

Legislative Assembly of New Brunswick

Oral Questions



November 25, 2022

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[Original]

NURSE PRACTITIONERS

Mr. McKee (Moncton Centre, Leader of the Official Opposition, L): Mr. Speaker, I want to ask about nurse practitioners this morning. They can play an important role in filling gaps in our health care system by providing similar services to general practitioner physicians, by providing access to primary care, and also by taking pressure off the ERs. Unfortunately, like most health care professionals, they are burning out.

A recent survey performed by Nurse Practitioners of New Brunswick showed that 42% of its members had either recently left a position or considered leaving. In early November, media reported that about 1 000 people in Saint John were left without their nurse practitioner when two left the practice at St. Joseph's Community Health Centre. In fact, it has been reported that six nurse practitioners have left Saint John in the last year because they are burning out. They are asking for better working conditions and for a better work-life balance, but they are saying that they are not being heard by this government, which is, in fact, causing them to leave the practice. Does the minister realize that, if their concerns are not listened to, more will leave the profession or leave the province altogether?

Hon. Mr. Fitch (Riverview, Minister of Health, PC): Thank you very much. I appreciate that question this morning. Mr. Speaker, health care has been front and centre again this week, and there has been some good news in health care as well. We realize that people are stressed. We realize that it is difficult, day in and day out, to provide patient services and patient care here in the province. It is because we do have an aging population, we have a growing population, and we have a population that, again, depends on the health care system when it is needed. That is why we have made some changes, and that is why we have made some distinctive decisions in doing such things as NB Health Link, eVisitNB, and Tele-Care 811—many things that allow people to get that primary care without being face-to-face with an individual. The number of people who have taken advantage of eVisitNB is astounding. Mr. Speaker, that is just one of the pieces of the puzzle.

As the member opposite said, we understand how important it is, whether you are an LPN, an NP, an RN, or a doctor...

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

Mr. McKee (Moncton Centre, Leader of the Official Opposition, L): Mr. Speaker, it is interesting that at the 58-second mark, he finally said the word "NP". That is whom I want to know about, nurse practitioners, who must be part of the solution. If government cannot listen to them or cannot accommodate the better working conditions that they are looking for or the flexible or part-time positions, then more will leave the province and more will leave the profession. That is what they are calling for.

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And they should play a role. They could play an important role in taking pressure off ERs and in offering access to primary care. We could build multidisciplinary teams and centres around nurse practitioners. But unfortunately, they feel that there is a misunderstanding and a lack of respect regarding the work that they do. It was founded on the premise that they would be established to offer this type of service, but instead, they are being asked to be floaters or traveling nurses, filling in gaps in other places, and having to abandon their practice.

Is the minister prepared to listen to their concerns? Is he prepared to value the work that NPs do and make some changes for NPs?

Hon. Mr. Fitch (Riverview, Minister of Health, PC): Mr. Speaker, it is not about just nurse practitioners. It is about all the people who, day in and day out, step up, lean in, and take care of the people here in New Brunswick. We respect those people. We really appreciate the work that they do. The member opposite is just picking out one part of the whole continuum of care. Again, we need to have everyone working together, and that is why everyone—right from the trustees to the CEOs to various departments here in the government of New Brunswick—is working together to make sure that people have the health care they need, whether it is primary care or preventative medicine or whether it is making sure that the emergency rooms work in the best way possible. Again, it is the whole continuum of care, right into making sure that seniors get the care they need, whether it is at home, in a special care home, or in a nursing home. It all works together, Mr. Speaker, not that...

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

[*Translation*]

Mr. McKee (Moncton Centre, Leader of the Official Opposition, L): Mr. Speaker, I am asking you about nurse practitioners today. Yes, this is only one issue, but it may be important for making improvements and solving the problems we are facing. In addition, there is quite simply a lack of respect. The minister does not want to answer questions. We have known for a long time that nurse practitioners are facing many barriers, whether they be legislative, political, or administrative, that prevent them from working to their full potential when providing health care.

