

**CHILD CARE  
MODERNIZATION ACT, 2014 /  
LOI DE 2014 SUR LA MODERNISATION  
DES SERVICES DE GARDE D'ENFANTS**

Resuming the debate adjourned on February 20, 2014, on the motion for second reading of the following bill:

Bill 143, An Act to enact the Child Care and Early Years Act, 2013, to repeal the Day Nurseries Act, to amend the Early Childhood Educators Act, 2007 and the Education Act and to make consequential amendments to other Acts / *Projet de loi 143, Loi édictant la Loi de 2013 sur la garde d'enfants et la petite enfance, abrogeant la Loi sur les garderies, modifiant la Loi de 2007 sur les éducatrices et les éducateurs de la petite enfance et la Loi sur l'éducation et apportant des modifications corrélatives à d'autres lois.*

**The Speaker (Hon. Dave Levac):** Further debate? The member from Kitchener—Cambridge, sorry.

**Mr. Rob Leone:** Make sure you get that right, Mr. Speaker.

**The Speaker (Hon. Dave Levac):** I've been admonished.

**Mr. Rob Leone:** We, in Cambridge, don't like to be called from Kitchener, you know, so it's a little bit of a different thing.

I'm pleased to resume debate on Bill 143, the Child Care Modernization Act, in this Legislature. I left off talking about some of the challenges I think this legislation presents to folks in the child care sector. I believe I left off by talking about some of our child care providers who are stay-at-home parents who want to raise their kids, and in order to do that in their own home environment, they are actually taking on some extra kids. It's making that choice to stay at home for those parents a more viable option. I think we have to seriously consider that aspect, where child care providers in the province of Ontario are making certain choices about the kind of work that they want.

I want to also suggest that we have to consider the trust that's built between the child care provider and the parent. Certainly, we have to recognize that this is an important bond.

We've received countless emails on this particular piece of legislation. As I've stated previously in this debate, there hasn't been a piece of legislation that I think has received as much attention as this particular one, Bill 143. I think that's a good thing, because talking about how our children should be cared for is certainly one of a parent's most important considerations on an ongoing basis.

In the course of looking at what position we should take on this legislation, I've decided that I would consult widely. I've attended many forums; I've solicited meetings, and others have solicited myself. I've received countless emails, as I mentioned, and made phone calls. As I was walking around the riding on the weekend, I think there were at least three occasions where folks came up to talk about this particular piece of legislation. I think that's a good thing as well, that people are aware that we are debating these things.

One multi-site child care provider in my region has offered a lot of feedback on the proposed legislation. I'm sure this is going to make its way to the minister's office at some point if it hasn't already. But there are a number of concerns that they have raised, three of which I'm going to talk about right now. One is that the ministry will be mandating before- and after-care. There needs to be more clarity on what that will look like. I know that certainly that has been a question and a concern that a lot of child care providers in Waterloo region have had recently. My first piece of legislation in this House related to the effect that we have to do our best to protect third-party providers. But who does that before- and after-care, what the rules are around that, certainly needs to be clarified and parsed out.

Another concern that they raised is cost, and the question for them is that if they're trying to remain competitive in this environment, how are they going to make sure that they are as efficient and as lean as possible? Their perspective and the difficulty that's raised by this is that it's extremely difficult to bring down their costs. One of the only areas where that can happen is that staff will actually earn less, and that's certainly an argument that was being made. We have to recognize that through the course of providing child care—women are predominantly child care providers, and if this is a question of them earning less because of the efficiencies that are created, there are certain concerns that are raised about that.

There are currently thousands of unlicensed child care providers. I know this bill provides for more inspections to those informal care settings. The question is, who's actually going to perform those inspections? What infrastructure is in place? I know that the history of providing and producing these inspections isn't necessarily great. Even the complaints that the government receives to date—they're having a hard time making sure that those inspections are done in an appropriate fashion, if at all. I know media reports stated during the course of last summer, particularly when the Toronto Star was doing an analysis of this bill and of child care in Ontario—many, many cases that were provided to the ministry had gone uninvestigated or they weren't investigated properly or thoroughly. So the only way that you can actually do that is if you have more inspectors. Well, if that's the case, then we're going to be spending more on child care while actually providing less child care. We're spending more on inspectors and the whole regime behind that without actually increasing the number of child care spaces. I think that many people in the sector would say that if there's extra money in child care, we should be reducing the cost for families, and that's an important consideration that folks would like to make.

