

**Third Session – Forty-First Legislature**  
**of the**  
**Legislative Assembly of Manitoba**  
**Standing Committee**  
**on**  
**Private Bills**

*Chairperson*  
*Mr. Greg Nesbitt*  
*Constituency of Riding Mountain*

**Vol. LXXI No. 1 - 6 p.m., Tuesday, April 24, 2018**

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**MANITOBA LEGISLATIVE ASSEMBLY**  
**Forty-First Legislature**

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**LEGISLATIVE ASSEMBLY OF MANITOBA  
THE STANDING COMMITTEE ON PRIVATE BILLS**

**Tuesday, April 24, 2018**

**TIME – 6 p.m.**

**LOCATION – Winnipeg, Manitoba**

**CHAIRPERSON – Mr. Greg Nesbitt  
(Riding Mountain)**

**VICE-CHAIRPERSON – Mr. Rick Wowchuk  
(Swan River)**

**ATTENDANCE – 11 QUORUM – 6**

*Members of the Committee present:*

*Hon. Ms. Squires, Hon. Mr. Wishart*

*Ms. Fontaine, Mrs. Guillemard, Ms. Klassen,  
Messrs. Lagassé, Lagimodiere, Nesbitt, Swan,  
Wiebe, Wowchuk*

**APPEARING:**

*Ms. Christina Wasyliw, Acting Legislative Counsel*

**PUBLIC PRESENTERS:**

*Bill 213–The Allied Healthcare Professionals  
Recognition Week Act*

*Mr. Bob Moroz, Manitoba Association of Health  
Care Professionals*

*Ms. Jennifer Wojcik, Dietitians of Canada*

*Mr. Jim Hayes, Manitoba Physiotherapy  
Association*

*Ms. Esther Hawn, Manitoba Society of  
Occupational Therapists*

*Ms. Heidi Garcia, private citizen*

*Mr. Bram Kok, Manitoba Orthotics and  
Prosthetics Association*

*Bill 219–The Workplace Safety and  
Health Amendment Act (Inappropriate or Unsafe  
Footwear)*

*Mr. Kevin Rebeck, Manitoba Federation of  
Labour*

*Ms. Allison Ferry, private citizen*

*Ms. Amy Tuckett, private citizen*

*Bill 221–The Rail Safety Awareness Week Act*

*Ms. Kate Fenske, CN Rail*

*Mr. Paul Leaden, CN Police Service*

*Bill 300–The University of Manitoba Students'  
Union Amendment Act*

*Mr. Dele Ojewole, Canadian Federation of  
Students*

*Ms. Tanjit Nagra, University of Manitoba  
Students' Union*

*Mr. Jakob Sanderson, private citizen*

*Ms. Tiana Kriegl, private citizen*

*Ms. Allison Kilgour, private citizen*

*Mr. Owen Black, private citizen*

**MATTERS UNDER CONSIDERATION:**

*Bill 212, The Invasive Species Awareness Week  
Act*

*Bill 213, The Allied Healthcare Professionals  
Recognition Week Act*

*Bill 219, The Workplace Safety and Health  
Amendment Act (Inappropriate or Unsafe  
Footwear)*

*Bill 221, The Rail Safety Awareness Week Act*

*Bill 300, The University of Manitoba Students'  
Union Amendment Act*

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**Clerk Assistant (Mr. Andrea Signorelli):** Good evening. Will the Standing Committee on Private Bills please come to order.

Before the committee can proceed with the business before it, it must elect a new Chairperson.

Are there any nominations for this position?

**Mrs. Sarah Guillemard (Fort Richmond):** I nominate Mr. Nesbitt.

**Clerk Assistant:** Mr. Nesbitt has been nominated.

Are there any other nominations?

Hearing no other nominations, Mr. Nesbitt, will you please take the Chair.

**Mr. Chairperson:** Our next item of business is the election of a Vice-Chairperson.

Are there any nominations?

**Mr. Bob Lagassé (Dawson Trail):** Mr. Wowchuk.

**Mr. Chairperson:** Mr. Wowchuk has been nominated. Are there any other nominations?

Hearing no other nominations, Mr. Wowchuk is elected Vice-Chairperson

This meeting has been called to consider the following bills: Bill 212, The Invasive Species Awareness Week Act; Bill 213, The Allied Healthcare Professionals Recognition Week Act; Bill 219, The Workplace Safety and Health Amendment Act (Inappropriate or Unsafe Footwear); Bill 221, The Rail Safety Awareness Week Act; Bill 300, The University of Manitoba Students' Union Amendment Act.

We have a number of presenters registered to speak tonight as noted on the list of presenters before you. I would like to inform all in attendance of the provisions in our rules regarding the hour of adjournment. A standing committee meeting to consider a bill must not sit past midnight to hear public presentations or consider clause by clause of a bill except by unanimous consent of the committee.

On the topic of determining the order of public presentations, I will note that we have out-of-town presenters in attendance, marked with an asterisk on the list. With this consideration in mind, in what order does the committee wish to hear the presentations?

**Mr. Andrew Swan (Minto):** In keeping with our usual practice, I would suggest we do hear from the out-of-town presenters first.

**Mr. Chairperson:** Is that agreeable? *[Agreed]*

Before we proceed with presentations, we do have a number of other items and points of information to consider. First of all, is there anyone else in the audience who would like to make a presentation this evening? Please register with staff at the entrance of the room.

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

As well, in accordance with our rules, a time limit of 10 minutes has been allotted for

presentations, with another five minutes allowed for questions from committee members.

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

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

### **Bill 213—The Allied Healthcare Professionals Recognition Week Act**

**Mr. Chairperson:** We'll begin with Bill 213, The Allied Healthcare Professionals Recognition Week Act.

I will now call on Bob Moroz of the Manitoba Association of Health Care Professionals.

Do you have any written materials for distribution to the committee?

**Mr. Bob Moroz (Manitoba Association of Health Care Professionals):** I do.

**Mr. Chairperson:** Please proceed with your presentation.

**Mr. Moroz:** Good evening, and thank you to the committee for allowing me to speak to Bill 213, the allied health professionals recognition week act. My name is Bob Moroz, and I'm honoured to serve as the president of the Manitoba Association of Health Care Professionals. MAHCP is an organization of 4,000 Manitobans working in over 160 different disciplines within the allied health fields. Our members live and work throughout the northern region, southern region and, of course, throughout Winnipeg. I've provided a short document to the committee, which summarizes the astounding diversity of professions that make up what's commonly known as allied health. When we ourselves try to describe who we are and we aren't able to share this document, it tends to boil down to a very simple statement: we are the health-care professionals who are not the doctors and the nurses. All allied health professionals—pardon me, we do not

work for doctors and nurses; we work alongside doctors and nurses in every imaginable corner of the health-care system.

Our members are completely dedicated, and I don't believe that phrase does it justice, but we are completely dedicated to the people of Manitoba. We work to maintain their well-being; to assess, diagnose, provide therapy, comfort and other services when illness or injury occur.

For so long—for too long, allied health has been in the shadows of the health system. We have even referred to ourselves in presentations as the hidden heroes of health care. It is well beyond time for us to step out of those shadows and tell every Manitoban exactly how critical each of us is to our system and to our province.

Certainly, one of the most satisfying aspects of my job as president is the ability to attend various events, so I can brag to anybody who will listen about just how much I am in awe of the work and the passion our members put in, even under some of the most stressful working 'ditions' one could imagine.

I'm not here for the purpose of challenging any cuts or the uncertainty being felt right now in our workplaces, but I would, however, like to share with you some of the reactions and the stories that I hear each and every day. When programs are being outright deleted in our hospitals and facilities, certainly, some of our members have been informed that they would be losing their jobs. Virtually, without exception, the first reaction is: What is going to happen to my patients? Of course, they're concerned about their own situations. We all have bills and mortgages and the like, but to a person—they continue to show me every day why they became a health-care professional in the first place. It is always patients first for our members, even in the face of losing your own career.

I'd like to close by thanking a couple of folks, Mr. Wiebe and Mr. Swan, for reaching out to us quite some time ago in the effort to learn more about allied health and the work that we do. Mr. Swan, for presenting the bill on the—in the Legislature and, hopefully, it will result in this bill being proclaimed and giving us a little hope that our government understands who we are.

I was in the gallery for the first reading, and I must admit, I was quite pleased by the stories and experiences being shared by MLAs, regardless of party. Each of the MLAs who spoke that day spoke

of experiences they had and the impact that one of our members or similar members had on their lives or the lives of a loved one who needed our help. So, for that, I'm grateful. Dr. Gerrard even surrendered the remainder of his time so that we could hopefully see this bill go to a vote.

I was a little bit disappointed and more than just a little bit insulted when an independent MLA spoke against this bill with the idea that recognizing this group of allied health professionals would somehow diminish the recognition already received by other similar groups.

I would like to thank you all again for the opportunity to present, and I'd be happy to answer any questions.

\* (18:10)

**Mr. Chairperson:** Thank you for your presentation.

Do members of the committee have questions for the presenter?

**Mr. Andrew Swan (Minto):** Mr. Moroz, thank you for coming down to the Legislature tonight to present to us, and thank you for your advocacy on behalf of allied health-care professionals.

I guess I have a positive question. If indeed this bill passes third reading and becomes law, how would you recommend recognizing allied health-care professionals recognition week in Manitoba each year? *[interjection]*

**Mr. Chairperson:** Mr. Moroz.

**Mr. Moroz:** I apologize, Mr. Chair. Thank you.

Certainly from within our organization we do plan on having a series of events, whether that's barbecues or different things in different facilities to give back to our members that little bit of thanks. And it gives us a week.

A lot of our members have professional associations who have individual—either days or weeks—that are developed, but this will help us bring all of our members together under one tent, hopefully in a park somewhere we can throw a bit of a party to thank them for the work that they do, because we certainly don't see enough of that.

**Mr. Chairperson:** Are there any further questions? Thank you.

I will now call on Jennifer Wojcik of the Dietitians of Canada.

Good evening. Do you have any written materials for distribution to the committee?

**Ms. Jennifer Wojcik (Dietitians of Canada):** I do.

**Mr. Chairperson:** Please proceed with your presentation.

**Ms. Wojcik:** Good evening, members of the private bills standing committee.

My name is Jennifer Wojcik, and I am the regional executive director for Manitoba with Dietitians of Canada. And I am also a registered dietitian.

Thank you for this opportunity to speak to you tonight regarding Bill 213, which would proclaim the week of May 14th of each year as allied health-care professionals recognition week. And thank you especially to Mr. Swan for inviting me to speak today.

Dietitians of Canada is a professional association representing dietitians at provincial and national levels. We aim to advance health through food and nutrition and to provide leadership in shaping food and nutrition policy. There are more than 10,000 dietitians across Canada, including 412 practising registered dietitians right here in Manitoba.

So who are dietitians? Well, dietitians love food. It unites us all. We believe in its power to enhance lives and improve health, and our curiosity to understand the science behind it drives us. You may not know it, but dietitians are everywhere, whether collaborating with other health-care professionals, undertaking scientific research, driving innovation in the food industry, informing public policy or working with patients in communities across the country, our influence runs deep and it continues to grow.

Like all regulated health professionals, dietitians undergo comprehensive and rigorous training both on the job and in universities. In Manitoba, we are the only regulated food and nutrition professionals. We are held accountable to the highest standards of education and ethics, which means we look beyond the fads and the gimmicks to deliver reliable, life-changing advice.

Dietitians are committed and required to stay on top of emerging research, skills and techniques. We empower our patients, our clients and our communities to embrace food, to understand it and to enjoy it by considering their overall objectives

as well as personal needs and challenges. We deliver evidence-based, life-changing advice, and our understanding of the intersection between food and health allows dietitians to drive health outcomes for patients in all stages of life, from newborns to elderly, healthy patients to critically ill.

Dietitians believe in the importance of an interprofessional approach to health care. With the complex health issues facing Manitobans today, we cannot rely on just one or two health professions to be able to address these issues on their own. Instead, a collective, co-ordinated, interprofessional approach to health care must be taken that recognizes and celebrates the unique skills, training and expertise that all health-care professionals bring to patients, families and our communities.

Bill 213 is an opportunity to enhance awareness of the many allied health-care professionals who work endlessly to improve the health of all Manitobans. Dietitians collaborate with many allied health-care professionals across the health-care system, including social workers, physiotherapists, occupational therapists, pharmacists and speech language pathologists, just to name a few.

I want to spend the next few minutes sharing some examples of the role and contributions of dietitians in various health settings.

In the acute-care setting, one in two older adult Canadians are admitted to hospitals malnourished. These patients stay two to three days longer, are twice as likely to be readmitted and cost the health system 60 per cent more than those who are well nourished.

Dietitians make a difference in the acute-care setting by identifying patients that are malnourished or at risk for malnutrition. They also prescribe individualized nutrition therapies through collaboration with patients and families and provide expertise to interprofessional teams for the prevention, treatment and detection of malnutrition.

Over 50 per cent of Manitobans have a chronic disease, and those living with a chronic disease use up to eight times more health-care dollars.

Dietitians make a difference in the primary-care setting by reducing risk of acute and chronic diseases, including cardiovascular disease, diabetes, certain cancers, kidney disease and obesity through structured and intensive dietetic intervention. For instance, intensive interventions delivered by dietitians can reduce the risk of developing diabetes

by up to 70 per cent in clients at risk and can lead to reduced blood glucose, blood pressure and blood cholesterol levels.

Primary care dietitians can also help reduce wait times and medication costs and help free up primary-care provider time. They reduce the demand on hospital-based services by supporting individuals to stay independent and healthy in the communities and improve follow-up with patients discharged from hospitals to ensure nutrition interventions are being followed at home to help reduce re-admission rates.

A recent New Zealand study demonstrated that for every one dollar spent on dietetic intervention and primary health care, health-care cost savings ranged from \$5.50 to \$99 due to statistically and clinically significant impacts on health outcomes.

Including dietitians on inter-professional home-care teams was recently identified by the Canadian Home Care Association as a high-impact practice. With our increasingly aging population, the health status of older adults and required services to support the healthy aging is a priority.

Dietitians working in home care screen and identify malnourished clients to prevent admission to hospital and enhance health, independence, and quality of life at home.

They also provide continuity of care for hospital patients who go home malnourished in order to prevent re-admissions and emergency department visits, and they educate clients and their caregivers on how to access and prepare safe, affordable, quick and nutritious meals.

In long-term care, dietitians provide a unique role as a collaborative member of inter-professional teams by developing nutrition care plans to manage malnutrition, thereby improving other areas of care, such as dysphasia, wounds, falls and dementia.

They also assess long-term care menus to ensure they provide adequate nutrition, meet therapeutic and texture-modified needs, minimize risk and enhance residents' quality of life.

In the public health setting, dietitians help to address how the social determinants of health impact one's ability to access safe, local and healthy foods in order to reduce high health-care costs associated with poverty, preventable disease and death related to chronic disease.

Public health dietitians also help build healthy communities and food systems through public

policies, education programs and social marketing strategies, including developing and supporting provincial standards in early learning child care centres in schools.

