



October 7, 1983

**BRIEF TO THE PREMIER REGARDING  
THE NEED FOR A CONSULTATIVE PROCESS**

Mr. Premier, Solidarity Coalition appears before you today with a very great sense of urgency. We have a simple message to convey to you: your government is moving too quickly with a budget and legislative package that will have far-reaching and as yet unanticipated consequences for our province and our citizens.

We fear that the repercussions of your government's actions may be calamitous and we urge you, as strongly as we can, to slow down: to take a careful and measured look at the changes you propose. We are here today to ask you to establish a process of consultation with the public and the groups who will be affected by the many changes in your legislative package. Otherwise, your government is embarking on the road to disruption and confrontation, threatening to dash our goals of economic and social recovery.



On May 5 this province had an election. The party in power campaigned on a platform of continued restraint, the maintenance of social programs and the fostering of economic recovery. It received a mandate for that program. As you told Art Kube on June 21: "I have received a mandate to carry on the restraint program in a fair and equitable way."

There was no indication from you or your cabinet ministers before, during, or after the election, that you were going to cancel or alter radically many long-standing programs and services, or that you would make these extreme changes without consulting the groups most strongly affected.

You and your cabinet ministers laid to rest many rumors circulating about such changes. Eleven days after the election, Minister of Health James Nielsen told the Council of Senior Citizens' Organizations that the "Ministry (of Consumer and Corporate Affairs) is not currently intending to repeal rent controls or accelerate the removal of rent controls, and rent review is viewed as a permanent appeal system."

In January, Provincial Secretary James Chabot told public sector employees that "the government's objective--and my personal objective--is to avoid layoffs and minimize the disruptions to government workers and to the public alike."

There was no indication you planned to greatly expand user fees in the health-care system. You explicitly denied that user fees were being seriously considered.



There was no indication of the far-reaching changes to the Labour Code now apparently contemplated by your government. In fact, during the election you and your minister of labor deliberately created the impression that no substantial changes to the labor legislation would be made.

You assured us there would be no general attack mounted by your government on the disadvantaged, women, children, the elderly, the poor, workers, tenants, students, the environment, health care and human rights. On election night you said: "For our teachers, for our public servants and for all those who are British Columbians . . . ours will be a government . . . that will recognize the specific concerns and the concerns of every group in society."

You can well understand, then, the magnitude of the reaction by hundreds of thousands of British Columbians--people of all political persuasions--when you introduced your far-reaching legislative package and budget on July 7.

You called it a budget of restraint, because that is what your mandate entailed, but as people waded through the mass of legislation and the budget figures they began to see that these documents were not about restraint at all. They went far beyond to a fundamental shift in the political priorities of the province, and dealt with issues that had not been discussed or even mentioned during the election.



How could the budget be about restraint when expenditures were predicted to increase by 12.3 per cent, one of the largest increases in this province in the past 30 years? How could you talk about restraint when substantial sums were still being spent on projects like B.C. Place, the automated light rapid transit system and the subsidized coal development of the northeast, while a few thousand dollars were being saved by cutbacks in aid to the disabled?

In fact, it was not restraint, but a shift in your spending priorities, and it reflected a profoundly different view of the role of government than the one which has been held in the province for decades.

By abolishing agencies such as the Rentalsman's office and the consumers help offices and proposing to drastically alter the Labour Relations Board, you diminish government's capacity to mediate conflicting interests in society and provide equity and justice for all.

By cutting back on social, health and educational services, you diminish our society's capacity to provide social and economic equality for all citizens.

By abolishing the Human Rights Commission, you gravely diminish our society's capacity to protect the rights of citizens, especially the weak and the powerless.

These disturbing menaces galvanized the community to action, and Solidarity Coalition was formed. We are an organization of community, labor, professional, academic, religious and other groups dedicated to the defence of



human, civil and workers' rights and the protection of essential social services. We represent very diverse groups with a variety of views about the specifics of desirable economic policies and goals. Nevertheless, one principle binds us together: the ordinary standards of civilized morality apply to decisions about a society's legislation and economy (this principle has been recently affirmed by the Canadian Bishops' Social Affairs Commission). We plan to show you today how your government's actions will break this principle.

