obligations for recipients to take employment or face possible sanctions in the form of denial, suspension, reduction or discontinuance of benefits.

* (1730)

The statute also provides broad powers to the Lieutenant Governor to make regulations for the purpose of carrying out the act. By executive order, the whole character of this social program can be changed. For example, the Lieutenant Governor may make an order under Section 19(1)(g) "prescribing conditions that a recipient is required to comply with in order to be eligible to receive income assistance or municipal assistance or an applicant is required to comply with to be eligible to receive

income assistance, general assistance or municipal assistance;" and, under Section 19(1)(g.2), "establishing employment obligations and employability enhancement measures for the purposes of subsection 5.4 (1) and establishing the circumstances in which an applicant, recipient or dependent is required (i) to comply with an employment obligation, or (ii) to undertake an employability enhancement measure."

Bill 40 would enshrine in the act two new measures for maintaining eligibility for social assistance. Moreover the power to determine this eligibility and maintenance would rest solely with the director or the municipality as may be the case. The potential for abuse is obvious. In a time of cutbacks to social spending, administrators will have a ready-made reason to reduce benefits or eliminate them altogether.

This is not idle speculation on our part. Manitobans and Canadians have witnessed every social program come under the pressure of reduced funding as governments at the federal, provincial and municipal levels, without exception, reduce social expenditures in the interests of transferring revenues for social programs to paying government debt. The poor, who are the most marginalized and politically disenfranchised, are by far the easiest target, though not the last.

The amendments contained in Bill 40 also signal that this government is moving toward some type of workfare scheme. This, after all, is the logical outcome of making those on social assistance the target of legislation such as this. Once the rights of those on social assistance are limited and truncated, then the door will be open for workfare. It is a policy entirely in keeping with the agenda to undermine social programs as they have existed in Canada.

As we said, those on social assistance are the easiest target. These amendments are justified by ascribing to those on welfare two evils: drug addiction and the inability to care for their families. This is in addition to the stigma that those on welfare are too lazy to work. What is most pernicious is that the government simply asserts this to be true. The fact is poverty is a growing feature of life in Manitoba, Canada and

the world. In 1996, five years after the last recession, as the Canadian economy grew, the number of people living in poverty also continued to grow. The poverty rate for all individuals rose to 17.6 percent, which meant that 5,190,000 people were living in poverty. The child poverty rate jumped to 20.9 percent or 1,481,000. In Manitoba, in the same year, the number of people living at or below the poverty line was 18.8 percent of the population, higher than any of the Maritime provinces and second only to Quebec. Yet the government would have us believe that the problem lies with the poor themselves.

In the spring of 1998, the National Council of Welfare issued a report entitled Profiles of Welfare: Myths and Realities, and the parenthetical note is only to explain what the National Council of Welfare is, if that was needed. In its report the council concluded, quote: first and foremost we hope that the people who read this report will be struck by the diversity of welfare caseloads in Canada. The welfare rolls are made up of older people as well as younger people, people with disabilities as well as people who are able-bodied and people who are well educated as well as people who are poorly educated. Every chapter of this report is testimony to the varied backgrounds and circumstances of people on welfare. They differ in their reasons for assistance, family types and sizes, housing arrangements, length of time on welfare and outside sources of income. Stereotypes about welfare are certain to be inappropriate.

Addressing the issue that many people are on welfare for long periods of time, the report notes, quote: given the low levels of income provided by welfare, it seems unlikely that people would consciously choose to live on welfare year after year. It is sad to think that governments have been unable to come up with better ways of managing the economy and creating more job opportunities for the people who are willing and able to take advantage of them.

In terms of the issues that required the attention of policymakers, it concluded, quote: among the most urgent options are dealing with the problem of long-term dependency on

welfare, finding more and better jobs for people, improving financial support for single parents and promoting government income supports for people with severe disabilities that are more appropriate than welfare. We also hope that ordinary Canadians express their support for governments dealing with these larger issues. Better welfare policies are in the interests of all Canadians because everyone is at the risk of falling on welfare at some point in their lives. The numbers speak for themselves. The estimated 1,494,800 welfare cases as of March 1997 represented an estimated 2,774,900 individual children, women and men, or nearly 10 percent of Canada's population. Losing a job, losing a spouse and losing good health are some of the reasons that people go on welfare. The biggest myth of all would be to assume that most of us are immune to any of these personal tragedies or the many other misfortunes that can lead to reliance on welfare.

We note that the report of the National Council does not reach the same conclusions the government does, as represented by its amendments in Bill 40. We note that the government has yet to bring forward any evidence to suggest that the amendments it seeks in Bill 40 are a problem affecting people on social assistance, much less how the threat of economic sanctions are a suitable means to deal with such social problems, problems which, by the way, affect every stratum of society and which do deserve attention.

Speaking to the question of addiction problems, these are generally recognized as health problems requiring the appropriate resources to treat. However, it would seem the government of the day favours solutions more in keeping with the poor laws and workhouses of the 19th Century than those appropriate to the 21st Century. Should Bill 40 be passed, it will undoubtedly result in people being deprived of any means to provide for themselves. They will be driven into homelessness, destitution and/or social crime.