And, finally, nutritional interventions provided by dietitians as part of collaborative and integrated programs in mental health promotion, prevention, treatment and rehabilitation contribute to positive health outcomes.

Dietitians make a difference in improving Manitobans' mental health by providing essential skills education to keep people mentally and physically well in the community, reducing nutrition-related side effects of psychiatric medications and improving food intakes and eating behaviours.

We also support individuals as they manage chronic conditions that often co-exist with other mental health conditions.

In closing, Dietitians of Canada and our members applaud the government's commitment to recognize and celebrate allied health-care professionals through Bill 213. In order to achieve a healthier, more sustainable future for our health-care system a true, interprofessional approach must be taken.

Proclaiming the week of May 14th of each year as Allied Healthcare Professionals Recognition Week is one simple step that can be taken to acknowledge the important role and contributions of allied health care and professionals.

As leaders in advancing health through food and nutrition, Dietitians of Canada and our members look forward to our continued collaboration with the Manitoba government to shape the future of eating and healthy living for all Manitobans.

Thank you.

**Mr. Chairperson:** Thank you for your presentation.

Do members of the committee have questions for the presenter?

**Mr. Swan:** Ms. Wojcik, thank you for coming down with a very informative presentation. That the hope in this job is that you get to learn something every day, and I think I can speak for members of this committee that we've learned a lot today.

\* (18:20)

Maybe we need a legislative nutritionist because sometimes political life is not one that leads one to

the best health-care choices. So do you have any advice for members in the committee on working many days with late nights?

**Ms. Wojcik:** Yes. Very important to eat, to fuel your body with nutritious foods throughout the day. I know you can have very long hours and long days, so making sure you're packing nutritious snacks so that you can fuel your body every two to three hours to keep your mind working and keep your energy levels up.

**Mrs. Sarah Guillemard (Fort Richmond):** I just want to personally thank you and your profession and all those who work in this field. I have a son with type 1 diabetes, and it was imperative that I learn how to count carbs to help manage his blood sugar, so I personally have an appreciation, and our family has benefited from your expertise, so thank you.

**Mr. Chairperson:** Thank you very much.

Our next presenter will be Jim Hayes, the Manitoba Physiotherapy Association.

Good evening. Do you have any written materials for distribution to the committee?

**Mr. Jim Hayes (Manitoba Physiotherapy Association):** Yes, I do.

**Mr. Chairperson:** Please proceed with your presentation.

**Mr. Hayes:** Thank you. It is a pleasure to be here. I am Jim Hayes, the executive director of the Manitoba Physiotherapy Association, and it's also nice to be here with several others as allied health professionals, and we do appreciate the opportunity to be able to speak in relation to this Allied Healthcare Professionals Recognition Week Act. Thank you, Mr. Swan, for the initiation in having this bill, Bill 213.

I have two documents that I have shared, that are being distributed just as I'm giving my opening remarks. The first one is a little brochure, and the second one is a newspaper article that was actually in the Metro news before it, in terms of print, discontinued its publication here in Winnipeg.

And so I would like to refer you, initially, to the brochure. And I should maybe give context to this. I've had the opportunity and the pleasure to be a CEO of one of the regional health authorities for 10 years, and prior to that, I worked 25 years at Grace Hospital, 12 as a vice-president. And I had

the joy of having physiotherapy, along with the other therapies and other interventions that are represented here this evening, along with several other professions too—I learned the incredible benefit in terms of cost-effective and efficacious treatment that the therapies can provide. And I'm here specifically in relation to physiotherapy. My wife is a nurse, and she taught childbirth education with physiotherapists as well as other nurse colleagues. So there's certainly a rich diversity in what—in relation to what physiotherapy can do.

But this brochure is very useful in terms of giving you a good understanding of what physiotherapy is and what it does. Physiotherapists have advanced understanding on how the body moves, what keeps it moving well and how to restore mobility—three distinct aspects. Physiotherapy can really be helpful in terms of managing and preventing many physical problems that are caused by illness, disability, disease, sport and work-related injuries as well as aging and long periods of inactivity. Physiotherapists are skilled in the assessment and hands-on management of a broad range of conditions that do affect the muscular-skeletal, circulatory, respiratory and nervous systems, and they're detailed in this material. We don't have time to go through it in detail.

Well, how does it work? There are four steps, essentially, involved. One is to assess mobility and strength and endurance and then to do some diagnosis in relation to condition, develop a treatment plan to restore movement and reduce limitations, including pain.

And, in terms of the matter of pain, on our website, we had the senior policy adviser for physiotherapy for Canada come last spring, and we took—and we recorded that as a video, and it's on our website. And so, in terms of pain management, I would invite you to all look at it. It's 35 minutes in length. And it really does address physiotherapy as an efficacious alternative to the use of opioids. And that is a concern we all are familiar with. I would encourage you to look at it and hear the information.

There needs to be a greater awareness of what physiotherapy can do, and that, in many respects, is why I made myself available to be doing what I'm doing right now. I know it from personal experience. Our daughter and our son both received significant treatment and benefit from physiotherapy, and that was done a number of years ago. And, when I had some time available in addition to teaching, I said



yes to the opportunity to promote this wonderful profession.

The nature of the engagement is such that active participation of the patient or the client is involved in the success. There's dignity and a sense of independence that comes with an understanding of that. So there's an educational dimension that is connected in with the treatment plan. And it does take often some time and some repetition, but that is the way in which we're made. And, as you do pursue that, there's a sense of well-being and mobility and the awareness of how to look after yourself better going forward.

I'll have to be—watch my time. You do not need a referral from a doctor in relation to primary care; however, insurance plans do often require that at the front end. So we make sure that clients are aware if it's such that they're going to be using private insurance, which is more the case now these days in terms of outpatient treatment, that they do connect with a physician and then, subsequently, access physiotherapy treatment often through plans like Blue Cross and Great-West Life and so forth.

So treatment in the hospital, though, is covered through Manitoba Health, if it's provided in a hospital setting. And, as I mentioned before, in terms of outpatient work, often for Workers Compensation and with the Manitoba Public Insurance Corporation and so forth, recovery from injury related to work or automobile accident often involves physiotherapy. And it's a pleasure to work with those two entities to see that this works well.

I'm again conscious of the time, so two thoughts to finish. One is, on our website, we do have a Find a Physio feature for the public. Because to have some—to have a physiotherapy location that is close to where you live, that is skilled in terms of the type of treatment that you're looking for, we have that available so that there is a thorough roster of all the different physiotherapy clinics. And we offer the—in addition to the website, a phone number and so forth to help in relation to that referral process.

The article essentially repeats some of the information in the brochure. But it was interesting, when I was being asked, I said, you know, we really should get—we should promote this more, and the board of the Manitoba Physiotherapy Association agreed. And I find myself—found myself talking to the person who was going to writing this, and they said, tell me your story. So I didn't intend to, but I did. And it's reflected in this article in terms of our

son and our daughter; they really benefitted from it. It's efficacious, it's low cost, it works.

I would—so the opportunity to have greater awareness is something that we need to do as Manitobans, because we need to work smart with our funding to see that it extends. And, you know, the Peachey report, pages 49 through 52, emphasizes that, and we commend both the previous and the current government in relation to that report. And I've had an opportunity to become very familiar with it, and I know this is a work in progress.

So thank you very much. I appreciate the opportunity to be here. I'll entertain any questions that I might be able to answer. Thank you.

**Mr. Chairperson:** Thank you for your presentation.

Do members of the committee have questions for the presenter?

\* (18:30)

**Mr. Swan:** Yes, Mr. Hayes, thank you for coming down and again educating us tonight. Until the last presentation I did not know there were more than 400 registered dieticians in Manitoba. Can you tell the committee roughly how many physiotherapists are there in Manitoba and, of those, how many work in the public system and how many are private practice physiotherapists?

**Floor Comment:** Thank you.

**Mr. Chairperson:** Mr. Hayes.

**Mr. Hayes:** I'm sorry.

**Mr. Chairperson:** Go ahead.

**Mr. Hayes:** Yes, thank you, got you, I'm with you.

Over 800, I say I think it's 860 physiotherapists work in our province, and it's interesting, approximately half work in the public sector and at least half work in the private sector, and that number in the private sector has increased somewhat during this past year, with the discontinuance of the outpatient service in the six other community hospitals. We are grateful, though, for the clinical conditions that are being addressed in terms of outpatient physiotherapy at the Health Sciences Centre and we're so pleased that the WRHA made that adjustment through the consultation, but it's half and half, Mr. Swan.

**An Honourable Member:** Thank you.

**Mr. Hayes:** You're welcome. Anything else?

**Mr. Chairperson:** Thank you, Mr. Hayes.

I will now call on Esther Hawn, the Manitoba—  
[interjection]

**Bill 219—The Workplace Safety  
and Health Amendment Act  
(Inappropriate or Unsafe Footwear)**

**Mr. Chairperson:** We'll now move on to Bill 219, The Workplace Safety and Health Amendment Act (Inappropriate or Unsafe Footwear).

Our first presenter is Kevin Rebeck, Manitoba Federation of Labour.

Please proceed with your presentation.

**Mr. Kevin Rebeck (Manitoba Federation of Labour):** The Manitoba Federation of Labour is Manitoba's central labour body, representing the interests of more than 100,000 unionized workers. We support this bill that would ban employers from requiring workers to wear footwear like high heels that expose them to significant workplace safety and health hazards.

All workers deserve to be safe on the job and employers have a responsibility to ensure that employees have safe and healthy workplaces. Unfortunately, many workplaces in Canada have dress codes that require employees, primarily women, to wear uncomfortable footwear such as high heels throughout their entire shift. Obviously, these types of mandatory dress codes particularly impact women workers and especially in the service and hospitality industries. These dress codes can lead to detrimental impacts during the long, demanding shifts where workers are on their feet for the vast majority or all of their shifts. Dress codes that require unfair—unsafe footwear place workers at a greater risk of slipping or falling or suffering from joint injury.

Current footwear protections under Manitoba's Workplace Safety and Health Act deal with a number of workplaces, but neglect to consider service and hospitality industries. This oversight can permit workers, primarily women workers, to be exposed to unsafe working conditions. Being a woman should not mean you're forced to wear high heels. Workplace dress codes should not be allowed to discriminate against women or any other group of workers or expose them to known hazards.

This bill would create greater workplace safety and health protections for employees in the hospitality and service sectors, and we certainly hope

that all parties come together to support this legislation. Workplaces should be safe for everyone so that all workers feel comfortable on the job and are able to come home to the loved ones free from injury. Many workplace safety and health policies are in place to protect workers in the other sectors from risk of falls, discomfort or foot-related incidents, but these same policies aren't carried forward to service and hospitality sectors.

Every Manitoban should be able to go to work and not fear discomfort or injury, but women in these industries have said that they've missed shifts due to for—due to sore feet, have been asked to stay home or in some cases lost their jobs for not complying with wearing high heels.

Women should not miss out on their right to work due to discriminatory dress codes being imposed on them. These types of dress codes create an unsafe work environment by placing employees at risk while on the job and over the long term. We believe workplaces should be fair and treat men and women equally.

According to the Canadian Federation of Podiatric Medicine, women experience four times as many foot problems as men. Prolonged wearing of high heels can cause many health problems. Wearing high heels can cause bunions, toe cramps and excess stress on ankles and knees which increase the risk of joint degeneration, all while contributing to hip and lower back pain.

The risk of these types of life-altering problems can be reduced for many Manitoban women if we ensure that the strengthened workplace health and safety protection in this bill are put in place. At a time where #MeToo and Time's Up movements empower women to stand up for their rights and to ensure women and girls feel safe and respected in the workplace, on the streets and in our homes, it's our job to ensure that they can feel safe and comfortable to perform the required tasks at work. Objectifying women through the imposition of sexist dress codes is not only physically hazardous, but it's also a form of harassment, and it should not be allowed under any circumstances.

While progress has been made over the years to ensure greater equality in the workplace, there's still a long way to go. Gender wage gaps still exist, and far too few women are in leadership positions in the public and private sectors. And women are the focus of unwanted sexual attention, harassment and assault in all types of workplaces. Until we're in a society

where women are not subjected to misogyny and gendered expectations, our society will not be equal.

Similar bans on high heels and other unsafe footwear have already put in place in other Canadian jurisdictions. BC banned workplace requirements that force women to wear high heels last spring, and this year, Ontario brought in a number of workplace changes that included a ban on employers forcing women workers to wear high heels.

The MFL believes that Manitoba should follow these progressive workplace changes and ensure workers in the service and hospitality industries are no longer forced to be at health and safety risk due to unsafe footwear on the job. It's time to end these gender dress codes and make this type of work safe.

We do hope the government will support this common sense bill that would reduce hazards faced by women in many workplaces, but I need to point out that so far, the Pallister government has made a number of decisions that weaken workplace safety and health protections in Manitoba. Budget 2018 cuts nearly \$800,000 from workplace health and safety, meaning there'll be less focus on people-keeping people safe on the job. The Pallister government's already eliminated the minister's advisory council on health and safety and the Brandon and District Worker Advocacy Centre. The number of workplace health and safety inspectors has declined since they came to office. They're even talking about watering down Manitoba's standards for protecting workers from harmful chemicals, and they've created an arbitrary rule that requires government to eliminate two protections for every new protection added.

Workplace health and safety protections are in place for good reason: to keep workers safe on the job. They shouldn't be cut arbitrarily.

Thank you.

**Mr. Chairperson:** Thank you for your presentation.

Do members of the committee have questions for the presenter?

**Ms. Nahanni Fontaine (St. Johns):** Miigwech, Mr. Rebeck, for coming out and giving us a presentation in respect of the importance of ending what is really a discriminatory and, I would suggest, sexist ban on heels for women.

I'm curious how you would see this, if it goes to third reading and becomes law in Manitoba, how that would be disseminated out to workers so that

actually workers would understand that they're no longer forced and it's not mandatory for them to have to wear heels.

**Mr. Rebeck:** It's my hope that this will be passed and go into action. But, like—your question's a very good one. When we do enact new rules and protections, it's really important that government takes steps to let people know that they have those rights, and we would hope that government would help ensure that employers and workers all understood that that was a right that they had and that they could not be forced to wear that, that they could raise issues through health and safety and Employment Standards to address those concerns and have them dealt with. The importance of communicating that out so that people know their rights can't be underscored enough. We are continuing to look at educating people about their right to domestic violence leave, which is something they have but many people don't know that yet. So we'd be looking to spread the word, certainly, through our networks at the Federation of Labour of unionized workplaces, but we'd be hopeful that government would work together with us and other groups in making sure that all workers and employers were aware of that change.

**Hon. Rochelle Squires (Minister responsible for the Status of Women):** Your presentation makes quite a few references to a sexist dress code. Are you sort of dissatisfied that this legislation, as it is right now, does not address the dress code and only addresses footwear? Are you suggesting it needs to be enhanced or expanded upon?

**Mr. Rebeck:** I think there's always room to deal with dress codes and other things beyond that.

I think this bill gives us a vehicle to deal with footwear and make that safe and covers that. Is there room for other changes to be made? I have hundreds of suggestions for other changes that can be made to deal with workplaces and make them safe for people. I think this bill is a good step in the right direction, if you'll pardon the pun.

