

Legislative Assembly of New Brunswick

Oral Questions



November 5, 2021

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COLLECTIVE BARGAINING

Mr. Melanson (Dieppe, Interim Opposition Leader, L): Mr. Speaker, after tremendous pressure was brought to bear by the public, the official opposition, people who want to be working instead of on strike, and, apparently, two government members, the Premier finally held an eight-hour meeting yesterday to discuss the labour relations situation with civil servants. It was really a good first step. The Premier must have finally realized—yesterday, at least—that discussion and dialogue are more important than a monologue. That being said, the question is this: Has the Premier wasted the opportunity to find a solution, or do we really have a solution? Can the Premier tell us that this morning?

[*Original*]

Hon. Mr. Higgs (Quispamsis, Premier, Minister responsible for Intergovernmental Affairs, PC): Thank you for the question. Yes, it was a long day yesterday. We met with CUPE leadership, and we had a path forward when we left last night. We had an agreement that was going back to the other leaders of the bargaining unit. I am actually disappointed that we have this continuing today. I find it quite surprising really, given where we ended last night. Having said that, the Attorney General and Minister Shephard are reviewing our options at this stage. The minister has been keeping in constant contact with the leaders and CEOs of the health systems and hospitals throughout the province.

The member this morning talked about the concerns around the health system. We are in a pandemic, and we will have...

Mr. Speaker (Hon. Mr. Oliver): Thank you, Premier.

[*Translation*]

Mr. Melanson (Dieppe, Interim Opposition Leader, L): Mr. Speaker, the Premier's paternalistic approach has not worked for the last three years, and I do not think it is going to start working today. Then, the reason the strikers are still protesting outside is that you have burned them too many times. They are very wary. No agreement has been reached yet, if I understand correctly. There is no agreement. The good news is that some communication seems to be taking place.

So my question to the Premier is this: Will discussions between the Premier and the union continue today? Then, Monday morning, will the Premier have managed to reach an agreement by lowering the tone and being a bit more flexible, so that these people who want to work can go back to work then?

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[Original]

Hon. Mr. Higgs (Quispamsis, Premier, Minister responsible for Intergovernmental Affairs, PC): Mr. Speaker, I am not sure that the Leader of the Opposition was listening. We had an agreement last night. That is why I say that it is unfortunate that this is still continuing. The situation is such that we will address the issues in our hospitals. We need people back to work in our health care system. We are in a pandemic. That was very clear in the discussion last night, and the leaders acknowledged that.

In speaking with many of the folks who are around the building today, it seems that they do not understand what they are being offered and why they are even out there. I do not know how many of you have talked directly to them, but I encouraged them to talk to their leaders and understand exactly what was agreed to last night. Let them make the decision. Mr. Speaker, I am very confident. If they really understand what was agreed to last night, they will be glad to get back to work.

[Translation]

Mr. Melanson (Dieppe, Interim Opposition Leader, L): Mr. Speaker, I think the Premier said he had had discussions with the strikers. This is the first time. This is the first time. I have to tell you that I have had discussions with them, as has my whole team. There is one thing these people understand; they are very wary of what the Premier is doing.

So, Mr. Speaker, if there is an agreement... It seems that an agreement has been reached, but I am not sure; it is not yet clear. We are going to wait and get the other side of the story, because there are two sides to every story, and sometimes even three. Has the Premier taken the whole pension plan issue off the table? I ask because these 5 000 civil servants in the Department of Education and Early Childhood Development currently have access to a pension. The Premier is insisting on the shared risk issue. Has this been taken off the table in the interests of reaching an agreement?

[Original]

Hon. Mr. Higgs (Quispamsis, Premier, Minister responsible for Intergovernmental Affairs, PC): Mr. Speaker, I am not going to negotiate back and forth with the Leader of the Opposition. We had our meeting last night, and I am not going to negotiate out in public. We had a meeting last night, and there was an agreement that the team accepted to take back to its bargaining team and to recommend acceptance. That is all that I will share in the session right now. I want to continue to reiterate that as we discuss and continue to discuss the issues around the health care system, we will move to the next step.