We know that there are limits under the *Medical Services Payment Act*. Nurse practitioners' services cannot be billed to the Medicare system, and that is why these professionals are asking that the Act be amended. Better yet, other Canadian provinces have implemented funding models where nurse practitioners are given a salary and money for administrative costs. In these other provinces, these professionals can open offices or multidisciplinary offices. They can work in collaborative care. That is what they are looking for. Is the minister prepared to recognize the value of nurse practitioners?

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[Original]

Hon. Mr. Fitch (Riverview, Minister of Health, PC): Mr. Speaker, I answered the member's question. We value the work of the NPs. We value the work of everyone in the health care system. Once again, the member opposite is just cherry-picking one particular area. But we in this government look at it with a holistic view. We make sure that we do the best we can to show respect and appreciation for the work that is done by personal care workers and right up to physicians and specialists—including nurse practitioners, LPNs, and RNs. We take a holistic view, as opposed to the members opposite, who try to carve off and make an issue of something that does not seem to be one.

But it is an issue when we hear concerns and issues, and we address those. We address those the best we can. The former Minister of Health met with or took submissions from over 500 people to come up with the health care plan, which we have been implementing to make sure that people have access to many, many different services.

[Translation]

Mr. McKee (Moncton Centre, Leader of the Official Opposition, L): Mr. Speaker, the minister tells us that this is not an issue, but that is indeed the case. We heard Ms. Ricard, from Nurse Practitioners of New Brunswick, who provided her opinion on this last week.

There is another barrier nurse practitioners are facing in New Brunswick: They cannot refer their patients to specialists, nor order laboratory or diagnostic tests funded by the province, while this can be done in other provinces. New Brunswick is the only province where nurse practitioners do not have these privileges. The government continues to block enhanced access to health care here in the province.

Give privileges to nurse practitioners. Implement new policies so they can open multidisciplinary offices and work with other professionals. That is what they want. Why not take advantage of what nurse practitioners can do to ease the strain on the system? Work with them to improve health care.

[Original]

Hon. Mr. Fitch (Riverview, Minister of Health, PC): Mr. Speaker, once again, we take a holistic approach to the health care system here in New Brunswick. We work with all the various practitioners. We work with them, whether it be the College of Physicians and Surgeons, the Nurses Association, the union, or the people who are working in long-term care. It all goes together. Anyway, while I appreciate what the member opposite is trying to do here today, the fact of the matter is that we work with all disciplines. We work with all people who are involved in the health care system. We make sure that when it comes to scope of practice, it is reviewed on a regular basis.

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We have had good news this week. We looked at the system—at the hit list—and more surgeries are going to be done on the weekend. We appreciate the people taking part in that. Also, Patient Connect NB, NB Health Link... We received an award for some of the innovation in health care here in New Brunswick. Mr. Speaker, the good news goes on and on and on. Unfortunately, the members of the opposition cannot see that.

COLLECTIVE BARGAINING

Mr. K. Chiasson (Tracadie-Sheila, L): Mr. Speaker, since the beginning of the pandemic, public service employees have been the glue that has kept this province together. They have been asked to work in difficult situations and to carry the weight and burden of delivering the high level of service that New Brunswickers expect and deserve. They have answered that call. What does government give them in return, as recognition for their dedication and perseverance? Bill 23.

The Labour Minister sent out the clear message yesterday, with his “rules of engagement”, that his government is getting ready for another round of confrontation. If the government’s intention and goal was to come to the bargaining table in good faith, why did the minister not include the unions and work with them before making seven major changes to the Act? This has been in the works for months, with no heads-up and no collaboration. So why did the minister refuse to consult the unions or to involve them from the get-go before blindsiding them with this legislation?

Hon. Mr. Holder (Portland-Simonds, Minister of Post-Secondary Education, Training and Labour, PC): Thank you, Mr. Speaker. I am going to say the same thing that I said yesterday. It is time that we dial down the rhetoric here. This is about designated essential workers and maintaining a level of service through designated positions that, at any given time, are agreed to by both sides or, in the event that they cannot decide, by the Labour and Employment Board, which is a quasi-judicial, arm’s-length body. This is simply making sure that New Brunswickers are protected in the event that there is a legal strike. This is not about affecting the outcome of the strike. This is about making sure that designated workers and a designated level of service are kept in place, Mr. Speaker.