In our presentation we cannot deal with every aspect of the proposed legislation, or every group affected, but we present here some of Solidarity's more important concerns.

### The concerns of children

Children, who could not vote in the election, seem to have been singled out for harsh treatment by some of your legislative provisions.

The freeze on welfare rates will mean that the more than 57,000 children in B.C. in welfare families will have less to spend on food than recommended by your own nutritionists in their minimum budget, and children's health will be affected.

Staff cuts in the Ministry of Human Resources means that the welfare of additional thousands of children is being sacrificed to government restraint. Six hundred and sixty-seven front-line workers have been given notice of termination as of October 1. They include:



- 226 family support workers who help prevent family breakdown and serve about 5,000 children;
- 165 childcare workers who supervise children who are in group homes because they cannot be placed in their own homes or foster homes;
- child abuse workers who work to protect sexually abused children;
- emergency homemakers who step in when small children are left unattended or when overwrought parents are on the verge of beating their children;
- street workers, school-based workers, the "stress car" (which responds to family crises in Vancouver seven days a week), and many others.

Your government argues these services are frills, to be discarded during times of restraint. Solidarity says it is precisely in times of economic stress that these services are most urgently needed. Studies show that the services you have cut are the most cost-efficient. To keep a child in the home with a family support worker is much less costly (\$1,000-\$1,250 per child per year) than the alternatives: putting a child into a special foster care home (\$15,000-\$18,000 per year) or ultimately incarcerating the child in a detention centre (\$27,950 average cost of admission).

In day care services, removal of the needs test will result in many families being forced to remove children from day care programs. Many of these children have special needs.

Another area of false economy is your enforced reduction in school board budgets, leading to cuts in programs, professional staff and support staff. The



increased pupil-teacher ratios (PTRs) demanded by your government will force our children into classes of over 40. These large classes will include students who have been "mainstreamed" as a result of government policy and were not included in PTRs in the "good old days" of large classes. How many parents would, if given the choice, want to have their child in a class with 40 others, sitting in a room designed to accommodate 30?

School boards faced with a need to reduce their spending will be tempted to cut back on lab, art, and shop courses which are more expensive to provide than the book-oriented core courses. The effect will be to narrow the curriculum at a time when changes in society and technology demand a broadening of offerings. The reduction of electives is also likely to mean that increasing numbers of students with learning problems or low motivation will drop out of the school system, with limited prospects in the job market.

The human casualties from these cutbacks will not go away but will resurface to haunt the Minister of Finance's accounts for generations to come, in higher correctional costs, in a growing burden on mental health centres and hospitals and in high cost treatment programs of all kinds.

### The concerns of women

The budget will hurt women in many ways. Public-sector job cutbacks hit women--most of the hospital workers, teachers, and social workers already fired are women.



Public-sector wage controls also hit women most severely, because controls increase the gap between the highly paid (men) and the lowly paid (women). When public-sector wages are held down, private-sector and unorganized workers' wages will also stay low; again, many of these workers are women.

The freeze on welfare rates threatens women on welfare with hunger and poor housing. Many women are single-parent heads of families and they face a hopeless future unless they receive essential services. Worse still, your government's policies will force more women onto welfare.

Women, like children, will be drastically affected by the cuts in the crisis and preventive services in the Ministry of Human Resources--such as transition houses, in-home care for new mothers, family support workers, the Women's Health Collective--removing hard-won support services for women.

Your government says many of these services can be operated by volunteers. Well, the vast majority of volunteers are women, and since you have seen fit to cut off funding to groups such as the Volunteer Centre, once again, it is women who will bear the brunt of your initiatives.

Cutbacks in other areas will also affect women. The dismantling of the Human Rights Branch and changes in the legislation remove what protection there was against sexual harassment. Women's access to non-traditional jobs will no longer be protected. They can lose their jobs and their homes because of their sexual orientation. Non-white and immigrant women will be vulnerable to increased discrimination.



Decreased grants, will limit women's opportunities for post-secondary education. Closing the Rentalsman's office will open the door to unscrupulous landlords (soaring rents, sexual harassment). Because the majority of those on low and fixed incomes are women, rising health costs threaten women's health care. Because of changes in the Employment Standards Act, it may be impossible for many women to take maternity leaves.