Do you know what, Mr. Speaker? From my discussion with the groups that are currently there, they need to know what is on the table and what they are being offered. I agree that they are tired. They do not want to be out there. We are all tired, but they do not want to be



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out there either. It is interesting when I talk to them about what I have to do in relation to protecting the health care system. They understand it, and in many ways, they say: Does that include us? It is because they want to go back to work, but, Mr. Speaker, we will...

Mr. Speaker (Hon. Mr. Oliver): Time, Premier.

[*Translation*]

Mr. Melanson (Dieppe, Interim Opposition Leader, L): Mr. Speaker, I do not think the Premier understood my question, so I will switch languages.

[*Original*]

In the discussions yesterday, did the Premier take off the table his obsession about converting a defined benefits plan for the 5 000 employees of government and wanting to move it to shared risk? That is a big issue for them. It is in front of the courts. Let the courts rule on it, and if he still does not agree with the ruling of the courts, he may choose to take some action, if he is still in office. Did he take the pension off the table?

(Interjections.)

Mr. Speaker (Hon. Mr. Oliver): Order.

Mr. Melanson (Dieppe, Interim Opposition Leader, L): Maybe those two MLAs are the ones disagreeing with the Premier on this strike, by the way. Did he take the pension plan off the table?

Hon. Mr. Higgs (Quispamsis, Premier, Minister responsible for Intergovernmental Affairs, PC): I know that the Liberals like to make a big issue about my using an interpretation device and all of that, along with 70% of the province who might have to do the same thing. The one thing that is quite easy to understand in any language is the question from the Leader of the Opposition because it is always the same. If you hear it once, you are going to hear it in any language. It will be the same.

I just answered that question, and I said that we had an offer last night that was accepted by the leaders, to go back to their bargaining team with. There it is. We are good to go. But a condition, of course, was that we need to know because we need to get health workers, in particular, back and we have to react to that. I will reiterate that we are working with the ministers and the CEOs and the health authorities to say: What is the condition in your field? We need to know because we must react to protect the health care system, and we will act.

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Mr. Melanson (Dieppe, Interim Opposition Leader, L): The more we ask questions, the more we get bits and pieces here and there—bits and pieces. The Premier said that there was an offer.

(Interjections.)

Mr. Melanson (Dieppe, Interim Opposition Leader, L): There is another one who was not agreeing with the Premier. I guess that he is speaking up now.

There was an offer. There was a mandate to go back to the bargaining table, so there is no agreement. It is an offer, but the Premier says to these people outside who are fighting for their rights that there is a deal. This morning, he said, I think that there is a deal. My gosh. It is surreal how this Premier is so inconsistent and that there is so much confusion coming out of him.

Is there a deal, yes or no? Are they going to be back at work on Monday?

(Interjections.)

Mr. Speaker (Hon. Mr. Oliver): Order.

Hon. Mr. Higgs (Quispamsis, Premier, Minister responsible for Intergovernmental Affairs, PC): Mr. Speaker, I accept that there is only a limited amount of information that the Leader of the Opposition can absorb at any one time. I will repeat it for the third time. We had an offer last night that was accepted by the leadership that we met with all afternoon and evening, and the leadership was taking that back and recommending to the bargaining team that it be accepted. Do I need to repeat that again? We had an agreement last night. You can call it whatever you like. You can twist it, turn it, and move it every way, but that is the deal. I said that we must get health care workers back to work. So we will be moving forward to get health care workers back to work, and we will evaluate that today.

Mr. Melanson (Dieppe, Interim Opposition Leader, L): The health care workers would be at work if you had resolved this way before now—way before now.

(Interjections.)

Mr. Speaker (Hon. Mr. Oliver): Order.