I've stated on an ongoing basis that in urban Ontario and rural Ontario, there are two different scenarios. The availability of child care, the viability of child care in rural Ontario is certainly a concern for our caucus, and members who represent rural Ontario are certainly in a position to

make those arguments persuasively. I don't live in the city of Cambridge; I live in the township that's attached to my riding, and child care is difficult to find. You actually can't find a licensed child care facility in the vicinity of where we live, so we actually drive our child to the city to get the child care that he needs. So we have to consider that there are challenges, particularly in rural Ontario, and we're very concerned about the viability of child care once these new rules are enacted.

I met with a group of early childhood educators who had a forum on both the legislation, Bill 143, and on the regulations that the ministry has changed or proposed to change. It was one of the most fascinating meetings that I have attended, because you really got a sense of what was happening on the ground and what people thought about the rules that we are creating here in this Legislature. I think it was just a very worthwhile endeavour. I would encourage all members of the Legislature, if they have forums in their ridings or in their area, to attend those forums, because it's very important to understand what's going on on the ground and what their feelings are about the changes that are being made.

One concern that was predominant in that meeting and in almost every meeting where I talked with child care providers was the fact that there was a perceived conflict of interest that's created. We have the region that is going to be the licensee—or a municipality that is the licensee. We have the municipality that's also a child care provider. We have the municipality that's also going to be the one that could potentially take your licence away. In effect, your competitor is judging whether you can provide child care in a particular area or not. That's a challenge that any business person who wants to get in the field would have to overcome, and I think it's a serious conflict of interest that needs to be rectified. How can, effectively, the one body be a provider and the judge and jury of all the other child care in the area is certainly something we need to come to grips with, with this particular piece of legislation.

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Recently, a number of emails that have come through have come from a variety of sources, particularly related to what's happening with private schools. I know that there are some challenges with respect to private schools and the disparity between what happens with grandfathered private school centres, those that aren't grandfathered and those that the Day Nurseries Act actually applies to. Their concern—the ones that are grandfathered, and I think it's a concern that we should consider—is that we should probably, if we're going to create these new rules and we're asking those grandfathered institutions to abide by those new rules, have some time period of compliance. I think that would mitigate some of the financial concern that these private schools who are providing early childhood education might have with a particular piece of legislation. Incorporating some way of managing the fiscal impact that a centre would have to provide with fire and safety, with upgrades on the premises—that alone would cost a lot of money. I think we owe them at least that, to consider a lead time.

From that sector, I think one of the most consistent messages that we are hearing right now is this approach to common and consistent pedagogy. I know that I had a delegation from our

Montessori schools, who are very concerned about the fact that we are having a common, consistent approach to pedagogy, which means that every child care centre will be doing the same thing. Well, the nature of private business is to offer something different, to offer something that might be a little different than the person next door, to offer programming and an environment that might be different. This is a big concern not just to Montessori schools, but there are also other schools that are concerned about the fact that, if there are child development experts which you're modelling your child care centre after—the fact that you have to have a common and consistent approach to pedagogy is of great concern to them. This is, again, about the business model and the business decisions people make and the models they want to follow. Having a common and consistent approach negates innovation in the child care sector that we have to be concerned about.

I think we have to look in a very finite way. This also applies to the provision that we need early childhood educators in our classrooms. Now, I'm not familiar with the Montessori model. My family doesn't use a Montessori school. But I reckon that the Montessori model does have a certain series of standards and approaches that they have to consider in order to be able to use the Montessori brand. I know that the education that those providers of early childhood education at Montessori schools also go through—a rigorous program to be able to run a classroom and facility. This bill, effectively, does not even consider that as a potential viable option. I'm not an expert on the different models of early childhood education and whether Montessori education is superior or inferior to what's happening in our colleges or universities in terms of early childhood education, but I think there are concerns that we need to recognize, and there are approaches to early childhood education that vary from place to place.

I do want to talk a little about some of the feedback that we've received from parents and providers across this great province. Anyways, I'll just go through some of the ones that I've highlighted here. For example, I've received this letter from Heather dated December 11, 2013, that makes the following claim, that “there is already an insufficient amount of child care for children under two years of age that's available. The proposal that home child care providers may care for no more than two children under the age of two years will cause a major reduction in the number of child care spaces available for toddlers” under the age of two.

