



AB Today – Daily Report August 1, 2019

Quotation of the day

“The bad faith bargaining bill is illegal, and if Premier Kenney had removed his earplugs during the 24 consecutive hours we debated it he would know that. His arrogance in the legislature has led to defeat in the courtroom.”

*NDP Labour critic **Christina Gray** reacts to a Court of Queen's Bench of Alberta decision to grant an injunction against **Bill 9**, the Public Sector Wage Arbitration Deferral Act.*

Today in AB

On the schedule

The House is adjourned until Tuesday, October 22.

Premier Watch

Premier **Jason Kenney** [met with](#) an official of another oil-rich jurisdiction Wednesday. Kuwaiti Ambassador **Abdulhamid Alfaiakawi** was at the legislature and, according to Kenney, said Kuwaiti companies are planning to invest “billions” in the province following his job creation tax cut, which will reduce corporate taxes over four years.

On Tuesday evening, Kenney took questions from social media users during an hour-long [Facebook “webinar.”](#) He reviewed his government’s summer legislative session, as well as his advocacy for the oil and gas sector outside of Alberta’s borders.

He claimed his government has delivered on close to 50 of the United Conservative Party’s 375 campaign promises only months into its four-year term.

“Obviously, our critics are going to criticize us,” Kenney said.

He confirmed he has scheduled the equalization referendum question for October 17, 2021, coinciding with the next municipal election. Despite calling himself a “Canadian patriot” that “will never give up on Confederation,” Kenney reiterated his stance that Alberta is getting a “bad deal.”

He also teased new property rights legislation that will come down the pipeline next spring.

Government files appeal after court grants injunction against Bill 9

Lawyers representing the government of Alberta filed an appeal on Wednesday to try to reverse a successful injunction against **Bill 9**, the Public Sector Wage Arbitration Deferral Act.

The province’s largest union scheduled arbitration next week after the court [granted the injunction](#) Tuesday.

The Alberta Union of Provincial Employees (AUPE) — which includes 60,000 Government of Alberta and Alberta Health Services workers — is now set for arbitrations with the province from August 7 to 9.

It is not immediately clear when the appeal will be heard.

The union announced next week’s arbitration dates following a ruling from Justice **Eric Macklin**, who granted the injunction Tuesday on the basis that the government must respect the collective bargaining process.

“It is in the long-term public interest for the public to see that its government cannot unilaterally change its contractual obligations through legislation that may interfere with Charter Rights,” Macklin wrote in his decision.

Guy Smith, AUPE’s president, told *AB Today* the mood of the membership is measured heading into negotiations. He added, despite the “black eye” of the injunction, the government seems emboldened to legislate against workers.

“Our members are smart enough to know it’s never over until it’s over,” Smith said. “**Bill 9** and all the requisite court challenges are just the beginning of what could be a very long period of challenges for them.”

Smith called the ruling a small victory, but said **Bill 9** is “very much alive and well and kicking” and more anti-labour legislation could be tabled in the fall.

Before the government filed its appeal, United Nurses of Alberta (UNA) labour relations director **David Harrigan** told reporters at the legislature on Wednesday that he will monitor any developments in the case while UNA membership prepares for arbitration in the fall. The UNA were intervenors in AUPE's injunction request.

The bill broke trust and has already soured the mood of the UNA membership, Harrigan told reporters.

"They're very, very angry and it's going to make the next round of negotiations much more difficult," Harrigan said. "When we reach agreements, we expect the other side to live by them."

The nurses' union was initially supposed to go to arbitration this spring, but Harrington confirmed its arbitration date has been rescheduled for November.

Meanwhile, the court fight doesn't end with the injunction.

The UNA also filed a statement of claim with the Court of Queen's Bench on July 3 calling for a declaration that **Bill 9** is in violation of the Canadian Charter of Rights and Freedoms, specifically the right to freedom of association. The AUPE filed a similar statement of claim. No court date has been set for either case, and Smith and Harrigan both said the process could take up to a year.

NDP Labour critic **Christina Gray** said the opposition warned the government about potential charter challenges during its 24-hour long debate on **Bill 9** early last month.

"If Premier Kenney had removed his earplugs during the 24 consecutive hours we debated it he would know that," Gray said.