Mr. Melanson (Dieppe, Interim Opposition Leader, L): Mr. Speaker, there is another one who is not agreeing with the Premier and is on the other side and screaming this morning.

The Premier is telling his side of the story. We have been burned before. I would say that we have been fooled before. We want to wait and hear what probably is the real story—the other part of the story. We will wait to hear whether what the Premier is saying right now

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is what happened yesterday and there is actually a deal. I just cannot wait to hear about it from the other party so that we can get the full story of the situation. Are they going to be back to work on Monday morning? Yes or no?

Mr. Speaker (Hon. Mr. Oliver): Time.

Hon. Mr. Higgs (Quispamsis, Premier, Minister responsible for Intergovernmental Affairs, PC): You know, the situation that we have, as I explained, is that we had agreement. We had on the table last night an offer that was agreed to by the leadership representatives that were with us. They agreed to take it back and recommend it. Obviously, the bargaining team has to review it and do its thing, but they agreed to take it back and recommend it, which I think is a very important point.

I think that, yes, if the Leader of the Opposition wants to go into the next aspect of what we need to do next in order to ensure that our health system is protected, then I would encourage the Leader of the Opposition to ask the Attorney General those legal questions in terms of our next steps or to ask the Minister of Health in relation to the situations that we are facing within our network. Thank you, Mr. Speaker.

[Translation]

Mr. Melanson (Dieppe, Interim Opposition Leader, L): Mr. Speaker, the Premier said in the same sentence—the same sentence—that an offer had been made and there was an agreement—an offer and an agreement. So this means that an offer was actually accepted. It would be good to hear from both parties on this situation. The Premier wants to claim credit this morning. He wants to claim credit, saying that the situation has been resolved, but time will tell what really happened.

Here is my question for the Premier: Since it is almost 10 o'clock, does the Premier intend to meet with the group again today to make sure everyone has come to a clear understanding and that, Monday morning, according to what he has told us, there will be an agreement and workers will be back on the job?

[Original]

Hon. Mr. Flemming (Rothesay, Minister of Justice and Public Safety, Attorney General, PC): You know, we need a little Labour Relations 101 here because the Leader of the Opposition does not seem to comprehend or understand the process. Last night, an agreement was reached whereby the CUPE leadership agreed to take that proposal to the membership for a vote and recommend that the membership accept it. It has to be ratified by the membership.

How long have you been around and seeing that whenever there is a labour relations issue and parties come together, the agreement has to be ratified by the membership? It is that

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simple. Agreement was reached, and the CUPE leadership is now in a position to take—and it has agreed to take—an offer to its members and recommend that it be accepted. It is simple.

Mr. Speaker (Hon. Mr. Oliver): Time, minister.

HEALTH CARE

Mr. D'Amours (Edmundston-Madawaska Centre, L): Mr. Speaker, six months ago, the Health Minister said that her department was taking over recruitment from the regional health authorities and focusing on the elimination of the wait-list for primary care. On April 12, the minister told CBC of her goal of 100%, which was to give every New Brunswicker a primary health care provider within six months.

[Translation]

Yet, 100% of reality was that the minister was on vacation all summer, and not just most of it. The minister gave hope to New Brunswickers who have no family doctor. My question for the minister is simple: Have you forgotten the promise you made to tens of thousands of people in this province who believed what you said six months ago?

[Original]

Hon. Mrs. Shephard (Saint John Lancaster, Minister of Health, PC): Well, Mr. Speaker, may I say that I just do not vacation well. I do not begrudge it to other people, but I think that my last vacation might have been in 2009—maybe. I do not vacation.

To the member's comments, primary care is the backbone of our health care system. It is absolutely necessary for every single citizen in this province to have access to primary care. And I realize that on April 14, I said those words. I have learned my lesson. I should have said "approximately six months". But, you know, I do not mind being held accountable, and we will continue to strive. We have an answer, and it will be forthcoming.