Mr. K. Chiasson (Tracadie-Sheila, L): Mr. Speaker, the minister justifies changes to the *Public Service Labour Relations Act* by saying that designation levels are a major cause for concern during a strike. What he is doing is accusing unions of not holding up their end of the bargain. This legislation empowers government to modify, on a whim, the work schedule of a designated employee and to replace him with another government employee that is not included in the bargaining dispute or with a private-sector contractor. What is being imposed on unions is heavy-handed and uncalled for.

Mr. Speaker, instead of trying to create an inaccurate narrative that designation levels are not where they should be during a strike period, the minister should shift his attention and focus to areas and services where designation levels are well below the recommended

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threshold. Staff levels at nursing homes, for example, would not be where they are now if government were to zero in on working conditions and ensure that employees received fair and decent wages. So I ask the minister why he is creating this false narrative and not putting his focus on the everyday designation levels.

Hon. Mr. Holder (Portland-Simonds, Minister of Post-Secondary Education, Training and Labour, PC): I really hope that the honourable member is not accusing me of falsehood with that statement. Mr. Speaker, this is about making sure that a level of service that is agreed to by both sides is adhered to. That is all that this is. This is not about being heavy-handed on any side. This is about coming down on the side of a designated level of service that will keep the services in place to make New Brunswickers safe in the event that there is a work stoppage. That is all that this is.

Mr. K. Chiasson (Tracadie-Sheila, L): Mr. Speaker, the Labour Minister is making changes to regulations around binding arbitration. They are adding six factors that the arbitration tribunal must consider before rendering a decision. The one that catches our attention is about an employer's ability to pay while considering the employer's fiscal and economic health. I would imagine that the good news for our public-sector employees is that the arbitrator will surely look at the government's surplus from last year, the \$777 million, and the \$1-billion surplus projected for this year before he proposes a solution that is fair and equitable.

Mr. Speaker, many contract negotiations are ongoing as we speak, and many are due in the coming months, including the teachers' collective agreement. This government is known for missing the mark and not being accurate when it comes to sharing budget accounting details. So I ask the minister this: What numbers does he plan on using when he goes to the bargaining table with our public-sector employees?

Hon. Mr. Holder (Portland-Simonds, Minister of Post-Secondary Education, Training and Labour, PC): Well, I am going to have to give the member opposite a lesson in labour relations, Mr. Speaker. I do not go to the bargaining table. The Minister of Treasury Board goes to the bargaining table. It is my job to be neutral and to appoint the mediation services that need to be in place in that event. All that we are doing today is bringing clarity to the rules—as we said before, the rules of engagement—so that a designated level of service is maintained.

With respect to binding arbitration, to the question of the member opposite, most jurisdictions in this country, including the federal government, have criteria around binding arbitration rules. This is just about harmonization and making sure that we are all on the same page.

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[Translation]

PAY EQUITY

Ms. Thériault (Caraquet, L): Mr. Speaker, an Act on pay equity in the public sector was passed in 2009. Today, 13 years later, statistics show that women make up 65% of the active workforce in the private sector, and yet they continue to be paid \$1.74 per hour less than men. My question for the Minister responsible for Women's Equality is this: Is your government currently working on an Act on pay equity in the private sector? Thank you.

[Original]

Hon. Mr. Higgs (Quispamsis, Premier, Minister responsible for Intergovernmental Affairs, PC): Thank you for the question. I think that we keep those statistics to be able to understand that we are meeting the standards and the requirements for pay equity in our public sector. The last statistics that I saw, which were not recent, not within the last six months, showed that the numbers in the public sector are very good, because it is certainly our intention to make sure that there is equal pay for equal work. There is a challenge here, and we want to maintain throughout our system that people get paid fairly and equitably. That continues, and we will continue to make that a focus. I do not see any reason that there would be any deviation from that at all. Thank you, Mr. Speaker.