\* (18:40)

**Mrs. Sarah Guillemard (Fort Richmond):** Thank you for that presentation. I guess I'm a little bit curious, during your presentation, you really made reference to how dangerous high heels are, both for the physical body but also for the hazards that can happen in a workplace.

Are you looking for an outright ban on high heels, or more for giving choice to women, what they feel comfortable when at the workplace?

**Mr. Rebeck:** I think we need to respect—there should not be a requirement for anyone—women to wear unsafe footwear, and high heels are, for people to wear that full shifts and whatnot.

I think if there are ability and allowances for women to wear what's comfortable and makes sense and takes into account their working conditions and whether they're required to or not, then there's room to allow women to express themselves.

But I'd be the last one to tell women what they can and can't wear, but they should not be forced to wear uncomfortable footwear for their employment.

**Mr. Chairperson:** Thank you, Mr. Rebeck.

### **Bill 300—The University of Manitoba Students' Union Amendment Act**

**Mr. Chairperson:** We'll now move to Bill 300, The University of Manitoba Students' Union Amendment Act.

I will now call on Dele Ojewole.

Good evening. Do you have any written materials for distribution to the committee?

**Mr. Dele Ojewole (Canadian Federation of Students):** Yes, I do.

**Mr. Chairperson:** Please proceed with your presentation when you're ready.

**Mr. Ojewole:** Good evening, everyone. My name is Dele Ojewole, I'm the chairperson of the Canadian Federation of Students, which is a national federation of students in the province of Manitoba that advocates and represents for over 45,000 post-secondary students in this province.

I'm here today to speak against one particular clause outlined in this bill. While amendments to UMSU Act were brought forward and drafted by the UMSU executives, it is imperative to know that no consultation or mandate was given by the over 24,000 students who are general membership of the UMSU.

While it is true that the council of UMSU has the authority to make changes to the association's governance and operation, opening the highest governing documents of a students' union did not come from a mandate from the general public of students; not even a plebiscite was held to gauge the

temperature of the membership concerning the opening of the act or the proposed amendment.

As there were most certainly no consultation with the affected external organizations to which the Canadian Federation of Students is considered in the amendment to 8.2(3) and 8.2(4). We take issue with the vagueness of the language located in 8.2(3), and propose the following amendment.

We propose that section 8.2(3) be removed and that section 8.2 slash 4, as set out above, be replaced with the following:

Termination of membership. The corporation's ongoing membership in an external organization may be reviewed by council at any time. The process for terminating the corporation's membership in an external organization must proceed in accordance with the relevant provisions of the external organization's bylaws, relevant contracts and other obligations, if applicable.

This provision is containing important changes. First, the requirement for ongoing affirmation, the old section 8.3–8.2 slash 3 has been removed and replaced with language that recognizes the council's ability to reconsider ongoing membership in an organization at any time.

Second, the removal of the affirmation requirement is further reflected in the new header, which emphasizes the provision is concerned with the process for termination.

Third and most importantly, where such reconsideration identifies a desire to terminate membership, the revised provision requires that the process of any subsequent termination cannot be effected by the flat of the council, but must proceed accordingly to any relevant requirements and obligations, including an external organization's bylaws.

In conclusion, the Canadian Federation of Students is not opposed to the bill itself. However, we take issue with the vague and potentially problematic wordings contained in 8.2(3) of the proposed amendment.

We would also like to—like our position noted that it should be the general membership deciding whether they should join or leave an external organization. True democracy lies within the hands of the constituents, who are the general membership of the UMSU not a select group of students.

I would like to conclude with some questions for the committee to clarify or to leave—the explanatory note to Bill 300 states that: Certain requirements must be met for USMU to become and remain a member of an external organization. These requirements include the continuing and two-year affirmation requirement and that, where such affirmation is not obtained, that a council terminate the membership.

And the question is: Why has the legislative—Legislature decided to have this requirement? What is the intention or the purpose for doing so—for doing so? And, additionally, we interpret section 2(4), as the council must initiate a process to terminate a membership if the membership—it's not affirmed by majority vote.

However, section 2.4—section 8.2(4) does not mean that council may terminate a membership unilaterally without regard to the existing obligations under applicable membership, bylaws, rules, contracts, other obligations.

For example, if council initiates a process to withdraw from membership in an external organization, but the process is subsequently halted by other requirements under applicable membership rules, such as a vote in a referendum, then council must discharge its obligation under section 8.2(4), but the membership is not terminated by operation of membership rules.

If the Legislature is in agreement with the—with our interpretation, it should adopt our proposed amendment reflecting that. If the Legislature does not agree with our requirement of—the interpretation of section 8.2(4), then what is the intent and purpose? Why is such a requirement required?

Thank you very much.

**Mr. Chairperson:** Thank you for your presentation.

Do members of the committee have questions for the presenter?

**Mrs. Sarah Guillemard (Fort Richmond):** Yes, thank you for presenting tonight. I have a quick question. What is the process currently for any organization to withdraw from, let's say, your particular external organization?

**Mr. Ojewole:** Depending on the external organization involved. However, in a relationship—in relation to the Canadian Federation of Students, we have our own bylaws, which require that individual universities that might be interested in leaving an

external organization will hold a referendum, and that will be decided by the general membership of that member locus, either to stay or to leave the external organization.

**Mrs. Guillemard:** Just a quick follow-up. On average, how many organizations does your particular—it's CFS that you represent? *[interjection]* How many external—or other organizations withdraw themselves on a yearly basis?

**Mr. Ojewole:** Right now I don't have the figures, but I'm talking in terms of the provincial components, which the Canadian Federation of Students Manitoba. Right now we have over five member locus who are members of the federation, and they are still members to date.

**Mr. Matt Wiebe (Concordia):** Thank you very much, Mr. Chair, and thank you so much, Mr. Ojewole, for coming out this evening. This is a very unique process that we have in Manitoba, whereby members of the public can come out, you know, express themselves, ask questions and really be heard by legislators. And so it's a really important part of our process.

And just to add a bit of a wrinkle to this process, this particular bill, of course, is being brought forward as a public bill—is that the right word? Public?

**An Honourable Member:** It's a private.

\*(18:50)

**Mr. Wiebe:** Private bill, not a private member's bill but a private bill, which, of course, is an even different set of circumstances by which this bill comes to the committee. That being said, I think you're bringing some important points to the forefront, and I hope that as we hear from other presenters and we hear from others this evening that we'll get a better picture and perhaps maybe some answers to some of the questions that you had.

I did just want to bring one—or just ask you one question that maybe you can answer. So, the amendments that you've brought forward here today, have you brought those forward previously either to the member for Fort Richmond or to others to be considered, or is this the first time that they're being considered before this committee?

**Mr. Ojewole:** Over the past couple of days, we held a meeting with the UMSU exec to which they outlined their willingness to accept a reasonable amendment if we put it forward, so, recently, we got

this amendment done, and that's why we already sent it to the required individuals to have access to that information. And that was why I also provide it to you—to members for their consideration also.

**Mr. Wiebe:** Again, I just wanted to thank you for bringing this information, and I think you're certainly painting the picture for the committee.

It'll be interesting, as I said, to hear from others this evening, but your participation in this process, as are so many other students—and not just in this particular bill committee but, of course, as changes have been implemented in education and post-secondary education for students, we've certainly heard a lot from students lately, and it's very, very much appreciated and so important to our process, so thank you, Mr. Ojewole.

**Mr. Ojewole:** Thank you very much. We'll just try to reiterate, so, probably, we ask the question to the member that put out the bill if she might be able to answer the question. The question was in relation to the explanation notes to Bill 300 that states that certain requirements must also be met for UMSU to become and remain a member of external organizations. Once again, this requirement includes the continuity two-year affirmation requirement and that, where such affirmation is not obtained, the council terminate membership. And the question is why has the Legislature decided to have this requirement and what is the intention and the purpose for doing so?

**Mrs. Guillemard:** Well, typically, we don't actually have reciprocal sort of questions. It's sort of the questions of the committee of our presenters. But I'm happy to actually give you a response here in that I wasn't involved in these changes. These came about from the UMSU group, that they had done their homework and their background work, and they had consulted with their students. So the changes that you see within this legislation have completely, one hundred per cent, come from the UMSU group themselves, the students' union, and they've done an incredible job over the last two years, and I'm actually quite impressed with the work that I have seen. So, thank you.

**Mr. Chairperson:** The time for questions has expired.

Thank you, Mr. Ojewole.

**Bill 213—The Allied Healthcare Professionals Recognition Week Act**  
(Continued)

**Mr. Chairperson:** We'll now to return to Bill 213, The Allied Healthcare Professionals Recognition Week Act.

I would call on Esther Hawn, the Manitoba Society of Occupational Therapists.

Good evening. Do you have written materials?

**Ms. Esther Hawn (Manitoba Society of Occupational Therapists):** Yes, we do.

**Floor Comment:** I would like to ask permission from the committee to—

**Mr. Chairperson:** Ms. Hawn?

**Ms. Hawn:** Yes. That's me.

**Mr. Chairperson:** Please go ahead.

**Ms. Hawn:** I would like to ask permission to share the time with Heidi Garcia, who is also registered to speak, and in lieu of speaking at that time, she will co-participate.

**Mr. Chairperson:** Is there leave of the committee to have the two presenters present as a joint presentation, with the understanding it will still be a 10-minute presentation? *[Agreed]*

Please proceed with your presentation, Ms. Hawn.

**Ms. Hawn:** Good evening. My name is Esther Hawn, and I am the president of the Manitoba Society of Occupational Therapists. I am also a practising occupational therapist, and I work in inpatient neurological rehabilitation, working with individuals with spinal cord injuries, amputations and other neurological diagnoses.

I would like to begin by thanking Mr. Swan for putting Bill 213 forward and acknowledging the work of allied health-care professions and thank the committee for allowing us to speak today.

The practice areas of occupational therapists are broad and hard to define succinctly. Ultimately, the main takeaway from today is that occupational therapy is the therapy of everyday life. Occupational

therapy is a branch of medical rehabilitation. We work with clients across the lifespan, anywhere from needs identified with newborn babies through to geriatrics, work in physical medicine, mental health, palliative care and so on.

The word occupation, in a simple form, simply means roles or jobs of everyday life. A role could be a parent, a student, military personnel or include leisure activities like gardeners, hockey players and so on. Everything you need to do to achieve full participation in your roles are broken down into tasks. There are many things in life we all need and want to do. Imagine your roles being disrupted by changes to your physical health or your mental health or, most commonly, we see both.

So, if you will, I would like you to think of all the tasks you needed to be able to do to come to work today, starting with being able to get out of bed. Please just say some thoughts you might have, things like brushing your teeth. What else did you need to do? *[interjection]* Put your socks on, breakfast, probably had to drive here. All of those sorts of things, or take the bus. *[interjection]* Walk the dog, yes, so there's lots of examples of things you needed to be able to do.

So now I want you to think of how this would look if you were in your early 40s, you have three young kids at home, and you have an accident resulting in a complete spinal cord injury. You have minimal use of your hands, no active isolated finger movements, you are told you will always need a wheelchair for mobility. As the realities of this situation sink in, your mental health is affected and your mood fluctuates. The emotional ability is compounded by the fact that, as a result of the accident, you have a mild traumatic brain injury. So now what will you do?

As an OT, we look at three areas of assessment and intervention, three main areas: your physical ability to manage, your cognitive ability and your mood. So, relating to our specific example, your OT would begin with assessments, seeking to understand your home environment and other areas you will need to go and look to make them accessible and space you can manage at a wheelchair level. Assessments on remaining muscles will be evaluated, and intervention will begin to strengthen and maximize function with your hands and arms, looking to splinting, repetitive task training and so on.

Your cognition will need to be assessed through formal evidence-based testing with an intervention plan for cognitive rehab. Your mental health will need to be monitored with possible need to develop skills to manage your depression.

We will look at functional tasks like being able to feed yourself, manage your bowel and bladder routine, dressing yourself and so on. If this cannot be regained the way you previously managed, we will look at creative, adapted equipment and modified methods to maximize independence. We will seek ways for you to transfer from one surface to another in a safe way. For example, getting from your wheelchair to your shower, to bed and toilet, using adapted equipment. We will prescribe a power and manual wheelchair—or manual wheelchair, teaching you wheelchair skills to manage environmental barriers and maintain joint health. We will factor in your skin health and prevent wounds—think bedsores or pressure ulcers—and help healing through a variety of strategies, if this becomes necessary. We will look at assistive technology to make access possible again, finding a way for you to use your computer or your phone.

I could go on, but, as you see, occupational therapy is the therapy of everyday life, getting back to the things you need and want to do. This example is, of course, related to my own clinical practice area; however, OTs also work in a variety of settings, including acute-care hospitals, home care and community-based programs, community and inpatient mental health settings, long-term-care facilities and dementia care, forensics and correctional institutions, schools, within the military and so on.

\* (19:00)

OTs can be found in the public and private sector. We are trained to understand not only the medical and physical limitations of disability or injury, but also the psychosocial factors that affect the functioning of the whole person, their health and their wellness.

A master's degree in OT is required, concluding with a licensing exam regulated through our national body. We are a regulated medical profession, and must be registered with our provincial regulator in order to practice. Our registration includes audits and continuing competency programs. Presently, there are about 670 OTs registered to practise in Manitoba.

One thing I can appreciate from the government perspective is the economic challenges related to funding programs. Health care in Manitoba is undergoing significant reform, and we have all felt the waves of these changes.

Looking to the literature, a recent study completed by Rogers, et al., in 2016, has shown that higher hospital spending on occupational therapy is associated with statistically significant lower re-admission rates to hospitals. As we know, there are many reasons beyond acute medical crisis that lead people to present to emergency or urgent-care centres.

Many of these reasons are actually related to psychosocial needs, or changes to people's function that no longer allow them to be independent, thinking about that aging neighbour who keeps falling in their bathroom. If this functional change is addressed through environmental adaptation and equipment, we are solving the problem for frequent presentations to the health system. We are treating the cause, not just the consequence.

Prior to working at the rehab, I worked in the community. I had a client present to emergency multiple times, initially because of TIAs, or transient ischemic attacks which is like a mini stroke, changing his cognition and causing some left-sided weakness resulting in increased falls. During his follow-up presentations to emergency, he was always medically cleared, but there were other reasons needing to be addressed before he could be discharged. He left AMA, or against medical advice, saying to the nurse I need to go home and pay a bill, but I will come back when I am done. This is a true story. He presented back, expecting his bed would be waiting for him.

I was sent to referral to the community to assess this gentleman because of course the bed was no longer waiting for him because he had been discharged. When I asked why he felt he needed to go to emergency, he explained that people there could help him get washed, give him meals, and make sure he was cared for.

I was able to help him modify his home to decrease his falls risk, link him with Meals on Wheels and home care to help with bathing. And he stopped presenting to the emergency department. This is only one study and one example, but there are many more which highlight the benefits to clients but also the reduction of health-care spending because the cause of the recurring issue was addressed.