Mr. D'Amours (Edmundston-Madawaska Centre, L): Mr. Speaker, six months ago, the minister touted that every New Brunswicker would have a primary care provider within six months. I repeat that it was six months ago. This is such a mess that I am starting to miss the previous Health Minister. Minister, will this old promise be in your new reform?

[Translation]

When will all New Brunswickers have access to a primary health care provider, as you promised six months ago? Will it be in six weeks, six months, or just when your government leaves office?

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[Original]

(Interjections.)

Hon. Mrs. Shephard (Saint John Lancaster, Minister of Health, PC): I realize that it is the opposition's duty to hold us accountable, and I have no problem with being held accountable. I am working tirelessly with the department.

Please, may I acknowledge the tireless hard work of the Department of Health management and everyone in it? Let me just say that all the people in senior management have been working in the pandemic through phases of red, phases of orange, and phases of yellow and now in circuit breakers. They have been working through a mysterious neurological illness. They have been working and putting forward many, many different achievements that we have had this year, including nurse practitioner clinics, the mental health plan, and the 50 engagement sessions that we did with the public.

FIRST NATIONS

Mr. G. Arseneault (Campbellton-Dalhousie, L): Mr. Speaker, I know that many New Brunswickers were shocked by the directive of the Minister of Justice to all parts of the public service to cease the acknowledgement of unceded Mi'gmaq, Wolastoqey, and Peskotomuhkati territories. In fact, some of his colleagues in Cabinet were equally shocked, even outraged. I think it would be very important to know whether the Minister of Aboriginal Affairs was consulted on the content, timing, and wisdom of such an offensive directive. Can the Minister of Aboriginal Affairs tell us whether that was indeed the case?

Hon. Ms. Dunn (Saint John Harbour, Minister responsible for Economic Development and Small Business, Minister responsible for Opportunities NB, Minister responsible for Immigration, Minister of Aboriginal Affairs, PC): Good morning, Mr. Speaker, and thank you to the member opposite for the question. It is actually very nice to receive a question with respect to First Nations. While I cannot speak for my colleagues, I can tell you that every member of our entire caucus was aware of this issue, so it was not something that was not discussed within caucus. We were all advised that this was a legal matter and that at, some juncture, the notification would be going out to the civil service with respect to the government's position.

I will not comment on a legal matter, nor can I speak for my colleagues. But what I can say to you is that there has been extensive work done in the department. We have hired additional staff. We have tremendous resources. We have signed two consent orders to keep us out of litigation so that we can build the path forward with First Nations—one that is meaningful and that is actually going to reestablish a partnership and a relationship. I am more than open to anyone coming to my department and receiving a full briefing on what is happening with Aboriginal Affairs. Thank you.

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Mr. Speaker (Hon. Mr. Oliver): Time, minister.

Mr. G. Arseneault (Campbellton-Dalhousie, L): Thank you, Mr. Speaker. I gather from the answer that there was no consultation. It was just a directive for your information.

In her lengthy response to her outraged colleagues the Minister of Transportation and Infrastructure and the Minister of Education and Early Childhood Development, the Minister of Aboriginal Affairs used words such as “identifying issues”, implying that we all do not already know what those issues are; “litigation”, which is always a unifying word; and “undertaken processes”, which, again, is another turn of phrase that just screams meaningful dialogue, respect, and engagement. I hope the minister took the time to share that response with First Nations.

I note as well that discussions about a First Nations strategy have been ongoing for about a year now. Can the minister inform the House with whom among the First Nations leadership she has consulted on this strategy and when it might be released? Thank you.

Hon. Ms. Dunn (Saint John Harbour, Minister responsible for Economic Development and Small Business, Minister responsible for Opportunities NB, Minister responsible for Immigration, Minister of Aboriginal Affairs, PC): To the member opposite, thank you again for the question. Mr. Speaker, I would say this: Currently, the department has reviewed over 400 initiatives. When I originally took on this file, the government really did not have a good understanding with respect to what was going on across departments. We have actually undertaken that, and I am pleased to report that it is almost complete.