We have said that the amendments to Bill 40 are an attack on the most vulnerable in our society. Bill 40 also entrenches the view that social programs as Canadians have come to know them are a thing of the past. Its passage

will undoubtedly take Manitobans a step backward. It is in step with the demand that social programs be truncated or eliminated altogether. As such, it is thinking which is not in step with the development of a humane and truly modern society or one in the interests of all Manitobans.

Social programs developed in Canada because people demanded that the state guarantee for all its citizens a livelihood, a certain standard of living, health care, protection from unemployment, and education. More and more we see the erosion of social programs. The essence of this erosion is the denial that society has any responsibility to meet the claims of its members.

While this is taking place, we note that certain rights are being put ahead over the general good and welfare of all. For example, The Balanced Budget, Debt Repayment Act guarantees that each year a significant sum of money will be earmarked from general revenues to hand over to those whom the Manitoba government is indebted to.

As we have noted throughout, these measures are regressive. Under pressure from the creditors, governments and policy makers bowed to the pressure to slash social programs in order to cut social spending. A truly modern and humane society cannot be organized in this way. We firmly believe that society must guarantee not only minimum standards but the highest possible standards that the development of the economy permits. This applies not only to the minimum standards people enjoy in their daily lives, but also to health care, education, care for the elderly, the disabled, and every facet of what we call social life.

* (1740)

It is ironic that as we reach the end of the 20th Century, at a time when the technical and scientific achievements are truly momentous and Canadian society has the means to meet the needs of all its members, we are seeing declining standards in all social programs. It is an attack on the rights of all.

In conclusion, it is our position that the government should withdraw these amendments

as they will only exacerbate the problems faced by those on social assistance and they will do nothing to move Manitoba forward in terms of social policy. We would welcome the government facilitating a broad discussion in every community, workplace, neighbourhood, educational institution on the direction of social policy in this province and putting the conclusions of that discussion to a binding referendum. Thank you.

Madam Chairperson: Thank you, Ms. Stearns and Mr. Michalchuk. Any questions from the committee? If not, thank you both very much for your presentation here.

Our next presenter is Darrall Rankin, the Communist Party of Canada - Manitoba. Mr. Rankin, do you have written copies of your brief for presentation?

Mr. Darrall Rankin (Communist Party of Canada - Manitoba): Yes.

Madam Chairperson: While the Clerk is distributing that, you could go ahead with your presentation.

Mr. Rankin: Great, thanks. Well, I just want to make a few preliminary remarks before I start. Incidentally, I am a member of the Friends of the Maki Family. One of our members is facing deportation to the United States. We do not lose any chance of circulating a petition in support of the Maki family, so I will pass it around the table for people to sign.

Another preliminary comment is, I would like to ask, you know, I have heard many comments from the Conservatives here in support of philanthropy and volunteer efforts, but if the Conservatives think volunteering in schools is such a good idea, as suggested I think by Mrs. Mitchelson, I think they should pass a bill that all Conservatives lose half their profits unless they volunteer in schools. But this might have a bad influence on children in Manitoba, and it might also be a final blow to an underfunded and undermined public school system for which the Conservatives must be blamed.

I would also like to ask the government members here if they can name one welfare

recipient who does not want to work. If you cannot, then you should withdraw the bill, because this is the basic idea behind the whole bill. I will give you a few minutes to think about that question while I give my presentation.

On behalf of the Communist Party of Canada - Manitoba, I would like to present our views on Bill 40, amending The Employment and Income Assistance Act. I represent the Communist Party of Canada, which has been active since 1921 in Manitoba and across Canada in the struggle for the rights of working people and for socialism, including the struggle for jobs, unemployment insurance, social programs, trade union rights, peace and disarmament, a democratic solution to the constitutional crisis in Canada and many other democratic issues.

Our party is active in the antipoverty, trade union, antiwar and other movements. We have always opposed workfare, boot camps and other attacks on the poor. Bill 40 is typical of this Progressive Conservative government's attitude to poverty. Bill 40 is typical because the Conservative government in Manitoba has a blame-the-victim approach to draw attention away from its failing and fundamentally flawed policies. In fact, working people are increasingly impoverished in Manitoba.

The overall realities for Manitoba are much worse. Manitoba's economy depends more on an unstable and slowing global economy and conditions are getting worse decade by decade for most working people. In a temporary reversal, in the last two or three years more people have entered Manitoba's labour force and unemployment and welfare rolls have gone down. But let us look at what this really means.

Whole families are compelled to seek employment in order to make ends meet. Working families are often only one pay cheque away from poverty and the food bank and losing their home or their farm. The kinds of jobs that have been created over the last 25 years are part time, temporary or low wage. This is a fundamental trend that Bill 40 does nothing to reverse. The next economic crisis will inflict a serious beating on working people with or without jobs.

Bill 40 is another hypocritical and savage attack on Manitoba's poor and on the social safety net. The growing numbers of poor are victims of Manitoba's capitalist system, of the exploitation of human labour by capital. The Conservative government is using Bill 40 to blame the victims of its pro-corporate policies. Moreover, Bill 40 is a brutal violation of these victims' human rights. The government of Manitoba has never signed the Universal Declaration of Human Rights. It has never said it is obliged to support these human rights that are part of international law.