They say you need to hear something three times to remember it, so I will repeat myself for the third time. Occupational therapy is the therapy of everyday life. I wholeheartedly believe in what we do. We see possibility when others may only see limitations. We work with our clients to maximize their independence and function. OTs help you live your life when something unexpected happens, or when it's different than you imagined.

Thank you for allowing me to present to you and I would like to turn it over to Heidi Garcia, pediatric occupational therapist in private practice and director or current affairs of MSOT for follow-up questions.

**Mr. Chairperson:** Ms. Garcia, just one minute remaining in the presentation.

**Ms. Heidi Garcia (Private Citizen):** Yes, I'll just answer questions and follow up.

**Mr. Chairperson:** Thank you for the presentation then.

Do members of the committee have questions for the presenter?

**Mr. Andrew Swan (Minto):** Yes, Ms. Hawn, Ms. Garcia, thank you very much for coming down and telling us, educating us about occupational therapy.

From listening to the dietitian's presentation tonight it sounds like there's actually a significant cross over between what you add to the health-care system, and what some allied health-care professionals add. Can you elaborate on that a little bit and give some examples of how you can work much more strongly with other allied health-care professionals.

**Ms. Garcia:** That's a great question. In health care, interprofessional relationships and connections are vital because if we all work in our own silos and doing our own thing and there's no communication, then that's not really going to help the whole client. And so, and I think that speaks to what a lot of the other allied health professionals were saying as well, we work together and we rely on each other. We know the strengths of our colleagues in other professions, because we can't do it alone. And so, as health-care teams, I think it's—that's how we improve client care and outcomes in—no matter if they're in the community, hospital, home, school, in every setting.

**Mr. Chairperson:** Thank you, Ms. Hawn and Ms. Garcia—sorry—Mr. Lagimodiere?



**Mr. Alan Lagimodiere (Selkirk):** I would just like to put on the record that, in my short lifespan, I spent almost a year of my life in and out of hospitals, and these allied health-care workers—the list here is fairly extensive—and, at some point, I've had experience or interaction with a lot of them. The most serious issue that I had was the result of a motor vehicle accident, a traumatic brain injury in addition to many physical injuries I suffered in the accident.

And I would just like to say to all these allied health-care people that were there for me, putting me back together, the OTs that came and helped me, just with my daily functions to get me back to where I am, thank you, and thank you from my family.

**Mr. Chairperson:** Ms. Garcia? Thank you, Ms. Hawn and Ms. Garcia.

I will now call on Bram Kok, Manitoba Orthotics and Prosthetics Association.

Do you have written materials for distribution to the committee?

**Mr. Bram Kok (Manitoba Orthotics and Prosthetics Association):** I do.

**Mr. Chairperson:** Please proceed with your presentation when you're ready.

**Mr. Kok:** So my name is Bram Kok. I am a certified prosthetist-orthotist and operate an orthotic and prosthetic clinic in Winnipeg.

Thank you for providing me the opportunity to speak to you this evening about the role of certified orthotists and prosthetists and for supporting Bill 213 and recognizing the importance, the role and the contributions of health-care professionals.

Most people, I'm sure, don't have a clue what a certified orthotist or prosthetist is or what they do, and they certainly don't know how to spell the words.

When I tell people what—that I am a certified prosthetist-orthotist, it is usually followed by some blank stares and a statement like, what's that? Is that a dental or Hollywood special effects thing?

I smile and follow up with: I design and make artificial limbs, braces and splints for people with injuries, health conditions that affect their mobility, which usually requires more clarification.

Before I explain further, I'd like to reinforce the value of 'interplidiscipary' care provided by health-care professionals. During our specialized training, one of the first writing assignments was

about the role and importance of the interdisciplinary team in the health care. I believe it was about 2,500 words which all of us at the time thought was way too long and unreasonable, given our busy schedules.

I realize now that this exercise, at the very start of our training, was no accident, as it intended to give us, as new students, an immediate appreciation for how health-care providers are involved in the—in care of patients and their unique contribution to health care.

Some 20 years later, I find myself working side by side with these allied health-care professionals and understanding that together, as a team, we provide the best care possible.

So what does a certified prosthetist really do? Prosthetic care provided by a certified prosthetist and the provision of prosthetic services is relatively easy to define as that is about providing care for amputees who have lost an arm, hand, leg or foot. We are trained to custom design, fabricate and fit a prostheses for the patient's unique body size and requirements—no out-of-the-box, ready-made solutions here.

Amputation is a life-altering event. Amputees require prosthetics for their entire lives and rely on a prosthetist to ensure that their artificial limbs keep them going day to day and every day.

Typically, we are looking to restore body functions for everyday activities that you and I take for granted—walking, standing, lifting for normal work and active—and daily living activities. Try doing that with one leg or one arm.

Most of you have seen the Paralympics and various specialized prostheses these athletes use, not all look like a normal arm or leg. These athletes, with the help of their prosthetist, show us that they can excel and push the limits in demanding and extreme activities.

\* (19:10)

Most of these prosthetic designs, adjustments and fittings in the body—to the body would involve a prosthetist.

Orthotic patient care is a little more difficult to define. Orthotics has become a term like what Kleenex is to facial tissue, where facial tissues are considered the same or generic in nature. When you hear orthotics, you probably think of shoe inserts like Dr. Scholl's and those over-the-counter braces you

can buy at the retail store. Orthotic and certified orthotic patient care are much more.

Orthotics cover a broad range from simple to complex and from out of the box, provided by retail, to those custom-designed and fabricated by a certified orthotist. A certified orthotist provides care for the very diverse needs of seniors, children, individuals with health conditions like cerebral palsy, multiple sclerosis, osteoarthritis, polio, spina bifida and acute injuries.

I have provided care for patients from as young as three days old and up to 102 years and counting. Each has their own unique challenges. Our tasks are not always simple, but critical in restoring normal function and independence.

To better understand what a certified orthotist does, I'll share with you the official description as outlined by our national body, OPC, Orthotics Prosthetics Canada: Certified orthotists are uniquely trained professionals who provide comprehensive patient care for individuals in need of orthotic treatment. We evaluate and design solutions for patients requiring an orthoses due to muscle bone impairment, disease or deformity. The primary goal is to restore mobility and to prevent or limit disability.

We look much deeper than the single injury or chronic ailment. We consider the underlying medical cause and resulting effects as well as the overall health and lifestyle of the patient to help to find the requirements of the orthotic treatment. The benefits of orthotic care are often overlooked or are not attributed to the outcomes of our comprehensive care. They are often viewed to the same as retail product provision, which is largely an over-the-counter product purchase with little or no assessment and without any follow-up.

Certified orthotic and prosthetic patient care regularly reduces a patient's time in hospital, minimizes the need for assistance, maintains and extends independence and lowers the drain on health-care resources. Our goal is to get people back to their lives and maintaining their mobility.

So how do you become a certified orthotist-prosthetist? Most people are quite surprised at how long the education and training really is. All students entering the program have an undergraduate B.Sc. degree in kinesiology, engineering, science or similar field. The program is a two-year post-degree program followed by

a two-year residency in either orthotics and prosthetics. Currently, most students are also concurrently enrolled in the masters of rehab science at McMaster University.

When completed, the certified orthotist or prosthetist receives approximately eight years of specialized training. Some often ask, why didn't I just become a doctor? This specialized education and training provides us with the knowledge, expertise and unique skills to develop patient-treatment plans to design and custom fabricate orthotic and prosthetic solutions with a broad spectrum of materials including carbon fibre, metal, leather and various plastics. We are one of the only health-allied health-care professionals that take specific courses in materials science as it relates to patient care. Certified orthotists and prosthetists are patient-care focused, excel in problem-solving and strive for innovative solutions to address patient needs. The work is very rewarding. On a daily basis, we see the value we provide to patients. Few things match watching an amputee take those first steps to independence and family—and patients and families excited about what they can now do: what was impossible before because of pain, discomfort, mental anguish or fear of falling.

We are a small group. There are seven clinics in Manitoba that provide seven—that provide certified orthotic and prosthetic services to our public: assistive technology at—and orthotics at the Health Sciences Centre and the Rehabilitation Centre for Children. In addition to this, there are five privately owned clinics operated by certified orthotists and prosthetists. All provide certified orthotic and prosthetic services to the Manitoba Health orthotics and prosthetics program, which is part of Manitoba Health Ancillary Programs.

The Manitoba Orthotics & Prosthetics Association, MOPA, is the provincial association that represents certified orthotists and prosthetists in Manitoba. As mentioned, our national body is OPC, Orthotics Prosthetics Canada. OPC is the credentialing body that certifies orthotists and prosthetists.

To sum up, I hope you now have a slightly better understanding of certified orthotists and prosthetists. I am passionate about what I do, and I'm excited about what the future holds for our profession and health care in Manitoba. I would like to extend an invitation to everyone to experience first-hand how we Manitobans regain—we help Manitobans regain

their mobility and independence. I would be more than happy to give you a tour of our clinic, to meet our team and our patients. Seeing what we do is best—is the best way to truly appreciate how we can help make Manitobans' lives better by improving health-care services.

I'll finish by quoting a personal favourite, the late Robin Williams, from the movie *Patch Adams*: You treat a disease, you win, you lose. You treat a person, I guarantee you always win.

Thank you.

**Mr. Chairperson:** Thank you for your presentation.

Do members of the committee have questions for the presenter?

**Mr. Swan:** Mr. Kok, thank you for coming down and presenting to us. Again, we've learned a lot. I was going to ask you if you were going to offer a tour to members of the committee. I found it fascinating touring your facility on Marion. Now I don't have to ask that question.

You talked about Manitoba Health paying for various devices that you're able to provide. Does Manitoba Health pay for everything, or are there some portions not covered by Manitoba Health, and how does that work with patients?

**Mr. Kok:** Thank you, that's actually a very in-depth question, but I'll try and be very succinct.

So, essentially, Manitoba provides orthotic and prosthetic devices above the ankle. Prosthetics, obviously—if you're missing a toe, that's covered. But essentially, it's—if it's a specific diagnosis of cerebral palsy, club foot, fractures, life-altering events—if you have a sprain or a strain, that's not typically covered. Amputation is always considered, so that is covered.

It's provided—so, it's from—a prescription from a doctor or nurse practitioner is what—is required. Yes, there's a lot of stipulations of what is and what isn't covered. Manitoba offers basic care, and it is quite valued. So it's something that we're very—we're working hard to maintain and improve to—for Manitobans.

**Mr. Chairperson:** Thank you, Mr. Kok.

Oh, sorry. The Honourable Ms. Squires. Did you?

**Hon. Rochelle Squires (Minister of Sustainable Development):** No, I did not.

**Mr. Chairperson:** Oh, okay.

Thank you, Mr. Kok.

**Bill 219—The Workplace Safety  
and Health Amendment Act  
(Inappropriate or Unsafe Footwear)**  
*(Continued)*

**Mr. Chairperson:** We'll now move on to Bill 219, The Workplace Safety and Health Amendment Act (Inappropriate or Unsafe Footwear).

I will now call on Allison Ferry.

Do you have written materials for distribution to the committee?

**Ms. Allison Ferry (Private Citizen):** I do.

**Mr. Chairperson:** Please proceed with your presentation when you're ready.

**Ms. Ferry:** As you said, my name is Allison Ferry, and I just want to take a second to thank Nahanni Fontaine for tabling Bill 219, and the rest of the committee for being here tonight.

I am here to speak as a former server. I am also here to speak as a rhetorician and a communication specialist. For the better part of a decade, I've been working on gender and sexuality issues, and that includes stuff like homophobia in Canadian high schools and the No Tax on Tampons campaign.

In 2016, I was on an episode of CBC Marketplace discussing sexualized dress codes in the restaurant industry, and later launched a change.org petition with my colleague, Amy McGimpsey, who's also speaking here today, called end sexist dress codes in restaurants, which presently has over 30,000 signatures. Since then, I've done dozens of interviews discussing my experiences as a server who worked in the restaurant industry and specifically in restaurants with mandatory heel policies.

So, in being here today, I wanted to focus primarily on the ways that dress codes are enforced within the industry. I think that it's important to understand the nuances of how these restaurants are operating. And, to do this, I'm going to talk a bit about my personal experiences as a server along with some of the information I've collected over the past two years of participating in the national conversation about sexualized dress codes and mandatory heel policies.

\* (19:20)

So the first thing I wanted to address is the question of why don't these girls find different places to work. And, if you don't like it, don't work there. Restaurants with mandatory heel policies are typically looking to portray women as fun, sexy, stylish and, yes, privileged. On some level, this is true: if you are an able-bodied cis female who is willing and able to comply with Western beauty standards, you are most likely going to get a serving job in one of these restaurants. However, I want to look at this from two other perspectives. First, who's being excluded, and how do these policies impact this exclusion? I'll talk about that later. But first, I also want to talk about what happens to the women who actually fit in and who are employed in these places.

For me, the choice to become an Earls girl was not easy. I started working at Earls when I was 20 years old, and I was a bartender previously at a bar—a hotel bar downtown, where I was getting sexually explicit phone calls. There was a murder in the hotel and my co-worker was robbed at gunpoint. I needed to get out immediately, and my options were extremely limited.

I was not educated at the time and I had no credit, so I eventually ended up going to Earls after exhausting a number of other options. And I did this because in the restaurant industry, there are two things that are really important: first, high-average bills, which equal large tips; and two, flexible hours. Restaurants that have mandatory-heel policies are amongst the few that have both of these requirements. And the ability to make above minimum wage for the women that work there means being able to go to school, being able to support their children—often these are single moms working here—working in these places; it means lowering debt loads, and it means being able to choose living arrangements.

I was one of many women who depended on the hours and the tips in these places, and this isn't to say that we were victims, necessarily, but I think it's really important to understand the vulnerability and the result of it—of being more compliant with these policies. And to be very blunt, I think this is exactly what these restaurants are relying on is the inability for women to choose based on their values rather than on making an income, essentially.

So, as a server at Earls, I was required to comply with dress code changes two times a year. This meant purchasing clothing and accessories to fit the

dress code dictated by head office or specific internal dress codes dictated by the managers at our specific location. I've included several snippets from head-office-created manuals in the back of the handout along with my email address for the complete collection that I've gathered. However, internal dress codes are typically not written down.

So one example I can give of my own experience with an internal dress code is when the management in our store decided that we were required to wear all white from head to toe, and if you've ever served, it was expensive and just a little bit ridiculous. Another example is when our head office temporarily changed the dress code to allow women to wear flats. Our internal location did not allow that. So we were still required to wear heels. One more recent example I can also give off the top of my head is a Moxie's server who just quit because she was being asked to wear fishnet stockings. Slightly off topic, but similar thought process.

So, whether these dress code policies are written or unwritten, there are several implications for the servers aside from the rampant issue of sexualizing women for the purpose of selling food. First, restaurants with mandatory-heel policies understand that they are walking a fine line in terms of human rights and health and safety violations. Most importantly, they understand that the burden falls on women—again, vulnerable women—to come forward to file claims. Because internal store policies are not written and do not always match company-wide policies, the cases that these women bring forward are often only based on circumstantial evidence and hearsay.