[Translation]

Ms. Thériault (Caraquet, L): Mr. Speaker, several groups have not yet been assessed in the public sector, and I understand that there has not really been any progress toward an Act for the private sector.

Too many women in New Brunswick are underpaid because their work is undervalued. Since the community care sector is particularly vulnerable, the New Brunswick Coalition for Pay Equity did quite a lot of analytical work and provided its reports and recommendations to the government to ensure it was better equipped and informed.

Two years ago, a five-year plan to achieve pay equity throughout the care sector was requested. Since the Premier is good with numbers, he will realize that there are only three years left. So, what concrete steps have you taken to reach this objective? Thank you.

[Original]

Hon. Mr. Higgs (Quispamsis, Premier, Minister responsible for Intergovernmental Affairs, PC): Thank you for the question. I think that to have the real information and to understand the details on what has been done and what needs to be done, I will take this question under advisement, and we will revert later. Thank you.

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[*Translation*]

Ms. Thériault (Caraquet, L): Thank you, Mr. Speaker. The message I want to convey to the Premier and the government is this: Pay equity is the solution to a lot of challenges.

(Interjection.)

Ms. Thériault (Caraquet, L): I am going to ask a question, Mr. Minister. We are quite tired of being cut off every... My job is to ask you questions, while your job is to answer them; okay.

[*Original*]

Mr. Speaker (Hon. Mr. Oliver): Members. The member for Caraquet, direct your question through me. Please proceed.

[*Translation*]

Ms. Thériault (Caraquet, L): Yes, I am trying to ask questions, but I am being interrupted.

So, the labour shortage affects female-dominated sectors. Women are more likely to work part-time, for minimum wage, and without paid sick leave. So, when a couple has a child, it is often the wife who ends up staying at home because she works part-time, for minimum wage, without sick leave, and there are challenges with day care services. That creates a bunch of other problems, and then there is a labour shortage.

So, is the Premier aware of the situation and is he going to take action to implement pay equity in New Brunswick?

[*Original*]

Hon. Mr. Higgs (Quispamsis, Premier, Minister responsible for Intergovernmental Affairs, PC): Yes, Mr. Speaker, I am aware of the challenges that women face, especially single women who have families and face challenges in society and challenges in seeking employment and who have responsibilities that they carry throughout that period when their children are very young. I certainly accept the statements that the member opposite has put forward. I accept the challenges that we face in our society with finding the right pay—certainly the pay that makes sense for individuals—and with having employers pay fair and reasonable wages that reflect the parity between men and women in any situation.

Again, I will take this under advisement. We will get more details from the branch to understand what is being done, what has been done, and what the plans going forward will be. Thank you, Mr. Speaker.

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[*Translation*]

EROSION

Mr. LePage (Restigouche West, L): Thank you, Mr. Speaker. Erosion is causing substantial damage to New Brunswick coastlines, particularly in Bas-Caraquet, from Pigeon Hill to Sainte-Marie-Saint-Raphaël, in Charlo, and in Shédiac, and this government's inaction when it comes to climate change is the only thing to blame.

The province could receive \$275 million in 2022-23 through the carbon tax, if the numbers from the Minister of Finance and Treasury Board can be trusted. Investments of \$47 million in the Climate Change Fund and \$8.6 million in the Environmental Trust Fund will be made, for a total investment of \$55.6 million.

Can the Minister of Environment and Climate Change tell us today where the remaining \$220 million of the \$275 million is being and will be invested?

[*Original*]

Hon. Mr. Crossman (Hampton, Minister of Environment and Climate Change, PC): Thank you, Mr. Speaker, and thank you for the question from across the way. The real question is: What are we doing? Well, we are doing a lot. As of March 2022, 55% of New Brunswick municipalities have completed adaptation plans. This includes all cities, the coastal municipalities that I just mentioned that are at the highest risk, as well as eight municipalities located in the Lower Saint John River floodplain. The majority of these adaptation plans were developed through the funding of the New Brunswick Environmental Trust Fund. There are six days remaining. Send in your applications on or before next Wednesday, November 30, please.