### Concerns about human rights

The changes your government proposes in the area of human rights will make British Columbia the only jurisdiction in Canada without an effective government agency for the protection of human rights. If Bill 27 becomes law, the minimum standards accepted in the rest of Canada will be violated.

Bill 27 deletes the section of the Human Rights Code that gave some protection against discrimination on grounds such as the language one speaks, sexual orientation and age (outside of the ages 45 to 65). Other groups will also lose: pregnant women, for example, may no longer be protected against discrimination. Most important, the enforcement agency will be disbanded and no effective replacement is proposed. Therefore, even those who are still theoretically protected, will not be protected in practice. Discrimination will be covered only where it can be proved that the person intended to discriminate. For example, policies and physical conditions that effectively exclude the disabled will no longer be covered. Another change will see the important educational programs of the Human Rights Commission abolished.



In a society faced with increasing racism, the passive approach advocated in the legislation is not acceptable. Rights that cannot be protected are no rights at all.

### The concerns of working people

Much public debate on the legislation and budget has focused on what will happen to public employees, and understandably so. The 250,000 people who work for the provincial government, hospitals, school boards, crown corporations and municipalities are in danger of becoming second class employees. Your government has abandoned the principle of negotiation and instead adopted a sledgehammer approach to legislate away their working conditions--their rights to decent hours of work, holidays and grievance procedures. These measures will eliminate every semblance of employment security for every person who works for the public.

To complete the circle, you propose a law that will enable the cabinet, without public debate, to order unlimited cuts in their incomes. You propose to eliminate or severely restrict their rights to negotiate, taken for granted in the private sector. As a result, public employees will have the most restrictive bargaining rights in Canada, violating long-standing conventions adopted by the United Nations and endorsed by the government of Canada.

In fact, the legislation hits all workers in B.C. organized or unorganized. The abolition of the Employment Standards Board and other changes will weaken protections available under the current act. To cite just one example, the new law



will remove an employee's right to severance pay from a company that goes bankrupt or is put into receivership (and how many firms are facing these prospects in B.C. today?).

Injured or disabled workers will face greater difficulties because their rights will be restricted. The abolition of the Human Rights Code and Commission means less protection because workers will have to prove intent to discriminate. Companies will have more opportunity to pass over disabled workers.

Private-sector union members are also affected. The Employment Standards Act will weaken the protection offered by allowing employers to negotiate in collective agreements for conditions of employment inferior to those provided by the Employment Standards Act.

The building trades in particular are deeply concerned by the growing trend of public bodies to award major construction projects to non-union contractors. It is obvious that these boards, with the majority of their members appointed by the provincial government, are embarking on a "right-to-work" policy with direction and support from Victoria.

Still more serious are the recently released draft amendments to the B.C. Labour Code. Any project in the province could be declared as an "essential service" and the right to strike could be taken away. Any project in the province



could be declared an "economic development project" allowing the non-affiliation clauses of building trades agreements to be violated with impunity, once again creating a climate of "right-to-work".

Other changes would see the Labour Relations Board brought under the thumb of the cabinet, with the board's decisions to be based on the government's wishes, not on what is fair and equitable. There would also be active assistance to employers to rid themselves of existing unions and discourage the formation of new unions.

The B.C. Labour Code is based on the premise that fairness, equity, and balance must be contained within the law itself. As well, all sectors of society--labor, management and the public--must perceive this balance. In fact, this is so. Most members of the industrial relations community are generally satisfied with the existing laws, and the public perceives a basic fairness in the laws, as indicated by the results of the Vancouver Sun's poll published September 24, which showed that more people (36 per cent) thought the laws favored neither union or management than thought the laws were favorable either to unions (29.5 per cent) or to management (24.1 per cent).

To rupture this delicate balance, which has been achieved and fine-tuned after 10 years of careful operation, is to ensure a climate of mistrust and unrest in B.C.'s industrial relations. British Columbia has always had a militant labor movement, and passing punitive legislation will not change that. And major industrial disputes may leave a legacy of bitterness for many years, as Peter Drucker pointed out in his book about General Motors (Concept of the Corporation, 1972 edition, page 117).