One of the best examples I have of a documented admission of how practice and policy differ actually comes from Cate Simpson, who was the communications manager at Earls. In March 2016, she did a radio interview with Simi Sara on a Vancouver-based radio station, and I've included the full transcript for you in the handout on page 6, and I can also provide the audio for that as well. But the one thing that I wanted to highlight from the conversation is their conversation about skirts. And, again, this also carries over into the heel policies.

So, as Ms. Simpson explains, legally, Earls dress codes cannot be mandatory because Earls does not reimburse their employees for the clothing they purchase for work. However, partway through the Simi—through the interview, Simi Sara asks, just to

be clear, they shouldn't feel like they should have to wear skirts; is that what you're saying? Ms. Simpson responded: We do not want them to feel that they do—that they—sorry—we do not want them to feel that they do have to wear skirts because—we want them to feel that they do have to wear skirts because that is the suggested dress code and it's the look that we want.

She later goes on to state that heels are also not a requirement; however, I've also included two pages taken from an Earls manual in 2014, which clearly states on page 9: Don't wear flats. Trust me. In order for a knee-length skirt to look good, you've got to have some lift. On page 18 of the same manual, it states: no flats, boots—except dress booties—or strappy sandals. And this was for the managers.

So it's also worth mentioning that staff at these restaurants are warned against speaking with media. When I first started discussing my experience on radio and TV, I got reports from several parts of the country that servers employed in at least two restaurant chains were threatened with dismissal if they ever discussed their issues with news or social media.

A lot of the manuals I've printed for you today I found online or received from anonymous donors because they are also considered internal documents and servers are threatened with dismissal if it's discovered that they've shared them publicly. So, sorry about that.

I've talked about the vulnerability of women within places that require mandatory heel policies, but I also said I wanted to discuss the problem of exclusion. There is an apparent selection process behind who gets hired in these restaurants. In a lot of ways, it's a cyclical process. People who don't identify with the dress code don't apply, and if you do not like—or you do not look like you are willing to wear heels and skirts for eight hours, it's highly unlikely that you're going to be hired. To paraphrase Ms. Simpson: They do not want you to know that you are allowed to wear pants or flats.

There are so many different reasons why women can't choose—can't or choose not to wear heels, and I would argue that restaurants rely on this in a way—as a way to discourage unwanted résumés from people who don't fit their aesthetic standards. Ultimately, I'd like to suggest that the fewer people who apply, the fewer potential accusations levelled for exclusionary and discriminatory hiring practices.

So, to wrap this up and to bring it back to 219, I see this amendment helping to close the sort of loopholes I've described. Largely, these places are claiming that women have a lot more say in what they wear, when that's not actually the case. With this amendment clearly stating requirements about footwear, I believe that the conversation can start turning more safely—more towards safety, and, in this regard, the evidence is very clear that heels are physically harmful.

If Bill 219 passes, it's my hope that restaurants operating in Manitoba will no longer be able to exploit the dress code loopholes by suggesting but not requiring heels in the workplace. While I believe that there are other factors that will need to be addressed regarding discriminatory hiring practices and the sexualization of women's bodies, I do think that harm reduction is a crucial first step in shifting this conversation.

So, again, I would like to thank the committee for listening to me, and I encourage you to reach out if you would like further documentation, and I'm open to answering any questions.

**Mr. Chairperson:** Thank you for your presentation.

Do members of the committee have questions for the presenter?

**Ms. Nahanni Fontaine (St. Johns):** So, miigwech, Allison, for coming to present to us this evening.

I did happen to mention to Amy that when I did introduce the bill in the House, that I did acknowledge both of you in the House for the work that you've been doing in respect of raising awareness on really what is discriminatory towards women in the workplace. So I do really want to lift you up and honour you for the work that you're—that you've done to date and for gathering so many of these signatures. I think that that is really a testament to how important this issue is, right? It's important for women's equity in the workplace, and it's important for women's safety in the workplace. So I really do lift up both you and Amy. And I just want to say that I really love that you've continued on doing this research in respect of how important this is.

I started working in the service industry—well, my first job was, I probably shouldn't say this, but I was 10—*[interjection]*—I know. I—so I would serve at my dad's restaurant, which was probably obviously against labour codes and stuff like that, and then went on to be a hostess and then was a server, and so

many, many years in the restaurant industry. So everything that you talk about, I absolutely know.

\*(19:30)

The one thing that I don't know is that I never worked in a—at a restaurant where I was forced to wear heels. I was really lucky enough that I worked at restaurants that I could wear flats, and I've repeatedly said that there'd be no way that I would be able to work an eight-hour shift in my heels. It's hard enough working eight hours in flats and your back is killing you and you're carrying all these things. So I think that it's really important that we continue to have this discussion and educate not only here in Manitoba but across the country, and so I really do lift you up and I say *miigwech*.

**Ms. Ferry:** Thank you. Yes, it's difficult, and I can get into how many injuries and how long-standing the consequences of wearing heels has been, which I didn't expect at the time. And I think I really want to drive home the point that for a lot of women, the need to make above minimum wage limits the choices that we have and I—when I was applying, I was looking for jobs in other places, and I had to work up as a hostess and I've just—I couldn't afford that at the time. So it was a really difficult choice to make, for sure.

**Hon. Rochelle Squires (Minister responsible for the Status of Women):** Thank you very much, Ms. Ferry, for your presentation. It was very comprehensive, and I just also want to commend your courage for coming here to present and for all the work that you've done in speaking out against your former employers and really calling out some of the sexist practices that you experienced and witnessed and still occur today for many people who are working in the hospitality industry. So I know it takes a lot of courage to speak out, so I congratulate and want to thank you for that.

I also want to thank you for providing your email address. You've got a great deal of material here and your work that you've done seems, you know, quite in depth and I certainly will reach out and find more—you know, find another opportunity to discuss this important issue with you.

Do you believe that addressing the footwear, which—of course, we know that there are hazards that go along with wearing unsafe footwear for an extended period of time or even for a short period of time, if you've got certain—if you're on your feet all day. We recognize that that is a hazard to a woman's

health, backaches, bunions, blisters, just to name a few.

So tackling unsafe footwear is certainly a good step in the right direction, but do you think that there should be other aspects relating to the hospitality industry and their dress codes as they are—ought to be addressed?

**Ms. Ferry:** I do, absolutely. I don't know that they should be included in the same bill. I think they need to probably be separated, and I say that because it's almost as though you need to sort of see where the chips fall and how restaurants are going to respond and how they're going to interpret this policy or this amendment before trying to make another one and trying to do it all at the same time. So I would say yes, absolutely, later on, for sure.

**Mr. Chairperson:** Thank you, Ms. Ferry.

I will now call on Amy Tuckett.

Do you have any written materials for distribution to the committee?

**Ms. Amy Tuckett (Private Citizen):** I do, thank you.

**Mr. Chairperson:** Please proceed with your presentation when you're ready.

**Ms. Tuckett:** Hello, thank you for the opportunity to let me speak on this issue. I started talking about this years ago back in 2013. There was nobody really talking about this, and I really love seeing the groundswell of support. Thank you to Ms. Fontaine for bringing this forward.

Just a little bit about how I got started talking about this. It originated as a school project, both as a short documentary and campaign about mandatory heel heights in restaurants. In the years before I went back to school and during, I had a career as a massage therapist for 10 years in a busy, multidisciplinary clinic. Passionate about massage and a bit of an anatomy geek, I specialized in deep tissue, post-injury and assessment.

One of the young women I saw had a number of issues with her low back, knees and feet. After assessing her, we went through stretches and strengthening, massage therapy, and I recommended a good pair of work shoes, as she indicated she was a server, and to lay off the heels. As a side note, I had also been a server for years in my teens and early twenties. She told me she had to wear at least a one-inch heel or else be sent home.

I was shocked. Her issues would only continue to get worse if she could not wear appropriate footwear. After that, I had many conversations with people who worked as servers and experienced these same policies. It inspired me, and when the opportunity for this project came around, I decided to focus on this issue.

I spoke with many servers who worked under high-heel policies that ranged from one inch to three. I spoke with Dr. Heather Barske at Pan Am Clinic, who is an orthopedic surgeon, and Dr. Glen Bergeron, an athletic therapy professor at the University of Winnipeg. Both spoke to me about the health risks in great detail, and both were adamantly against a mandatory high-heel policy.

We think of callouses, blisters, ingrown nails and foot pain that come from wearing high heels on an extended basis as relatively short-term side effects. Where the danger comes in is from the long-term effects. When your foot is in a steep, plantar-flexed position, it increases—it creates increased pressure all the way up your body.

So, for example, when your foot is in this position, it tightens your Achilles tendon, which reduces your ankle's flexibility and range of motion; places greater forces on your kneecap, which can lead to osteoarthritis; creates an anterior pelvic tilt, like this, which also places more force on your lower back, which can lead to a number of issues like herniated discs, sciatica and osteoarthritis in your lower back.

That is in addition to issues like bunions, which can sometimes lead to an extremely invasive surgery where they may need to remove the entire bone in your foot. The recovery period is anywhere from six weeks to six months, or longer. It also places the ankle in an unstable position, which, in a slippery and rushed restaurant environment, can lead to slips and falls.

Workplace Safety and Health states that they will safeguard the rights of Manitobans to have a safe and healthy workplace. More than one in five Canadians between the ages of 18 to 24 work in the restaurant industry. This is an industry that often uses precarious jobs with low wages, a reliance on tips and part-time hours, and a non-unionized environment with young workers who may have a lack of awareness of their rights, to their advantage. Time and time again, I've heard stories about people afraid to come forward about sexist policies like this one, lest they be out of a job.

Often, legislation is focused on male-dominated workforces. We have legislation regarding workers on roofs to be tethered, but we allow restaurants to dictate unsafe footwear without reprisal. This is rooted in sexism and discrimination based on gender, and let's also remember that gender-specific dress codes can exclude trans and gender-diverse people.

The Ontario Human Rights Commission states that employers can have dress codes, but only if they do not violate the code. Any sex-based requirements in a dress code must be legitimately linked to the requirements of the job, or they will be discriminatory.

Restaurants are deliberately putting their female employees in danger—not the males, as there's no policy for them—solely for the purpose of objectification. They need to do better. We need to do better as a society, and you need to do better by passing this bill. These sexist and discriminatory practices must be legislated out.

**Mr. Chairperson:** Thank you, Ms. Tuckett.

Do members of the committee have questions for the presenter?

**Ms. Fontaine:** Amy, so, miigwech for coming to present to us today and providing your expertise on what is really an important issue, and so, similar to your colleague Allison, I just want to lift up the work that you've done. It is a really, really important discussion and I love the piece about—that there's not a dress code for men working in the service industry, rather than just the shirt.

And we kind of lose sight of that, that we are instituting policies that sexualize women and really, sell sex in the process of selling food. And so I think it is a really important discussion, and so I really appreciate you coming out.

I am curious in respect of how would you see that if this bill gets to third reading and does become law, how would we disseminate this bill so that women that both you and Allison have spoken about, and that we know are in very precarious and unsafe positions of power within the service industry, how would they know that they are no longer required to wear mandatory heels? How would we be able to disseminate that to women?

**Ms. Tuckett:** I think it's important that there is, sort of, like, a communication strategy with that. I also think that this has garnered, actually, significant media attention. So, I know in Ontario and in BC,

this is something that's picked up on and definitely talked about quite a bit.

\* (19:40)

I also—like, the Ontario Human Rights Commission—I have the link in the materials that I passed out to you—they had an actual sort of campaign to disseminate some of this information. I think it is a struggle with workers sort of knowing their rights and that type of thing, but, in the age of social media, too, those kinds of information campaigns are important but somewhat easier to get a hold of people to let them know what their rights are.

**Mr. Chairperson:** Thank you, Ms. Tuckett.

### **Bill 221—The Rail Safety Awareness Week Act**

**Mr. Chairperson:** We'll now move to Bill 221, The Rail Safety Awareness Week Act.

I will now call Kate Fenske, CN Rail.

I would like to inform the members of the committee that this presenter has made a request to be joined by Sergeant Paul Leaden. Is there leave of the committee to allow a joint presentation?  
*[Agreed]*

Do you have any written materials for distribution to the committee?

**Ms. Kate Fenske (CN Rail):** We do.

**Mr. Chairperson:** Please proceed with your presentation when you're ready.

**Ms. Fenske:** Thank you, and thanks for allowing us to be here today and to do a joint submission. We wanted to keep this rather brief and if—allow for time for question, if there is.

What is being handed out right now is just a summary that includes some stats of rail trespassing incidents and crossing incidents in Manitoba.

As we all know, rail safety is a shared responsibility, and by looking out for each other, we can help keep our communities safe and prevent fatalities and injuries on or near railway property and crossings. Together, working with dedicated partners like operation lifesaver, law enforcement, schools and governments, we can save lives and help bring crossing and trespassing accidents down to zero.

Bill 221 is a significant step forward in helping keep Manitobans safe. The proclamation of rail safety in week in Manitoba broadens the scope of

awareness to a province-wide level and supports the efforts that us at CN, our team and our industry partners making—and our industry partners make in engaging the public on rail safety.

In 2017, CN police visited 20 Manitoba schools to educate students on safe behaviour near the railway in addition to conducting. With a proclamation of rail safety week, our hope is that the Province of Manitoba can help facilitate more of this type of engagement with schools and with communities where we all live and work. Elected officials can participate in outreach during rail safety week to demonstrate the responsibility we all share in keeping Manitobans safe.

**Mr. Paul Leaden (CN Police Service):** All trespassing and crossing incidents are preventable, yet, in Manitoba, there were 15 crossing and trespassing incidents, in 2017, two of which resulted in fatalities.

The way to help reduce these incidents is to inform people of the dangers when in and around railway property or railway crossings while driving, usually. As part of our year-round effort to save lives, CN police continues to be active in communities across our network to promote safe behaviour in and around railways. This involves conducting monthly enforcement initiatives including joint operations with external law enforcement agencies at high-incident locations and on CN's right of way; delivering safety presentations to law enforcement agencies; and targeting high-risk groups, such as young drivers, bus drivers, young students and children in schools, all with the objective of changing attitudes towards railway safety.

Our team continues to fully engage officials at all levels of government in identifying and eliminating crossing and trespassing hazards. Part of the effort also involves monitoring of incidents across the network to identify trends and to—and the use of equipment and technology to reduce incidents at high-incident grade crossings.

**Ms. Fenske:** Now, both Sergeant Leaden and I are members of CN's corporate services team. It's made up of a number of different departments and, really, we play an integral role in keeping CN connected to the community. So whether it's in my role in public and government affairs, media relations, or with the CN police team, we work very closely together.



Rail Safety Week for us is really about bringing in other partners. So we work very closely with Operation Lifesaver, and our counterparts at CP Rail as well. So this is about bringing in government to further the reach, raise awareness when it comes to reaching out to schools. We would like to, through this bill, offer an opportunity for MLAs to find schools in your area that we can go and we can partner with you on that.