We have reached out to First Nations, and we have asked them to come to the table so that we can review those initiatives with First Nations to determine whether they are actually meeting their needs. That is actually something that is occurring at the present time.

Also, I would say to you that in terms of negotiations, we are in negotiations right now with MTI with respect to a new path forward. We are hoping that the Wolastoqey Nation will come to the table as well and we will have those discussions. Thank you.

COLLECTIVE BARGAINING

Mr. Coon (Fredericton South, Leader, G): Thank you. Mr. Speaker, the Premier told this House that yesterday evening some kind of an agreement was reached with the CUPE leadership and that it was going to take it back to its bargaining team, presumably for a response. I expect that must have happened by now, given the time. My question to the Premier is this: Has he received a response from CUPE? What is it?

Hon. Mr. Higgs (Quispamsis, Premier, Minister responsible for Intergovernmental Affairs, PC): Mr. Speaker, we have heard a response. I will not talk about that response here. However, given the context of the agreement that we had last night, something additional



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has been put on the table that was not part of the process and what we agreed to last night. We have been going at this now for years, as everyone knows. The offer was a culmination of a lot of effort that got us to where we were last night. It was very, very reasonable. I am just hopeful that the members get a chance to see it. What I certainly understand from my discussions is that they know neither what was accomplished last night nor what the deal was leading up to this. It is important, as we all know, that communication is key.

PUBLIC TRANSPORTATION SYSTEM

Mr. Coon (Fredericton South, Leader, G): Thank you. Mr. Speaker, the Premier told the MLA for Memramcook-Tantramar during question period that his government is working on improving public transportation in the province. This is indeed intriguing. The Rural and Urban Transportation Advisory Committee, established by the Economic and Social Inclusion Corporation—I do not make up these names, but that is what they are—submitted its recommendations for a public transportation strategy to government almost four years ago. We know that people have trouble accessing health care and employment because of a lack of public transportation, and we know that private transportation is the single largest source of carbon emissions in our province. My question, Mr. Speaker, is this: Who is leading this work? To which minister has the Premier given the mandate for public transportation?

Hon. Ms. Green (Fredericton North, Minister of Transportation and Infrastructure, PC): Thank you, Mr. Speaker. One of the members opposite yesterday did make the comment that no ministry has direct responsibility for public transportation. That is true, and that is not true. The Department of Transportation deals with transportation and public transportation, but there are pieces of transportation in many different departments, especially when it comes to helping with the Health and Social Development sides of things. Recognizing that this is a very important initiative and something that is very important for New Brunswickers, the Department of Education and Early Childhood Development, the Department of Social Development, the Department of Health, and the Department of Transportation are working together on a plan for public transportation in New Brunswick. This is being led by the Executive Council Office. All four departments are engaged and working to develop a plan to enhance public transportation for all New Brunswickers.

PESTICIDES

Mr. Austin (Fredericton-Grand Lake, Leader, PA): Mr. Speaker, I was pleased to be part of the Standing Committee on Climate Change and Environmental Stewardship as we looked into the issues surrounding the use of pesticides, specifically the use of glyphosate on Crown land. After hearing from many presenters who expressed significant concerns about the use of glyphosate, especially as it relates to aerial spraying and the forest industry, I was cautiously optimistic that, just maybe, recommendations would be made to begin to phase out the use of glyphosate. Unfortunately, my optimism turned to disappointment



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when it was decided to remove our recommendation that taxpayers stop paying the approximate \$2.3 million annually for this contentious practice. As a member of that committee, can the Minister of Natural Resources and Energy Development please explain to the taxpayers why the committee did not include the recommendation to stop paying for the spraying of glyphosate on Crown land?