### The concerns of students

Budget cuts to post-secondary institutions are already limiting enrollments. As early as next year, fully qualified students will be turned away. Those lucky enough to gain admission will face cuts in programs and teaching and support staffs.

Your government has cut student grants by \$10 million at a time when universities have raised tuition fees from 15 to 50 per cent and after a summer when work was all but impossible to find. The squeeze on many students will be intolerable.

BCIT and the community colleges and institutes are hit further by Bills 19 and 20. You have terminated local school board representation on these college boards and your government has assumed more control over how much money each institution will spend and which courses will be given. In this you ignore the special requirements of each community.

### The concerns of consumers and business

The shutting down of four consumer-help offices and the elimination of funding to consumer groups means that consumers will no longer have adequate and speedy access to information about products and services, assistance with their complaints, and mediators to help resolve their disputes. Purchasers of unsatisfactory products will gain redress only by taking their problems to the



courts themselves. This is fine if they know how the court system operates and if they can afford legal costs, but not many consumers are in those categories. Further, it is another false economy to shift the burden from the inexpensive consumer-help offices to the courts. In any case, the courts have demonstrated an ineffectiveness in dealing with these kinds of problems. Consumers and businesses alike will be faced with increased costs.

So how much money is the government actually saving by these cuts in the Ministry of Consumer and Corporate Affairs? Probably none, since most of the money saved on the consumer side is being transferred to the corporate side.

The increase in the sales tax, the imposition of a seven-per-cent sales tax on long-distance telephone calls and restaurant meals are regressive forms of taxation which hit hardest at lower-income consumers who spend a larger portion of their incomes on goods and services. It is also well recognized that sales taxes dampen demand--buyers will spend less. Just as important, your government's legislation has fostered a climate of uncertainty among our residents. People are afraid to spend. Will they be the next to lose their job? Hopes for a consumer-led recovery in B.C. have thus been dashed.

While unemployment all across Canada has declined somewhat, it is still at an intolerably high level. While bankruptcies in the rest of Canada have leveled off, in B.C. they have risen by 50 per cent in the last year. Small business--where most new jobs are created--is feeling the pinch. There is today \$27 billion in personal savings sitting in B.C. banks. Your priority must be to encourage the spending of this money.



## The concerns of tenants

Tenants in B.C. face the abolition of rent controls and rent review. As a result, landlords will be able to raise rents as much as they want each year (on three months' written notice). Even if tenants do pay the resulting soaring rents--and it has been estimated that rents may double by 1987--they can be evicted anyway, with no reason being given (on three months' written notice). If the landlord does give a reason, then 10 days only may be required. The potential for discrimination of all kinds (including sexual harassment) is obvious.

The ability to evict tenants without cause makes all other provisions of the new act impossible to enforce. For example, elderly tenants will not likely complain to their landlord if the roof leaks, for fear of being evicted.

Tenants have also been hit by the removal of the renters' tax credit. Admittedly, this is one of the few measures your government did announce before the election.

The Rentalsman's office was a relatively inexpensive and efficient mechanism for mediating disputes between landlords and tenants. The closing of this office means that tenants (and landlords) will face costly delays in settling disputes because of the clogged court system. Here, too, the false economy is evident. The only winners will be the lawyers.

Many lower-income tenants had the option to move from their state of tenancy to a form of ownership by joining a housing co-operative. The cancellation



of the first-time homeowner's grant removes this possibility for most. They will be trapped forever as tenants paying ever higher rents.

### The concerns of the disabled

While no bill specifically attacks B.C.'s disabled citizens, provisions in many bills affect them because a) they are generally of lower incomes, and b) they are often an identifiable minority. The "dumping" of the mentally handicapped from Tranquille, while, at the same time, cutting back on programs which helped people move back into the community, served notice on the disabled that they were not to be exempt from your government's actions. They will disproportionately suffer the effects of the Residential Tenancy Act--increased housing costs, loss of protections, loss of opportunity to join housing co-operatives. The freeze in income rates, cutbacks in services, the elimination of the CIP will reduce the incomes of many of the disabled by as much as 20 per cent. In the area of human rights, because the machinery of enforcement has been dismantled, few of the disabled are likely to bring complaints, even though the code now explicitly prohibits discrimination against them. In the area of education cutbacks: will programs for the disabled be among the first to go?