We have the materials that—we work very closely with Operation Lifesaver, whether that be 3-D viewer goggles or that may be the handouts that you have in front of you, websites, social media. We have a lot of those resources behind us already, what we are looking for is other partners to get this message out. So we really hope that the government of Manitoba will consider passing this bill and being one of our partners and making this happen, and being the first province in Canada to enshrine it in law.

Just one other thing I wanted to touch on was in terms of what we are doing right now and what's happening in Canada in terms of new standards and regulations at rail crossings. We are working very closely with communities and road authorities to meet Transport Canada's new grade crossing regulations and standards and advance our shared responsibility at crossings.

The crossing standards are mandatory engineering requirements for crossing services, road geometry, design vehicles, sightlines, warning systems and other elements that improve safety at crossings. So, when we're looking at this, any new grade crossings and existing crossings undergoing upgrades or modifications must meet Transport Canada's new regulations immediately. All crossings must meet new—the new regulations and standards by 2021. So that work is happening in Canada and right here in Manitoba right now.

In 2018, the CN signals and communications team will be working with CN police to install crossing emergency notification signs at targeted grade crossings in Canada. All new CN crossing projects will include these new signs. So, as I mentioned, there is a lot happening right now.

We wanted to share a little bit with you on that, and Sergeant Paul Leaden will just go over a little bit about Rail Safety Week has looked like in the past.

**Mr. Leaden:** So Rail Safety Week is something I've participated in throughout all my almost 20 years of

service, all with CN police. And it's a very, very important part of what we do. You know, rail safety is what we do daily, but Rail Safety Week gives us a platform, an opportunity to do the No. 1 thing that prevents these incidents from occurring, and that's educate people.

So, in the police service, we—basically, we call it the three E's. So we will conduct traffic enforcement, trespass enforcement where we're issuing tickets for offences under The Highway Traffic Act or the Railway Safety Act. We talk about education. So we have community booths. We'll go to schools, you know, and we're—we'll target specific groups based on data and trends as to where we feel the highest risks are occurring. And last is engineering. So we work with our internal and external stakeholders to try and come up with sustainable solutions, fencing and whatnot, through partnerships to kind of, you know, keep these incidents from occurring.

So railway safety week is a huge part of this, 150 community events were organized across Canada last year alone. We engaged partnerships with different municipalities on social media through proclamations within different municipalities. So this is a big part of what we do and why we do this.

**Ms. Fenske:** And just in closing, so this year in 2018 will be the first year that Rail Safety Week happens together in both Canada and the US. That has never happened before. So that's why we are all putting all of our efforts in one week so it's concentrated, and it really is about bringing a broader scope to it, raising awareness, working with our partners to talk with children, to talk with members of the community and have CN police and government officials and our colleagues out there raising awareness that we really can prevent these incidents from happening.

And thank you very much for allowing us to be here today.

**Mr. Chairperson:** Thank you for your presentation.

Do members of the committee have any questions for the presenters?

\* (19:50)

**Mr. Bob Lagassé (Dawson Trail):** First off, I'd like to thank you for the great work that's come into this. Unfortunately, it was born from tragedy, which is the part that, obviously, breaks my heart the most. But thank you for coming down and being really accessible when I had questions and you were there to answer them, and I'm very thankful that I'm able

to work with you guys to get this moved forward so that we can prevent future tragedies from occurring, so thank you very much.

**Mr. Andrew Swan (Minto):** I want to thank both of you for coming down tonight and talking about this important bill.

In your presentation, you mentioned a desire to partner with the provincial government, hopefully to expand the footprint of what you can do. Can you give us some specifics of how you would, in a perfect world, have the provincial government come on board and—so you can accomplish more.

**Ms. Fenske:** Yes, definitely. Thank you for that question.

There are a number of opportunities that we already have had some discussions on, one of them being, every Rail Safety Week, we have a kickoff at our national training centre here in Winnipeg where we invite folks down to come and take the rail safety pledge, so we would extend that invitation to all MLAs to join us and take the rail safety pledge.

We would also like to work with the government to have material available in your constituency offices, so we can make that available to help broaden the reach again to residents in your area. And as Paul Leaden—Sergeant Paul Leaden mentioned, they do already go to a number of schools, so we would like to hear from government—are there schools in your area—and maybe help us with making some connections there to get in to provide a safety presentation and invite elected officials along with CN police to do those presentations and talk to students about the importance of being safe around railways.

**Hon. Ian Wishart (Minister of Education and Training):** Thank you very much for the presentation. I certainly am very pleased to see the message brought forward on rail safety. I think it is something that we could possibly find some ways to work together in terms of better access to the—especially younger children that are not always aware of the safety and security issues around rail lines, so, I'm very pleased to see you here today.

**Mr. Chairperson:** Thank you, Ms. Fenske and Sergeant Leaden.

**Bill 300—The University of Manitoba  
Students' Union Amendment Act**  
(Continued)

**Mr. Chairperson:** We'll now move to Bill 300, The University of Manitoba Students' Union Amendment Act.

I will now call on Tanjit Nagra, University of Manitoba Students' Union.

Good evening. Do you have any written materials for distribution to the committee?

**Ms. Tanjit Nagra (University of Manitoba Students' Union):** I do not.

**Mr. Chairperson:** Please proceed with your presentation when you're ready.

**Ms. Nagra:** I'd like to start off by acknowledging the fact that we are gathered here on Treaty 1 territory, the original lands of the Anishinabe, Cree, Oji-Cree, Dakota and Dene peoples and on the homeland of the Metis nation.

Thank you to the committee members for the opportunity to speak to you today. I want to especially thank the MLA for the University of Manitoba in Fort Richmond, Mrs. Guillemard, for working with us on this initiative. And by us, I mean the students that this bill actually represents.

I'm here today as president of the University of Manitoba Students' Union, and I'm here representing over 24,000 undergraduate students at the University of Manitoba campuses. And this includes many distance education or online, part-time, co-op, exchange and mature students, as well as many future students and members of UMSU that this will—that will benefit from the proposed revised UMSU act.

To give a bit of a background, the UMSU act was initially introduced in 1975, 43 years ago, and it was only revised in 1985 to include a version in French. Since then, we have outlined some areas that we would like to see updated and revised. And I want to point out that two terms worth of UMSU council members, which is our highest governing body, have approved and been aware of these revisions, and two terms of UMSU executives have worked on Mrs. Guillemard with this.

And, of course, we have received approval from the University of Manitoba Board of Governors as stipulated in the act as it currently states.

And there are three main areas of revision that we have introduced, and they have to do with the following: So No. 1, acting—making the act gender neutral as it currently says he or him several times in the document. Secondly, ensuring that our members can vote on the introduction of any new fees charged by UMSU. And third of all, strengthening our autonomy as an organization and stipulating procedures on memberships within external organizations.

I want to note that the last revision—that particular revision has had some opposition and, quite frankly, some alarming misinformation has been shared, so I want to address those.

So UMSU, University of Manitoba Students' Union, is currently a Local 103, the Canadian Federation of Students, and because of this, we have a seat on the provincial executive of CFS Manitoba, the provincial component, and we participated at the recent annual general meeting where delegates were present from University of Manitoba, University of Winnipeg, University of St. Boniface and Brandon University.

Though, through none of these bodies has the official spokesperson of CFS Manitoba received a mandate to refute the clause regarding the external organizations as you heard earlier today. However, UMSU has received a mandate to advocate for the changes presented to you through the second reading and first reading and in front of you today.

And as you might be aware, currently, as the act stipulates in clause 5(b), under Powers, it allows our organization to carry out such initiatives as may be considered desirable in the furtherance of the interests and welfare of the said students, and this act also gives the authority to our council to act in this regard, as the highest governing body.

And, as I stated previously, we have gone through all the appropriate channels to get to this stage and we are well within our legal right to put forward these amendments. In addition to the governing and legal channels, myself and my executive team the 2016-17 year introduced this to our governing council at the time and we have received approval from the board of governors. Further to this, I ran for re-election after the spirit of the revisions were shared openly. I was then

re-elected with a much stronger and clearer mandate and I am here to ensure that these revisions are approved on behalf of the 24,000-plus undergraduate students at the University of Manitoba.

The proposed amendments you received from the speaker earlier was sent to us around 1:45 p.m. today, so we only had a few hours to review them and thus far, we are not going to be entertaining such amendments. We have openly said that we are open to having discussions and looking at possible amendments, though I want to be extra clear that the one you received from the speaker earlier from the Canadian Federation of Students Manitoba is not welcome, nor is that proposal coming from their supposed mandate, as far as I'm aware.

But, we're here to discuss what we, the University of Manitoba Students' Union, have worked hard on for the past two years, alongside our MLA. We've had the opportunity to meet with members of all parties to discuss these revisions, though I want to be clear that Bill 300 is not a partisan bill; it is our bill. And with that, I want to thank you for your time and I'll be happy to enter—answer any questions you may have.

Thank you, merci, miigwech.

**Mr. Chairperson:** Thank you for your presentation.

Do members of the committee have questions for the presenter?

**Mrs. Sarah Guillemard (Fort Richmond):** Yes, thank you. And I want to start by thanking Ms. Nagra for all of her work. She has done a wonderful job representing the students and representing these changes and explaining the process. I think we went on a learning curve together, to understand how to propose these amendments and actually see them through.

I'm very happy that we have reached this stage and I know that there's other eager members who want to ask some more technical questions about the changes and the genesis of those changes. But I do want to commend you and your students union, for the hard work you have done over the last two years. And I look forward to seeing what you all do in the future.

**Mr. Matt Wiebe (Concordia):** I also wanted to thank you, Ms. Nagra. Good to see you back at committee and good to see so many students once again, engaged, in this case, obviously, in dealing with your own internal bylaws.

But, of course, we've seen you out in many contexts over the last while and doing your best to make sure that students' voices are heard around the table and that's recognized.

I also wanted to commend you on the work that you've done to reach out to many members of the Legislature, including myself, to chat and to talk about this bill, and that you've looked, you know, outside of your own organization to get guidance, as well. And I think that's really what's key to bringing any kind of successful legislation, especially when you presented as you do, as a non-partisan bill. And I think that goes across party lines here in the Legislature, but probably goes across lines in student politics, as well, which is I think a good place to start.

And I'm encouraged to hear that you have an open mind and an open opinion about listening to others and making sure that this bill meets all parties' requirements.

So, thanks for taking the time, for coming back. I'm sure we'll see you again in some future committee, again soon, whether in an official role or otherwise. But we certainly like to see you around here and making your voice heard.

**Mr. Chairperson:** Thank you, Ms. Nagra.

I will now call on Jakob Sanderson.

Good evening. Do you have any written materials for distribution to the committee?

**Mr. Jakob Sanderson (Private Citizen):** I do not.

**Mr. Chairperson:** Please proceed with your presentation when you're ready.

**Mr. Sanderson:** Thank you very much, Mr. Chair.

My name is Jakob Sanderson. I have served for the past year as the arts student body president at U of M, representing roughly 4,000 students, which makes us one of the largest faculties on campus. And I have now been elected as the incoming UMSU president for the 2018-2019 term.

\* (20:00)

So, first, I want to thank the members of this committee for hearing from us today and I also wanted to extend my gratitude to members from the Conservative caucus, the NDP caucus and the Liberal caucus, all of which we've been able to meet with and express our opinion on why these changes

matter so much to our students. And we thank them all for accommodating us in that regard.

So what I want to discuss with you today is why it is so important for our membership, the students at the University of the—of Manitoba, that the UMSU act changes go through as they were presented to you. The reasons for this—that these changes make our union more responsive and democratic to our membership, the over 24,000 undergraduate students at the University of Manitoba.

Our students, over the past few years, have made it very clear to us that they wanted more opportunities to share their voice on issues affecting them, particularly financial issues, especially given the increasing costs of university that students may face in the upcoming years. That is why students need to be included on any directives taken by UMSU executives regarding the fees that they pay.

These act changes allow for students to have a greater say in the external organizations they are a part of, which they pay into, and the fee levies they pay on services and organizations in which fees are collected via UMSU. So what I want to stress is that this is not in any way an attack on any organization we are part of or any services that we provide, but about mandating that we have a higher degree of direct democracy within our membership.

So, with regards to the external organization membership renewal clause, which has been discussed today, and amendments have been put forward, again, I would stress that it's crucial that this passes as it was written.

Having clear mandated renewal periods—in this case, every two years—not only holds UMSU's council, which is our highest decision-making body per our bylaws and per the UMSU act, accountable to reviewing the organizations that they are a part of, but it also provides us opportunity for our students to take their feelings regarding such groups to UMSU's council, among which every member of UMSU has speaking and moving rights.

Further, if our council membership make it clear that they want changes to happen within UMSU, I believe that it is our council's duty to ensure these changes happen as swiftly as possible, within all reasonable guidelines. The bylaws that external organizations—regarding exit procedures, can often be cumbersome and may change without us agreeing to them. What we want to make sure to provide to

our students is that we provide a consistent and reasonable process for becoming a part of and leaving external organizations.

The fact of the matter is, is that as it says in our bill, we must be able to take all required steps to accommodate the wishes of our membership swiftly, no matter what they may be, and we must do so within a reasonable time frame, in which our students, UMSU councillors and UMSU executives will still be attending the University of Manitoba.

Our status as a distinct entity, enshrined by the UMSU act, makes it incumbent upon us to seek the changes we wish to see for the betterment of our members through this channel, regardless of the wishes of any other external organizations.

Finally, with regards to increasing democracy within our membership, it is so important to note that no changes to our structure as an organization emanating from the proposed changes to this act will be implemented or have any effect on students without having gone through the entire student body.

With the changes in this act, all increases in student fees collected via UMSU or any departures or membership in any external organization will have to be approved by both our UMSU council, which is our highest decision-making body, as well as our general membership in a referendum conducted by UMSU council.

These changes are about increasing responsiveness and democracy within our union, and we would hope that the government would be in support of such goals.

Thank you very much.

**Mr. Chairperson:** Thank you for your presentation.

Do members of the committee have any questions for the presenter?

**Mrs. Guillemard:** Again, I just want to thank you on behalf of our caucus for the work that you have done, and for the continued support that you've shown your members, as well as your participation in this whole process. Again, I think it's been a great opportunity for us all to learn a new mechanism and a new way of altering private acts, and I think that's something that we don't often get opportunity to learn through.

So thank you again for your contributions.

**Ms. Judy Klassen (Kewatinook):** I just want to say thank you for presenting, and congratulations on your upcoming bill.

**Mr. Andrew Swan (Minto):** Thank you for coming down to present tonight. The bill, then, would require a referendum for an increase in annual membership fees above inflation.

Would you like to see a similar provision that students be able to vote before the government can impose tuition fees above the rate of inflation?

**Mr. Sanderson:** I would definitely say that I would. Although I'm grateful to all members that attended today for their consideration on this bill, but certainly, if that was something that would be presented, I would be happy to speak in favour of that at this committee or any other committee, pursuant to that bill.