I want you to know that our department is working in those areas regarding restoration and prevention. There is a lot of work to be done, and there is a lot of money coming. The province will be there to help out, and we will work together to make a difference in those high-risk areas. It is not going away, but we are going to do the best we can, Mr. Speaker. Thank you.

[*Translation*]

Mr. LePage (Restigouche West, L): Mr. Speaker, I was asking where the money is. I was asking where the money will be invested, and I am given plans. That is not what I want to know. I want to know where the money will be invested and what funds will be available to us. The answer has not been provided, but I am going to help the minister.

A look at the approved projects for the Climate Change Fund shows only three projects to address coastal erosion, which amount to \$2.3 million. I am informing the minister about it.

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However, under the same fund, the following investments are made: \$450 000 to build a parking lot in the New River Beach Provincial Park; \$11 million to the RDC for wastewater treatment in Rothesay, the sewage system in Saint John, the development of the Fundy Quay site in Saint John, and the wharf in Saint Andrews; \$120 000 for new golf carts in Mactaquac, Mr. Speaker.

If the government wants to be prepared, what is it doing? Can the Minister of Environment and Climate Change list the projects and amounts specifically invested in the fight against erosion this year?

[*Original*]

Hon. Mr. Crossman (Hampton, Minister of Environment and Climate Change, PC): Thank you, Mr. Speaker. There are lots of questions today. I am here to tell you that I went to the riding of almost every member across the way. Before going to Edmundston for the solar panel project at the arena, which is beautiful, by the way—I would like to see a game there sometime myself—we were in the member's riding regarding water and wastewater. The day before that, it was Campbellton. Before that, it was Bathurst. There is a lot of good money, and there are a lot of great projects. Before that, it was Tracadie.

(Interjections.)

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

Hon. Mr. Crossman (Hampton, Minister of Environment and Climate Change, PC): There is a lot of work being done, and there are a lot of projects coming. If you want a list, give our office a call. The number is online. I believe it is posted right now.

Remember, the Environmental Trust Fund ends next Wednesday. Get your applications in.

(Interjections.)

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

[*Translation*]

Mr. LePage (Restigouche West, L): Thank you, Mr. Speaker. I understand, but I think the minister did not understand the word "erosion". What I want to know is where the minister is investing money to combat the erosion of our coastlines. The money invested in the projects I listed was supposed to be invested in projects aimed at combating erosion. That has not been done. Only \$2.3 million has been invested in these efforts.

As mentioned, there were three projects under the Climate Change Fund: \$150 000 to assess the situation in the Shediac area, \$360 000 to the Department of Natural Resources



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and Energy Development for flood risk studies, and \$1.8 million to ONB for the Climate Impact Fund.

I am going to make life easier for the minister. Can he just give us an update on and evaluation of the coastal flooding and erosion risk assessment project carried out by the Department of Natural Resources and Energy Development?

[*Original*]

Hon. Mr. Crossman (Hampton, Minister of Environment and Climate Change, PC): Thank you, Mr. Speaker. You know, the funny part—and it really is hilarious—is that the opposition keeps talking about projects. Put your applications in. We are dealing with them every day in our department, which is a great department, by the way. People in the department can deal only with what they know. People speculate every day. They speculate, and they expect things to be done overnight. We are dealing with erosion—the big word, “erosion”.

The \$47 million that we have is being dealt with in the best way we can, even with the overrun. We are ready for extra projects in case there is slippage. Slippage means that if some projects are not done, others will be taken on. If more money comes, we will use that as well to do the best we can.

Once again, our department is working on restoration and on the prevention of future storm damage. The Fundy Quay in Port Saint John is an example. They are building it for the future. It is being built up so that it is safe. As we move forward, whether it is with bridges or roads, we will make sure that the culverts are in place and the...

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

[*Translation*]

COLLECTIVE BARGAINING

Mr. K. Arseneau (Kent North, G): Thank you, Mr. Speaker. Yesterday, without consulting the unions, the government tabled a bill obviously intended to shift the balance of power in favour of the employer. The imbalance in the proposed power relationship is rather flagrant when we note the proposed changes to the strike and lockout notice periods. Before a strike, a union will have to give a 72-hour notice, but, before a lockout, the employer will only have to give a 24-hour notice.