### The concerns of seniors and pensioners

Many seniors and pensioners will be affected by all those measures of your government which will hit people of low and fixed incomes. The elderly have already lost their personal income tax and renter's tax credits. They will also be



faced with soaring rents if you abolish rent controls and rent review. To compound their difficulties you have frozen your S.A.F.E.R. program--Shelter Aid for Elderly Residents.

Obviously, increased health care costs will hit this group of our citizens the hardest. Perhaps not quite so obvious are the cutbacks in homemakers' services which will also hit those people who are in greatest need. You have also seen fit to cut funding to 23 seniors day centres.

Your program presents a bleak outlook indeed to many of B.C.'s citizens who spent much of their lives building this province.

#### The concerns of the poor

The poor should not be asked to bear the brunt of your restraint program, yet that is precisely what is happening. Their incomes have been lowered, their expenditures raised, and the services available to them cut drastically. Most important are the freezing of welfare rates when inflation is still five to six per cent, and the termination of CIP, the \$50 per month volunteer work incentive program. This program allowed people to contribute to the community at a cost of \$4 per day. It also provided training for employability and its removal eliminates one source of long-term savings for your government.

Increases in the sales tax and the tax on long-distance phone calls, plus the increase from 25 to 30 per cent in the amount paid as rent in public housing



projects, are serious measures on the expenditures side. The poor are most obviously affected by the cuts in social services, education, legal aid, and health care.

### The concerns of native people

Everything which concerns the poor also concerns native people, who are already at the bottom of the socio-economic scale. Cutbacks in social services will be further devastating. To cite one example: during the 1970's, forty per cent of children in the care of the B.C. Superintendent of Child Welfare were native children. This figure has greatly reduced in recent years partly because of preventive programs in the Ministry of Human Resources, such as family support workers. Your budget eliminates family support workers. What will happen to those children now? Another example: your government has cut some of its funding to the native courtworkers program which provides assistance and advice to native people faced with legal proceedings, who cannot afford lawyers or do not qualify for legal aid.

### The concerns about health care

Your proposed health care act violates one of the fundamental rights in a democratic society--the right to privacy. No one should be able to inspect personal medical records.



Also the act will impose severe restrictions on the universality of medical services--a principle that has been enshrined in Canadian practice for 20 years. Your government will be able to draft regulations which could legally remain secret to prescribe different benefits and services for different "classes" of people: for example, those who pay higher premiums and those who pay lower premiums.

Your government's intention to assign billing numbers to doctors will inevitably lead to a rationing of physicians' services, leaving the process open to inequities and abuse. Those who have the task of assigning billing numbers--doctors and politicians--can reward their friends and punish their enemies.

#### Concerns about legal aid

The cutbacks your government has made in funding to legal aid will have serious and extensive ramifications. Most important, many accused people who cannot afford lawyers will not be able to get legal representation in criminal proceedings. This means more people will go to jail and the courts will be further clogged. Women and families will also be affected. For the poor and women there will be no resolution of custody disputes and no representation in getting maintenance or support in Family or Supreme Courts. And many wives will have no representation when they apply for enforcement of maintenance orders. Cutting the educational programs of the Legal Services Society is another false economy since they provided valuable information to concerned groups about how our legal system operates.



## Concerns about the environment

While not receiving much public attention during the recent debates about your budget and legislation, the environment will also suffer serious harm as a result of some of your government's actions. Cutting funding to the Pesticide Control Branch can only result in long-term contamination of the environment and threaten public health. Cutting the budgets for fisheries and wildlife management will ensure that environmental regulations will not be monitored or enforced. Your Environment Minister Stephen Rogers has already cut off funding for intervenors at public hearings, thus removing any fair assessment of the public interest in major environmental projects. Centralizing regional planning in Victoria is another move which will make it difficult for local communities to protect their farmlands and manage their water resources. And how can you justify cutbacks in reforestation and forest research?

We turn now to Solidarity's general concerns.