Canada's provinces have, so far, been free to ignore all international laws that support human and labour rights since 1937 in the Labour Conventions case. But what would happen if Manitoba signed the Universal Declaration of Human Rights? Article 23 says everyone has the right to work, to free choice of employment, to just and favourable conditions of work and to protection against unemployment. Everyone, without any discrimination, has the right to equal pay for equal work. Everyone who works has the right to just and favourable remuneration ensuring an existence worthy of human dignity and supplemented, if necessary, by other means of social protection.

Bill 40 is a serious violation of this article which forbids forced labour, especially unpaid so-called community service labour. Bill 40 increases the abusive power of welfare directors to withhold, reduce or suspend income assistance to those in need. This is a serious violation of articles 22 and 25 of the declaration; 22 says: "Everyone . . . has the right to social security and is entitled to realization, through national effort and international co-operation and in accordance with the organization and resources of each State, of the economic, social and cultural rights indispensable for . . . dignity and the free development of . . . personality."

Article 25: says "Everyone has the right to a standard of living adequate for the health and well-being of . . . self and of . . . family, including food, clothing, housing, medical care and if necessary social services." One of the meanest measures in Bill 40, subsection 5.8(1), specifically allows subsistence to be withheld from parents who fail to satisfy a welfare

director that they are complying with regulations related to addiction treatment, education or training, and allows children to be made, in essence, wards of the state without any evidence of child abuse or neglect. The family loses all control over the upbringing of the family's children. This is a harmful attack on the family. It is legalized kidnapping. Addiction must be regarded as a personal health and education problem, not as an excuse that allows welfare officials to remove children from a caring and loving environment. Subsection 5.8(1) says nothing about the best interest of the child because it cannot and the Conservative government never thought about it.

Only children with parents on social assistance will be victimized by this government. This is not equal protection; it is absolute discrimination. This is a violation of Articles 7 and 25 of the Declaration of Human Rights. Article (7): All are equal before the law and are entitled without any discrimination to equal protection of the law. Article (25): All children, whether born in or out of wedlock, shall enjoy the same social protection.

Finally, subsection 5.8(1) is a violation of Article 16 of the Declaration, which says: "Men and women of full age . . . have the right to marry and found a family . . . The family is the natural and fundamental group unit of society and is entitled to protection by society and the State." But by contrast with Bill 40, it is the family and children that would need protection from the state.

The measures in Bill 40 are backed by rhetoric that show the Conservatives are prepared to impose more workfare measures if they form a government after the election this fall, measures that the Communist Party would oppose with all our energy. Code words such as "personal responsibility" and "dependence" that appear in the preamble are absolutely misleading about the realities and causes of poverty.

Bill 40 fully reveals the intended direction and outcome of the Conservative government politically and economically. The bill attacks the most needful of capitalism's victims. It aims to divide the poor from other workers whose wages are in general dropping. The strategy

behind the bill is to prolong and reinforce the conditions where corporations reap massive profits from a divided working class. Economically, it aims to force jobless workers receiving social assistance, slave-driver fashion, into community work and to lower wage expectations and demands while eliminating better paid often union jobs.

* (1750)

The Conservative government it seems will never support realistic policies to reverse the impoverishment of working people. Bill 40's attack on the poor is closely related to the Conservative government's serious attack on labour rights. They both aim to create a low-wage economy in order to temporarily boost corporate profits. Bill 40 is an angry attack on the poor that reveals a Conservative government's bankruptcy and rejection of policies that are needed to fundamentally improve conditions and prospects for working people. The policies that are really needed include a 32-hour workweek with no loss in pay and a minimum wage of \$15 an hour, universal, public accessible child care, job equity to reverse centuries of discrimination and racism, and access to a full range of effective training programs up to and including university programs.

Bill 40 creates the impression that people are taking advantage of the system, that they derive unearned profits from the toil of others, that some people deserve to lose their income as the result of their deception and unjustified

dependence on hardworking taxpayers, and that some people are just parasites. No doubt isolated cases of abuse of welfare exist, but the real abusers are the corporate sponsors and backers of the Conservative Party of Manitoba who would fully support a bill that replaces the words "social assistance recipient" with "big corporate capitalist."

It is only fair for workers and the poor to point fingers back when fingers are pointed at them. Bill 40 is a bill for the greedy, not the needy. Bill 40 has no relation to a society where each person receives according to need and each person gives according to ability. Such a society is impossible under corporate rule and the angry opportunistic motives behind Bill 40 help prove it. We demand the immediate and complete withdrawal of this crude, poor-bashing bill. I would like to hear if you can name one welfare recipient who does not want to work.

Madam Chairperson: Thank you, Mr. Rankin. Any questions from the committee? If not, I would like to thank you very much for your presentation here today.

Mr. Faurschou: Madam Chairperson, I would suggest that we call it six o'clock.

Madam Chairperson: Is it the will of the committee to call it six o'clock? [agreed] Committee rise.

COMMITTEE ROSE AT: 5:53 p.m.