Finance Minister **Travis Toews** was not made available for interviews Wednesday, but his office issued a brief statement.

"Albertans elected a government that would be responsible with their hard-earned tax dollars," Toews said, confirming the appeal. He called **Bill 9** a "prudent measure" that "only provides for a temporary delay to ensure the government has all the relevant financial information before entering into wage negotiations."

Justice Macklin's ruling disagrees with the minister's characterization, defining the spirit of **Bill 9** as a "unilateral act," as opposed to a "temporary delay."

The bill pushed back arbitration dates until after October 31, pending the results of the blue ribbon panel on finance's report, which is due August 15.

Toews' office confirmed to *AB Today* that the finance minister has been in touch with the panel for updates on the fiscal review.

Today's events

August 1 at 10 a.m. – Edmonton

Minister of Culture, Multiculturalism and Status of Women **Leela Aheer** will hold a photo op with Richard Block building owner **Ivan Beljan**. The photo op follows a heritage preservation announcement on Wednesday.

Topics of conversation

- Actress and activist **Pamela Anderson**, who [recently moved back](#) to her home country of Canada, has rejected Agriculture and Forestry Minister **Devin Dreeshen**'s invitation to meet with farmers and ranchers. The rejection follows the PETA director's call for an end to chuckwagon racing in the province after the death of six horses during the Calgary Stampede.
 - According to the *Calgary Herald*, Anderson [replied](#) in a letter to Dreeshen: "If animal care is such a priority for the ranchers you represent, why do you allow their horses to keep being mangled and killed simply for human amusement. You're an apologist for indefensible cruelty."
 - Dreeshen told the actress he is a big fan of her work and that the animals are treated well and chuckwagon racing is something they love to do.
- Alberta wages [jumped](#) in May by an average of three per cent year over year, according to ATB Financial's economics and research team.
 - Some industries saw a much larger increase than others. The largest leap in wages was for management of roles and jobs in the enterprise sector (10.3 per cent); followed by gigs in mining, quarrying, and oil and gas extraction (9.2 per cent), and forestry (7.3 per cent).
 - Despite an increase in wages, forestry had the highest percentage of job losses (2.6 per cent).
- Former United Conservative Party MLA and Freedom Conservative Party leader **Derek Fildebrandt** [penned an op-ed](#) for *Loonie Politics* calling on the government to end the oil production curtailment.
 - "Any move away from a quota system at all is positive, but this is still a painfully slow pace," Fildebrandt wrote. "The Tories should stick to their party's own member-passed policy and scrap the entire quota system, now."

- Four teens [filed](#) another court challenge against the federal government and Trans Mountain Corporation. The group’s lawyers filed a reply after a previous application to the Federal Court of Appeal was opposed by the federal government last month.
 - The teens, calling themselves Youth Stop TMX, argue their charter rights are being violated as a result of the climate crisis.
- The Freedom Conservative Party released its rural crime plan, which includes a mental health plan, a drug addiction strategy and the establishment of provincial police force.
 - The FCP also wants the province to use drones to monitor crime in remote areas of the province.
 - Meanwhile, UCP MLAs are making their way across the province to speak with people about rural crime.

News briefs — Non-governmental

NDP says PDD review panel was dismissed before it could make recommendations

The NDP claims the panel tasked with reviewing Persons with Developmental Disabilities (PDD) programming was fired before it could come up with recommendations.

The accusation follows the release of the PDD review panel’s report on Tuesday. While the report summarizes the feedback the panel received, it did not include any recommendations, which the NDP had originally asked for as part of the review.

Instead, the UCP thanked the review panel for its service and created two new groups to continue consultation.

“This move is a slap in the face for the disability community,” said **Marie Renaud**, MLA for St. Albert and official Opposition critic for Community and Social Services, in a news release. “To fire the panel before they could present their recommendations is a message of utter contempt from this government to the tens of thousands of Albertans who rely on this aging provincial system.”

Renaud said the report lists what the panel heard but has no recommendations for action, which, she says, suggests cuts to PDD may follow.

Appointments and employments

- **Anne McGrath**, former premier **Rachel Notley**’s principal secretary, joined Hill+Knowlton Strategies’ Ottawa office as an associate with the public affairs team.