**Mr. Chairperson:** Thank you, Mr. Sanderson.

I will now call on Allison Kilgour. *[interjection]*

Is there leave of the committee to call Ms. Kilgour last? *[Agreed]*

I will now call on Owen Black. *[interjection]*

I will now call on Tiana—*[interjection]* Is there leave to call Tiana Kriegl? *[Agreed]*

Good evening, Ms. Kriegl. Do you have any written materials for distribution to the committee?

**Ms. Tiana Kriegl (Private Citizen):** I do not, no.

**Mr. Chairperson:** Okay, please proceed with your presentation when ready.

**Ms. Kriegl:** Awesome, thank you.

Good evening. Thank you for allowing me the chance to speak.

My name is Tiana Kriegl, and I'm a second-year political studies student at the University of Manitoba. This year I was actually elected as a senator for the Arts Student Body Council. My main goal as a senator was to ensure that arts student voices were heard at any decision made at the Senate level. This was my goal as I fielded on such a large campus. A lot of student voices are drowned out and aren't heard. A lot of students are unaware of what's going on, on campus, and what fees they're paying or what decisions we're making.

So, even myself, as a first- and second-year student, I was unaware of what was going on at the UMSU level, at the Senate level. For this reason, I'm

in full agreement of the requirement for any UMSU fees to be approved by a referendum. I feel that—sorry—University of Manitoba students are the ones who use the facilities; they are the ones who use the books, who use the technology, who are the ones advocating for different bursaries and scholarships, and they should be the ones deciding where their fees are going, if UMSU chooses to put forward a new fee.

This also allows for transparency at the UMSU level. As a summary of my tuition, there's some fees where I go, I don't know exactly where that's going. So I would love for students to be able to look at their summary and say, this is exactly where my money's going and be happy with where their money is going.

Another thing that I wanted to touch on is the financial burden with tuition hikes that are up and coming in the fall of 2018. A student fee is needing to be going through students; they need to be deciding if they want to pay those fees, especially since it's going to put such a burden on some students.

Not only should financial matters be passed through students, but matters regarding external affiliations with groups, whether that be joining or leaving, should be left up to students in a matter of referendum. Again, the importance of allowing the opinions of all students to be heard in matters creates a democracy and this is what we and I advocate for.

It also promotes UMSU autonomy; students vote in a representative democracy for their UMSU team and, therefore, UMSU should have a say in—sorry. Sorry. UMSU should have a say in how the referendums take place. As a senator who advocates for students and is a student myself, I feel the UMSU act needs to be—the UMSU acts needs a proposed 'refisite'—sorry, revisions to ensure the voices of students continue to be heard.

Thank you for your time.

**Mr. Chairperson:** Thank you for your presentation.

Do members of the committee have questions for the presenter?

**Mrs. Guillemard:** Ms. Kriegl, thank you very much for your presentation tonight.

You've offered another sort of aspect of perspective here that I think that we'll tuck away into our experience here, as well. And I thank you for your contributions.

**Mr. Wiebe:** I also want to thank you, Tiana, for coming out.

This is, as I said earlier, a pretty unique process in the Manitoba Legislature. I'm not sure if one that you have participated in before, but as a new student, we do really value all voices, but especially those of students. And to really recognize you as a leader as not just of tomorrow, but today, and how important it is that you've come here. You've made your voice heard and you've taken the time to be here, and I'm glad we could accommodate moving you a little bit up the list to move on a bit faster.

So thanks. Thanks for coming out.

**Mr. Chairperson:** Thank you, Ms. Kriegl.

I will now call on Allison Kilgour. Good evening. Do you have any written materials for distribution to the committee?

**Ms. Allison Kilgour (Private Citizen):** I do.

**Mr. Chairperson:** Please proceed with your presentation when ready.

\* (20:10)

**Ms. Kilgour:** Perfect, thank you. So, hello, everyone. Thank you very much for the opportunity to speak and address you today.

My name is Allison Kilgour. I am a fifth-year student at the University of Manitoba and my experience there reflects that of many: quite flexible and changing over the course of my degree. So I have been involved in several campus clubs throughout my five years. I've served on the University of Manitoba Senate for three years, two years on the Arts Student Body Council and I'm currently the UMSU vice-president, advocacy.

Before this, I was also a student who didn't really know how to get involved, didn't really know the processes and who dealt with a multitude of issues that everyday students face. So, elaborating on this, throughout my degree I've been a full-time, on-campus student, switching to a part-time, on-campus student, switching to a distance online student and I'm also a student who's lived with mental illness and accessibility concerns for over three of my five years during my degree.

So, as someone who has kind of these different perspectives, I just want to express I believe these changes are incredibly positive to the UMSU act for a few reasons.

So first of all, it promotes the inclusive mandate of our organization through changing to gender-neutral language. It ensures that our organization isn't putting additional strains on students and ensuring that they have a say in where their finances go. This is a large part of what my job as the VP advocacy revolves around, ensuring that students are accommodated and have the means in which to succeed in their degree. So with increasing costs of tuition, textbooks, living costs and everything else that we're facing, it's more important than ever to ensure union fees are reasonable and decided upon by the members. And third, accessibility. So ensuring autonomy over our decisions, whether that be fee increases or membership revision, being able to operate under the processes determined to be effective and accessible for our membership is crucial.

So my statement today is going to focus more on that third category, on accessibility and why it's so important, particular in the provision of this bill to create the additional autonomy for our members and allow UMSU to be able to survey and conduct referendums with our membership in ways that we know to be effective for our community.

So, in terms of the University of Manitoba, we're a very unique campus. We are the largest post-secondary—sorry, not post-secondary, but we're the largest university in Manitoba with over 50 per cent of Manitoba post-secondary students and UMSU itself has over 24,000 members. We are also a commuter campus that has three locations. We have the Fort Garry campus, Bannatyne campus and our William Norrie inner city campus and we also have several approved teaching centres, such as Prairie Theatre Exchange, Canadian Mennonite bible college and William and Catherine Booth college, which are situated all across the city.

Other programs that our students take place in that makes them situated not on our campus locations is co-op students. Our Asper faculty alone has over 100 students every year in co-op placements. Travel exchanges. So several of our faculties have their own exchange programs that are operated within their faculties and students from every faculty travel on exchanges on a yearly basis. We also have education students conducting their practicums in schools around the province, students in work-study programs and our Bannatyne students who are working in clinics and doing shift work as a part of their degree.

So, in terms of accessibility, we do not have students on campus at all times and we also heavily rely on distance and online education as well. So some students taking our courses and who are UMSU members might not even be in our province. Accessibility in other terms is important to highlight because students aren't just unable to get to campus because of location but because of other limiting factors.

So an annual report of a—the University of Manitoba Student Accessibility Services that was put out covering May 1st, 2016 to April 30th, 2017 listed that 1,311 students were registered with our accessibility services, 167 more than the year previous and it's rising continuously, especially when concerning mental health issues. Ninety-seven per cent of the 1,311 are registered with a permanent disability. And then Student Accessibility Services invigilated 5,153 tests or exams during this period of time, largely due to accommodation needs of students based on inability to make it during the times or due to space requirements.

So, with these trends, it was predicted a 10 to 15 per cent registration increase in student accessibility services for 2017-18. We'll have to wait a little bit longer before we see if we reach those numbers, but the fact is that it's growing every year. And it's noted in that report that classroom and practicum support is highly needed in their services due to missed classes, missed exams, programs, students in crisis and the inability to make it out to campus.

So why is this important to the UMSU act? By ensuring that we are able to conduct important surveys of our membership using accessible resources because most of them and a lot of them aren't able to make it to campus is absolutely crucial.

In the report document that I have distributed, you'll see this was from our most recent election this past year, and you'll see that high numbers of students are not voting during typical business-day voting periods of 8:30 to 4:30. Between 6 p.m. and 12 a.m. you'll see there's at least 50 to 70 students at each hour who are casting the ballots and this is online voting, a system that we introduced two years ago.

We also have 1 per cent, which may seem insignificant, of people who didn't even vote from within this country, but those are still our members who are able to have a say in their elected

representatives, and if this passes, in their fee increases and other aspects of their membership.

Our mandate, as UMSU, is to promote accessibility and to ensure membership participation, and some external organizations are behind, kind of, in these accessibility capabilities, so I know that certain organizations may operate using different rules, whereas paper balloting and on-campus location systems may be the only means to conduct referendums or other survey techniques.

We feel that it's our responsibility and our mandate to our students to make sure that everyone has a say in where their fees are going. The service that we utilize as well currently, Simply Voting, ensures ballots are compatible with assistive technology. It's been audited against guidelines of the Bureau of Internet Accessibility and has been given a grade A.

And test methods are periodically taken using different technology to ensure that it's updated and it's also offered multilingual, which is super-crucial for such a multicultural campus like the University of Manitoba.

So, in sum, as a student who's been on both sides serving as an executive on our students' union and also being a student myself in need of additional support and accommodations, I can't stress how important these changes are. Ensuring that we have autonomy over our finances ensures that we're serving students based on their needs—and it's crucial—and further ensuring that all major decisions, whether that be increases in fees or reviewing membership agreements are made democratically and using procedures that are accessible and have been proven to work for our campus is key.

Our students have given us a mandate to represent them and their interests, and that is why we have put these changes forward, so to ensure all students have a say in important decisions and that every member is given the chance to do so barrier free.

Thank you for your time.

**Mr. Chairperson:** Thank you for your presentation.

Do members of the committee have questions for the presenter?

**Mrs. Guillemard:** Ms. Kilgour, thank you very much for your presentation. In addition to all of the work that you have put into these amendments as well, I want to thank you for adding your name to the

voices out there who are raising awareness about mental illness as someone who has experienced mental illness and is raising a child now who experiences high anxiety.

I do appreciate seeing evidence of a lot of the success that comes out of facing life's trials and overcoming them, so thank you.

**Mr. Wiebe:** Well, thanks, Ms. Kilgour, for coming out once again, again for putting in all the effort that you have around so many issues and including this one.

I find it incredibly fascinating just some of the information that you have around the voting system that you use, the online voting system, and I'm wondering if, maybe, outside of the committee setting, if I could get some more information about that system because I do find that quite interesting that you use such a robust system that sort of looks at all these other factors.

I did want to ask you, though, with regards to the bill, we had heard from a previous presenter about some potential contradictions between bylaws of the organization to which now the University of Manitoba belongs and these proposed changes, and I'm just wondering if you could talk us through how you see those two sets of issues working, I guess, and maybe just shed some more light based on the questions that were asked by the previous presenter.

**Ms. Kilgour:** First of all, just in regards to the Simply Voting system, I'd be happy to chat after, but it is also available on their website, and you can see their certification for accessibility.

In terms to the bylaw question, we put forward these changes over a very long process with a lot of legal consultation as well. We've definitely done our fact-checking, and I don't think we would have put these forward if we were worried about things conflicting.

\* (20:20)

Again, it doesn't stress in the bill itself, it doesn't outline things specifically, but it has left it in a way where we can ensure that systems that are being used to survey our students are accessible and make it so students who are out of the country, students who can't get to campus and students who are away for the variety of reasons that I listed are still able to participate. Because not being able to have a say in where your fees are your going, or your membership because you're on an exchange or because you can't



get out of bed in the morning isn't really a reason for that.

So we just want to make sure that we're able to ensure accessibility for all of our members.

**Mr. Chairperson:** Thank you, Ms. Kilgour.

I will now call on Owen Black.

Good evening. Do you have any written materials for distribution to the committee?

**Mr. Owen Black (Private Citizen):** No, I don't.

**Mr. Chairperson:** Please proceed with your presentation when you're ready.

**Mr. Black:** Sure. Thanks.

Hello, everyone. Thanks for allowing me to speak today. My name is Owen Black, and I'm the incoming vice-president external for UMSU. I have been—I am a fourth-year student at the University of Manitoba and have been involved with UMSU for about two years now.

The previous speaker, Allison, touched upon how having accessible means of reaching our members is extremely important and complex due to the University of Manitoba's multiple campuses and venues. I want to touch upon you—I want to—sorry, touch upon some real-life examples, how our online-voting system has allowed our members to participate in our student government and on our campus, and how that relates to this bill and the amendment presented by the CFS member.

Firstly, I want to touch upon how online voting has greatly increased voter participation in our UMSU elections. For example, in the most recent election in which myself and the incoming executive were elected, voter turnout was 25.2 per cent. That roughly equals about almost 5,600 votes cast. This can largely be 'attributed' to online voting, as when online voting was introduced in 2017, voter turnout surged and almost doubled from 13 per cent the year before.

When examining other associations that do not have online voting, we see a much lower voter turnout. For example, the University of Winnipeg. Our voter participation is miles ahead, since in the most recent University of Winnipeg student union election, the voter turnout was 6.8 per cent, which is roughly 550 votes. In fact, after doing a quick examination of vote totals in the past 2016 provincial election, myself and other executives received almost

3,000 votes each, which is actually more than 14 elected MLAs in this House.

I don't mean to brag when bringing up this number, but it does highlight how giving a more accessible means of allowing our members to vote has led to increased participation. And that's something that UMSU act—that these UMSU act changes really focuses on. By requiring council to hold votes on new external fees, as well as every two years reviewing what external organizations we remain a part of, we will give our members more of a say on how their student union is governed and how our unique online voting system, where we can expect—and through our unique online voting system, we only expect more of our members to participate in future elections and referendums.

Thus, in regards to the amendment that the member of CFS has presented to this committee, this will damage participation because CFS does not allow for online voting, if we choose to exit CFS. It is vitally important to remain autonomous and keep our members engaged, and online voting has been essential in revitalizing the engagement of our membership.

Furthermore, I am surprised by the CFS amendments after telling this committee that we haven't consulted with our members, because the CFS executive has not received their own mandate to propose this amendment. I attended CFS—the Manitoba annual general meeting—about three weeks ago, and there's not a single motion endorsed or even presented giving the CFS executive—sorry, a mandate to propose this amendment. The CFS executive speaks about how the membership should have more in say in this bill, but CFS membership has given the current executive no mandate to amend this bill.

That brings me back to how we, in fact, have consulted our membership. This bill was approved by two different UMSU councils, which is our highest governing body, and includes the representatives from all student faculties and many groups on campus as well as being approved by the board of directors at the University of Manitoba. Also, two executive elections occurred while this bill was being created and consulted, and the current president of the executive, Tanjit, who has been pushing this bill, received the highest vote total in history of UMSU, with almost 66 per cent of the votes cast in favour for her in 2017.

Thus, UMSU membership was clearly satisfied with the direction of this bill and her leadership. We

have had multiple opportunities to consult with this bill. As a result of all this information, this bill must be passed as presented, with no amendments, as students clearly want these changes. This bill will allow for a more engaged and democratic student union.

Thank you.

**Mr. Chairperson:** Thank you for your presentation.

Do members of the committee have any questions for the presenter?

**Mrs. Guillemard:** Just a quick comment to thank you for your contributions, and very well-spoken presentation tonight, so thank you for that.

**Mr. Wiebe:** Yes, I'll echo those comments. Appreciate you coming out and presenting, taking the time to speak to committee and I appreciate the fact that you've let your voice be heard here tonight, so thank you.

**Mr. Chairperson:** Thank you, Mr. Black.

I will now call on Karlee Moist. Karlee Moist will be dropped to the bottom of the list.