There are some themes which underlie much of this legislative package. One is the unprecedented degree of centralization of programs in Victoria: telling doctors where they may practice, controlling school budgets and class sizes in every school in the province, telling community colleges what courses they may or may not offer, assuming planning functions previously exercised by regional districts, are some examples. There are many others. As a result, people will feel powerless and ineffective, with no input into many planning or decision processes that affect their lives, their children, and their communities.



Another theme in the legislation is the shift in the balance of market power, giving priority to corporate interests and entrenching property rights. At the same time, you are stripping away the countervailing mechanisms of due process and appeal to independent bodies that protect consumer rights, employee rights, and human rights. These actions seem to be based on a belief that the only legitimate power in our society is the power of property, and the only legitimate form of social interaction occurs through market transactions. (See A.R. Dobell's timely paper "What's the B.C. Spirit?", third revised draft, September 1983, page 22.) If some disadvantaged group cannot survive in the jungle of the marketplace, then too bad for them. In the long run, though, this will be bad for business as well as others in the community.

One aspect of the shift to property and corporate interests is the so-called "privatization" of government services. Such moves generally do not save money and the resultant services provided are of inferior quality. The areas of health care and social services present the most serious threats to the maintenance of quality service. Lower-cost services can be provided only at the expense of the ill, the weak and the poor.

Other moves to "privatization" will cost us more. One example is the provision of legal services to government. The big downtown corporate law firms have much higher overheads, and their partners receive higher incomes, than government lawyers. There is also the problem of patronage and the difficulty of adequate legislative scrutiny.



None of these changes were contemplated by the voters when they gave you a mandate on May 5. We have the evidence of all polls taken since "Black Thursday", July 7. And we know this from the hundreds of thousands of British Columbians we represent or who have signed Solidarity's petitions. People are prepared to live with restraint. But they do not want your legislative package.

Mr. Premier, Solidarity hopes you will be convinced by our arguments and examples of the many problems and concerns evident in the legislation. That is why we urge you to return to your mandate--a fair and equitable program of recovery. Establish a credible process of consultation in good faith, not simply set up for public relations purposes. Establish a committee of the Legislature to hold hearings on the package of bills. These public hearings must be open and flexible, with adequate time for discussion.

Solidarity too wants to see a recovery in this province. We need to create a climate so that people start spending and investing, but all sectors must be full partners in the endeavor. We can only deal with unemployment and bankruptcies and their resultant social and economic dislocations through an open, consultative process. Private meetings with cabinet ministers just won't work.

However, if you continue with the legislation as you are doing at present, using the power of the state to run roughshod over the groups with legitimate concerns and over the legislative opposition, then the result will be inevitable: a disruptive and costly clash of interests, a climate of confrontation, and the frustration of our common goals of recovery.



Your government needs to take a long range view of our province's economic problems. Slashing spending in education and social services today will create enormous additional expenses tomorrow. Preventing people from receiving equity and justice today will cause social disruption tomorrow. B.C. will be around for a long time.

Respectfully submitted

Solidarity Coalition

October 7, 1983

Canadian Federation of Students, Pacific Region  
Women Against the Budget  
Fraser River Coalition  
B.C. Association of Social Workers  
Vancouver Indian Center  
United Native Nations  
Injured and Disabled Workers  
Disabled People's Coalition Against the Budget  
British Columbia Tenants' Rights Coalition  
Pacific Interfaith  
Committee for Racial Justice  
B.C. Organization to Fight Racism  
Sikh Solidarity Coalition  
B.C. Human Rights Coalition  
Federated Anti-Poverty Groups of B.C.  
B.C. Old Age Pensioners Association  
Council of Senior Citizens' Organizations (interim)  
Consumer Association of Canada  
Community Business and Professionals  
Operation Solidarity  
Gay/Lesbian Community  
Co-op Housing Federation of B.C.  
B.C. Civil Liberties Association  
B.C. Home and School Federation  
Social Action Committee of the Unitarian Church  
Canadian Council of Christians & Jews  
Multicultural Workers Network  
B.C. Association of the Mentally Retarded  
B.C. Association of Children with Learning Disabilities  
B.C. Health Coalition  
Society Promoting Environmental Preservation  
Civil Liberties Section of the Canadian Bar Association  
B.C. Day-Care Action Coalition  
The India Mahalia Association  
The Network of Sexual Assault Centres