Hon. Mr. Holland (Albert, Minister of Natural Resources and Energy Development, PC): Mr. Speaker, as a comember of that committee along with the member opposite, I would be happy to talk about how that did not make sense from the beginning. The member opposite may have a very limited understanding of how private-sector business works, but the private woodlot owners are required to pay for the herbicide that goes on their property. The member opposite was suggesting that we give the Crown an unfair advantage by exempting it from having the same cost. That makes no sense to me whatsoever. It certainly is not something that I feel is in the best interest of private business, the private woodlot owners, of New Brunswick.

Notwithstanding that, the member opposite is very aware that there is a recommendation for a cost-benefit analysis as it relates to the entire footprint of the use of glyphosate. That is going to include the cost analysis as it relates to the economic impact, which will cover exactly what the member is talking about. More importantly, it is going to cover the environmental impact that could happen and how that could contravene conservation efforts. The member opposite can play politics with this all he wants, but we are going to move forward with a plan that works.

Mr. Speaker (Hon. Mr. Oliver): Time, minister.

COLLECTIVE BARGAINING

Mr. Melanson (Dieppe, Interim Opposition Leader, L): Mr. Speaker, we just saw that the union will have a press conference at 11 a.m. We are going to anxiously wait to hear what its members are going to say. I do want to come back to that issue. The Premier has said a few times that there was a proposed offer. Supposedly, there is an agreement, but in his words, he said that the Minister of Justice and, I think, the Minister of Health are reviewing this. They are looking at what was put on the table. Again, it is not clear, to me anyway, and it is certainly not clear on this side of the House that there actually is an agreement. There seems to be some back and forth still going on, certainly, within government, about what was put on the table. We will wait to hear what CUPE says at eleven o'clock, but I think that the Premier needs to clarify. All of what he said was so confusing because of the way that he communicated it, maybe, but, clearly, is there a deal? Do you think that CUPE is going to accept it?

Mr. Speaker (Hon. Mr. Oliver): Time.



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Hon. Mr. Flemming (Rothesay, Minister of Justice and Public Safety, Attorney General, PC): It is amazing that the Leader of the Opposition, who has been in government for so many years, has such an incredible navete about labour relations and is remarkably unfamiliar with the process. First of all, you do not negotiate in the public domain and you do not negotiate in the Legislature. Meetings were held last night. CUPE negotiators accepted an offer that they would take to their membership for ratification and recommend to their membership to accept. There is a process. They all have to vote. They all have to have it, but it is not done on the floor of the Legislature. The Leader of the Opposition should know that. He should know that. To ask this of the Premier, to ask him to piecemeal this, is completely inappropriate. What is worse is that he knows better.

Mr. Melanson (Dieppe, Interim Opposition Leader, L): You know, Mr. Speaker, I know that the minister wants to be the smartest person in the room, but the question is...

(Interjections.)

Mr. Speaker (Hon. Mr. Oliver): Order.

Mr. Melanson (Dieppe, Interim Opposition Leader, L): I think that it is important, Mr. Speaker, that there is some respect in the room.

The Premier is the chief negotiator. I think that it is important that we hear from the Premier his clear—clear—understanding of what he thinks will be the outcome of yesterday's discussion. There is some back and forth within government. CUPE has not come out to talk publicly about what the offer is or whether there is any acceptance, but the Premier is saying that there is one. Please clarify the whole situation.

Hon. Mr. Higgs (Quispamsis, Premier, Minister responsible for Intergovernmental Affairs, PC): You know, Mr. Speaker, I am not sure that there are enough words to clarify this for the Leader of the Opposition.

This is it, Mr. Speaker. Last night, we came to an agreement on an offer that the government presented to the leadership people. They returned late last night to their bargaining team and were recommending acceptance. At this point, that acceptance has not been confirmed. We are waiting for that, Mr. Speaker, because they came back with another issue. At this time, we have the offer that we are sticking to.

So, Mr. Speaker, I guess that my point, which I think needs to be very clear here in this Chamber is that we are now focused on the emergency order and the health care system in our province. We must ensure that our health care system is protected, and we will do so.

Mr. Speaker (Hon. Mr. Oliver): Time. The time for question period is over.