I will now call on Navkiran Chhina. She'll be dropped to the bottom of the list.

I'll now call on Carly Mastro Monaco. She'll be dropped to the bottom of the list.

I will now call on Karlee Moist. She's not here; she will now be removed from the list.

I will now call on Navkiran Chhina. She's not here; she'll be removed from the list.

I now call on Carly Mastro Monaco, for the second time. She's not here; she'll be removed from the list.

That concludes the list of presenters I have before me.

Are there any other persons in attendance who wish to make a presentation? Seeing none, that concludes public presentations.

\* \* \*

**Mr. Chairperson:** In what order does the committee wish to proceed with clause-by-clause consideration of these bills?

**Mr. Swan:** I would suggest numerically.

**Mr. Chairperson:** All in favour? *[Agreed]*

During the consideration of a bill, the preamble, the enacting clause and the title are postponed until all other clauses have been considered in their proper order. Also, if there is agreement before the committee, the Chair will call clauses in blocks that conform to pages, with the understanding that we will stop at any particular clause or clauses where members may have comments, questions or amendments to propose. Is that agreed? *[Agreed]*

### **Bill 212—The Invasive Species Awareness Week Act**

**Mr. Chairperson:** We'll now proceed with Bill 212.

Does the bill sponsor, the honourable member for Selkirk, have an opening statement?

**Mr. Alan Lagimodiere (Selkirk):** I do.

When passed, this bill will proclaim the last week of April as Invasive Species Awareness Week. For the students out there, I don't want anybody to get excited or—this isn't about fearmongering; this is about invasive species in Manitoba here such as zebra mussels, nothing to do with extraterrestrials, so rest assured, we have nothing there.

Invasive species, for us, are any kind of plants, animal or insect or organism that is not native to an ecosystem and whose presence can cause harm. Invasive species can have environmental, economic and health consequences in Manitoba, and the keys to saving ecosystems from invasive species is identification, prevention, detecting and timely responses once we have identified them.

So this bill is a first step to accomplish this end. Thank you.

**Mr. Chairperson:** We thank the member.

Does any other member wish to make an opening statement on Bill 212?

\* (20:30)

**Mr. Matt Wiebe (Concordia):** I appreciate the opportunity to put a few words on the record with regards to Bill 212. It's certainly an important issue, and as I've spoken about many times in the House and otherwise as a frequent user and somebody who

appreciates the natural beauty of our province, but who spends a lot of time in particular at Lake Winnipeg, which I know the member who brought this bill forward knows very well, as well as other members around this table. And, as somebody who deeply cares about the future of that lake and, of course, a lake that has been particularly affected recently with regards to invasive species, this is something that speaks to my interests.

As well, I've had an opportunity to spend some time as part of the International Legislators Forum to speak with legislators in other jurisdictions in the Red River basin watershed, where we had an opportunity to talk about invasive species that exist in other states and other provinces that don't yet exist here, that haven't been identified in Manitoba, and to learn more about the challenges that they're facing, ways that they're looking at dealing with those invasive species and to get some perspective. You know, and, frankly, as a part of that overall watershed, it's kind of a glimpse into the future, probably, about some of the invasive species that come through the water system into Manitoba and what we can expect to see.

I will note, you know, this is an important issue and one that we've had an opportunity to speak about quite a bit in the Legislature and otherwise, as the previous government took steps to deal with invasive species and the current government does as well, that this is a good first step, as the member said. Maybe this is one step on the road, but I think what really carries some weight with bills such as this are, you know, real commitments of dollars.

And so I hope this is what follows this kind of recognition, that the awareness is one step, but that the real investment by government to tackle these issues head on, to be forthright and upfront about the challenges and to put real resources towards coming up with real solutions towards dealing with invasive species is what really matters.

So, again, I appreciate the opportunity to put some words on the record about this, and, hopefully, the member, as a member of the government caucus, his voice will just be a little bit louder because of this act, and, hopefully, we'll get those resources flowing and hope that this government puts more resources towards dealing with this issue.

Thank you, Mr. Chair.

**Hon. Rochelle Squires (Minister of Sustainable Development):** Well, thank you very much, and I want to thank my colleague for bringing this act forward and to raise awareness about invasive species. And I, certainly, do—am thinking of the words of Dr. Eva Pip, who said, in 2013, the best way to deal with the problem of aquatic invasive species in particular is to prevent them from coming in in the first place. And, unfortunately, that was not done in 2013 or subsequent years after that, and the devastation is real.

The member for Concordia (Mr. Wiebe) had mentioned that he had hoped that resources would flow as a result of raising awareness about invasive species, and, of course, our government is committed to targeted, evidence-based research and resources flowing so that we can help combat the initiative—or combat the invasive species with initiatives that actually will produce meaningful results. Flowing money and making investments for the sake of making investments and flowing money is not always beneficial, and I think that members opposite learned that very well when they spent \$500,000 on potash to dump in the lake to no avail.

And so we do recognize that dollars are an important initiative. We do make targeted, evidence-based investments to combat invasive species, but we have to make sure that they are sound decisions. And so I want to thank my colleague from Selkirk for his expertise. He was one of the first in Manitoba to spot aquatic invasive species back in 2013 or even prior to that. And so I thank him for the leadership that he's provided on this file, thank him for his evidence-based guidance, and I look forward to further collaboration with him.

**Ms. Judy Klassen (Kewatinook):** Thank you. I just want to say that, you know, we need to preserve our lakes and our waterways, and I believe this bill is a good step. I know that careful consideration of resources, how resources are going to be deployed to save the lake and—are necessary. And I believe that our mother is taking it a step in starting this action on—upon—has taken to start the action upon herself. And so I believe we're going to be supporting—we'll be supporting this bill because we know that it's the right thing to do.

Thank you.

**Mr. Chairperson:** Clause 1—pass; clauses 2 and 3—pass; preamble—pass; enacting clause—pass; title—pass. Bill be reported.

**Bill 213—The Allied Healthcare Professionals  
Recognition Week Act**  
(Continued)

**Mr. Chairperson:** So now move to Bill 213, The Allied Healthcare Professionals Recognition Week Act.

Does the bill sponsor, the honourable member for Minto, have an opening statement?

**Mr. Andrew Swan (Minto):** I just want to put on the record my thanks to all of the various allied health-care professionals and their representatives who came down and presented to us tonight. I think it was great to hear from folks from a few different allied health professions about the work they do. It was informative, and I suppose if I'd gone down the entire list of allied health-care professionals that Mr. Moroz had submitted, we could have a very long evening, but I think we had a great evening with the folks who were here.

It is an opportunity for all of us, I think, even tonight, from some of the things that our members of our committee have said and the speeches on second reading that so many of us have been touched and we've been helped by the work of health-care professionals, and it is a great opportunity to recognize a week in May as a week that we can appreciate this through designating a week. And I know that the association of health care professionals and the various associations will make it worthwhile, and it'll be a great chance to continue to educate not just ourselves but all Manitobans on the great work that Manitoba's allied health-care professionals do.

**Mr. Chairperson:** We thank the member.

Does any other member wish to make an opening statement on Bill 213?

Clause 1 through 3—pass; preamble—pass; enacting clause—pass; title—pass. Bill be reported.

**Bill 219—The Workplace Safety  
and Health Amendment Act**  
(Inappropriate or Unsafe Footwear)  
(Continued)

**Mr. Chairperson:** Next bill is Bill 219, The Workplace Safety and Health Amendment Act (Inappropriate or Unsafe Footwear).

Does the bill sponsor, the honourable member for St. Johns, have an opening statement?

**Ms. Nahanni Fontaine (St. Johns):** So I just want to again, once again, thank all of our presenters that came out to talk about the importance of Bill 219 and really ending the sexist and discriminatory labour practices which sees women forced to wear one-to-three-inch heels in order to be employed in some of our service and hospitality industries.

\* (20:40)

I think it's important to put on the record that certainly Bill 219 would not—it would certainly—it would be that it—employers are now no longer allowed to mandate heels for employers. But that does not necessarily mean that if women still choose to wear heels, they are more than able to wear heels should they so desire. I think the material point of this bill is that women shouldn't be forced to wear unsafe footwear that really does impact on their overall health, and clearly makes it unsafe for them to be able to execute their duties in their particular employment.

I also think that it's important—this is an important bill for all workers, but most clearly for women. Protecting the rights of workers and the rights of women should be the first priority of all members of this house and all ministers of this government. I'm glad to see the members of the government take an interest in the private member's bills that we're considering here this evening.

I know that all ministers responsible for labour and employment-related matters would benefit from this discussion as well. And I know that it would be useful and instructive for him and his staff and all members of this House to have access to the comments made by the presenters this evening.

I think it is imperative that we understand what women do face in the workplace, and how we all have a role and responsibility to ensure that women are safe.

**Mr. Chairperson:** We thank the member.

Does any other member wish to make an opening statement on Bill 219?

**Hon. Rochelle Squires (Minister responsible for the Status of Women):** I certainly do applaud the member for bringing this bill forward, and the spirit of this legislation to end sexist dress codes in the workplace and unsafe work codes—or dress codes, pardon me, in the workplace.

My concern is just to make sure that inappropriate and unsafe footwear is properly defined in the workplace, and that is probably something that could be fleshed out in regulation and in policy. I know the member talked about a one-inch heel or things over a one-inch heel being perhaps deemed inappropriate or unsafe.

And I do think that there needs to be some clarity so that employers could not exploit any perceived weaknesses in the bill, but would rather embrace the spirit of this legislation, which, I think, has been very well communicated and discussed broadly so that employers should not have any misconceptions about what we're talking about when we talk about inappropriate and unsafe footwear.

But I do think that perhaps there might be a later opportunity to flesh out exactly what it is that we're talking about, maybe put some prescriptive guidelines in regulation, so that there is no loophole that could be exploited by an uncooperative employer. But, again, I applaud the member and the spirit of this legislation.

**Mr. Chairperson:** Clause 1—pass; clause 2—pass; clause 3—pass; enacting clause—pass; title—pass. Bill be reported.

**Bill 221—The Rail Safety Awareness Week Act**  
(Continued)

**Mr. Chairperson:** Does the bill sponsor, the honourable member for Dawson Trail, have an opening statement?

**Mr. Bob Lagassé (Dawson Trail):** So Bill 221, The Rail Safety Awareness Week Act, unfortunately, again, was born out of tragedy, but, in my line of work, which—well, now being an MLA, but previously, it was being a specialized foster parent, we always were looking for proactive ways to prevent future things from happening. And I really believe that this is a bill that will proactively seek a way to prevent future tragedies, not only for children but for adults as well, through education.

**Mr. Chairperson:** We thank the member.

Does any other member wish to make an opening statement on Bill 221?

**Mr. Andrew Swan (Minto):** I want to thank the member for Dawson Trail for bringing this forward. I guess, like the previous bill, the real impact of the bill will be what the government chooses to do with it. Just as we'll be looking forward to seeing what regulations the government will bring forward on the

workplace health and safety bill, we'll also be hopeful that this bill, which we're prepared to pass back to the House, what the government will do to assist CN, CP and other partners in getting the word on rail safety spread as broadly as we possible can across our province. Thank you.

**Mr. Chairperson:** Clauses 1 through 3—pass; preamble—pass; enacting clause—pass; title—pass. Bill be reported.

**Bill 300—The University of Manitoba  
Students' Union Amendment Act**  
(Continued)

**Mr. Chairperson:** On Bill 300, we will first hear a report on the bill from Christina Wasyliw, acting Legislative Counsel, in accordance with rule 154(1).

**Ms. Christina Wasyliw (Acting Legislative Counsel):** To the committee of the Assembly considering Bill 300, The University of Manitoba Students' Union Amendment Act, as required by subrule 154(1) of the rules of the House, I now report that I have examined Bill 300, The University of Manitoba Students' Union Amendment Act, and have not noted any exceptional powers sought or any other provision of the bill requiring special consideration.

**Mr. Chairperson:** We thank the Legislative Counsel for that report.

Does the bill sponsor, the honourable member for Fort Richmond, have an opening statement?

**Mrs. Sarah Guillemard (Fort Richmond):** I do.

**Mr. Chairperson:** Ms. Guillemard.

**Mrs. Guillemard:** I want to put on the record that I am extremely proud of the group, the UMSU group, who has worked diligently for the last two years alongside many groups to get to this stage. My hope is that we are celebrating in the not-too-distant future third reading, passage and the royal assent. And the whole group of students has every reason to be proud of themselves. They've done good work here, and I hope that we can collaborate on future projects together. Thank you.

**Mr. Chairperson:** We thank the member.

Does any other member wish to make an opening statement on Bill 300?

**Mr. Matt Wiebe (Concordia):** Thank you very much, Mr. Chair, and wanted to put on the record as well that—how much I appreciate the work of

students, the passion that they bring, and just to express to them how absolutely vital it is to have their voices heard in this Legislature, not only when talking about their own internal bylaws and governing of their own organizations, but, of course, in—as voices in the discourse of this province. And it certainly gives me great pleasure to hear those voices, to see so many faces come back to this Legislature.

We were, I think, a lot of us, together for some very long nights with regards to tuition increases imposed by this government and brought forward, and we certainly heard from students' voices very clearly in that debate. And we certainly know that any other changes that affect post-secondary students will be—we will hear from students directly, and I certainly appreciate that.

Also wanted to put on the record that I think they've done a good job in coming forward and bringing concerns that they have and trying to, I think, in a very honest way, try to make sure that all parties are considered. And I think that's, as I said earlier, and important part of what we do in this Legislature. Although it sometimes seems like it's all confrontation, there's oftentimes, as we've seen tonight on a few different bills, an opportunity to come together to work through issues that we find are—we don't agree a hundred per cent on, and to make sure that we're all coming to this in a way that benefits Manitobans, which, I think, that students certainly want to do. They want to make sure that their members are—their concerns are met. So I think that that's an important part of what they need to do.

\* (20:50)

I also wanted to say that, you know, this is maybe a lesson for some students and even for myself about navigating the legislative process, and I think they've done a great job in doing that, taking that on themselves and understanding, sort of, some of the quirks of this place, of the Legislature, and some of the frustrations that we certainly all feel on a regular basis in getting legislation moved forward. And I think students have seen some of that, but they've stuck with it and they continue to work, which I think is an important part of the process.

So they've come here, they've showed up, they've put their concerns on the record, and I think that this is an important part of the process as well, now, that students can take those concerns, can continue to work through those and we can bring this forward to the Legislature. Again—and, again, move forward in a way that meets everybody's concerns.

So I hope that that work continues to be done. I hope that all voices are heard, and we certainly look forward to working with students—again, not just on this bill but on many important issues that affect them and affect all Manitobans in the future.

**Mr. Chairperson:** Clauses 1 through 4—pass; clauses 5 through 7—pass; clauses 8 through 10—pass; preamble—pass; enacting clause—pass; title—pass. Bill be reported.

The hour being 8:52, what is the will of the committee?

**An Honourable Member:** Committee rise.

**Mr. Chairperson:** Committee rise.

**COMMITTEE ROSE AT: 8:52 p.m.**

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