The Minister of Post-Secondary Education, Training and Labour is not impartial on this issue, Mr. Speaker. He is a Cabinet member and he is changing the rules for the benefit of employers. Why does the minister think it is fair that employers can unilaterally take over the balance of power that is tilted in their favour?

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[Original]

Hon. Mr. Holder (Portland-Simonds, Minister of Post-Secondary Education, Training and Labour, PC): Mr. Speaker, I will say it again. With this legislation, the only thing that we are coming down in favour of is maintaining designated workers to maintain a designated level of service that both sides have agreed to. That is all this is. I have said it before. Look, I know that members opposite have to do their job and hold us accountable, but at the end of the day, this is not about coming down on one side. It is about coming down on the side of appropriate, designated levels of service to protect the people of New Brunswick. That is it.

[Translation]

Mr. K. Arseneau (Kent North, G): Mr. Speaker, the minister can spin this as he pleases, but we know what he is trying to do. We know the government's intentions regarding unions and its contempt for labour.

The government will also give itself the authority to replace designated essential workers who do not show up to work during a labour dispute, including with non-unionized replacement workers. There is only one thing to call them: They are scabs. It is an act of contempt towards essential workers.

Mr. Speaker, there is no evidence that essential workers refused to show up for work during past strikes—none. The unions themselves ensure that designated essential workers are at work. How can the minister justify allowing the use of scabs in this province?

[Original]

Hon. Mr. Holder (Portland-Simonds, Minister of Post-Secondary Education, Training and Labour, PC): Mr. Speaker, the member opposite is using terms that just do not apply here. As I said a minute ago, at the end of the day, this is about maintaining a designation of service that was agreed to by both sides—period.

(Interjection.)

Hon. Mr. Holder (Portland-Simonds, Minister of Post-Secondary Education, Training and Labour, PC): No. The member opposite is using that term. I would never, ever introduce legislation in this House that supported scab legislation, Mr. Speaker—ever. This is not about replacing workers who are out on strike and who are not designated, to break a strike. That is not what this is, and he is not using factual information here to support his case.

Mr. McKee (Moncton Centre, Leader of the Official Opposition, L): Our questions on this issue are valid. This government has a dismal history when it comes to labour relations. We

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know that this government wants to use a hammer instead of collective bargaining. We have seen the history that it has presented to us over the past four years. In 2019, it was with nursing home workers. Last year, it was with strikes. We know how this government treats our workers. It is not rhetoric. It is a fact. There has been no consultation on this bill.

This minister keeps on talking about the issue being around the designated service levels. Those levels of service have been agreed to or litigated by the labour boards in the past. It is clear that this government does not agree with those levels.

I want to know whether the government can spell out what the problem really is. Was there a problem last year with designated service levels that the government needs to correct? Give us the true facts. Do not give us just spin. Tell us what the problem is and why you need to fix it. I do not believe that there was a problem with designated service levels last year or in 2019, but this government wants to force this through regardless.

Hon. Mr. Higgs (Quispamsis, Premier, Minister responsible for Intergovernmental Affairs, PC): Mr. Speaker, in legislation and in the agreements, there is a designated worker policy that spells out how many people and in what disciplines need to show up in the event of a legal strike. There were indeed cases where the designation numbers did not show up. All that this basically talks about is how, okay, if they are designated workers, they need to show up at the designated locations as agreed to in the contract. Yes, there were indeed cases like that. That is not upholding the contract, and it is not looking after the citizens of the province and the services that are mandatory, which are the reasons for the designations to begin with.

If we are all going to look at the rules, we need to follow the rules, and that is what this is about. This is about ensuring that the rules are followed, the rules for designations that are already agreed to, because, yes, we have direct experience that this has not been the case. So looking forward, we want to look forward to negotiations that make sense for the long haul for our province, Mr. Speaker.

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

That is the end of question period for this week.