I know that there are reasons and a rationale behind limiting the number of kids under two, but are we really going to go down the path of limiting and reducing the number of spaces allocated to child care in the province of Ontario by enacting this particular piece of legislation? I think we have to seriously consider the effects of that.

She continues: “What this act will do is take choice away from parents regarding the type of child care available to them. It will limit the number of available spaces for care for children less than two years of age. It will make child care more expensive. It will inadequately address safety provisions. It will punish many well-run businesses for the flaws of a few poorly run businesses which were not properly penalized for infractions. It will put many hard-working, conscientious home care providers out of work.”

And she goes on to say, “In my opinion, this act was not thoroughly thought out regarding its far-reaching effects on today’s families, on my own family.”

I think that we have to consider those comments in light of what people on the ground are feeling about this particular piece of legislation. You’re taking choice away from parents.

Creating uniformity does not provide that choice—eliminating the number of spaces for children under the age of two. If there’s no corresponding plan to increase or improve the spaces available to these children, we are potentially going to create, with this particular piece of legislation, a shortage of child care in the province of Ontario, and that concerns me greatly.

Kimberley writes, on December 11 as well, many different things. She’s an independent professional home care provider in Ottawa. She states that she has “a university degree in biology and environmental science.” Those are her words. “Growing up, the thought of working as a child care provider had never crossed my mind. After seeing the conditions in ‘good’ licensed daycare centres and home daycares affiliated with licensed agencies, my only option was to open my own home daycare if I wanted to earn a living and know my child was safe, happy and loved. I was very fortunate to have the invaluable support of the CCPRN (the Child Care Providers Resource Network) while I set up my business. They support all caregivers, including stay-at-home parents, nannies, ECEs and professional home child care providers like myself, whether we are affiliated with an agency or not. They provide workshops regarding child safety, education and development, as well as business information. Thanks to the CCPRN, Ottawa likely has the best quality of independent home child care providers in Canada.”

She goes on: “It has been six years since my first daycare child ‘joined’ our family, and it seems I’ve found my calling. I am not a babysitter. I provide a standard of care far above any centre or standard required by a child care agency. My daycare kids receive wholesome fresh foods, quality programming based on themes, friendship and love in a safe family setting in their own neighbourhood. Their parents have the peace of mind that their kids are truly safe and happy with me and feel secure working with me to help their children grow into bright, strong, secure kids that are prepared for school when the time comes.”

She goes on to say, “I am appalled at the attitude of the Liberal government towards the safety of our children. To ensure safe, quality care for all children, we must first seek out the very best caregivers. Is it that our children don’t matter? Does the work caring for our most vulnerable not deserve reasonable pay or recognition? The proposed Child Care Modernization Act does nothing to address this problem. In reality, it will make it impossible to operate a home daycare legally as a sustainable business.”

She goes on: “My daycare is open 50 hours a week. I work another five to 10 hours a week cleaning, cooking and preparing learning materials for the daycare. If I have five full-time kids in care, I’m making an acceptable income. If I drop to three full-time kids, I have to dip into savings to pay my bills.”

Mr. Speaker, I think we have to be very careful about what we're doing with this particular piece of legislation.

Let's talk about Laura, who wrote to me on December 12:

"To whom it may concern,

"I am writing this email with regard to Bill 143. I'm a parent of an 11-month-old who is currently within an at-home daycare provider from Monday to Friday. This provider has done a wonderful job making myself, as a first-time parent, feel 100% comfortable leaving my child with her. The atmosphere of the daycare is amazing. You truly feel like you are in a classroom with all the books and cubbies with their names on them and the schedule they have for growth and development. I was sad to find out about this bill and what could potentially happen to the providers out there, not just ours. I do understand that there have been unfortunate situations where children have been injured or worse, although unfortunate situations happen at home sometimes as well. I believe that as a parent, you should take the time to educate yourself on your provider for your children's safety.

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"When it comes to public daycares I do not believe they have the best quality of care for children and with this bill there will be many private providers who will have to increase the cost per day which will then not be realistic for most parents to afford to have their children within the best care. As a first-time parent I was blown away at the cost of public daycare and personally if I did not have my daycare provider that I do I would not have been able to go back to work due to not being able to afford the cost. I do know there is assistance for the cost 'should we meet the criteria' although most families do not meet those criteria, mine included."

Then there's Valerie, who wrote to me on January 28. She says:

"I provide daycare for two children of friends who wanted to place their children with someone they knew and trusted. They did not want their children in a daycare centre. These parents enjoy that I only care for a small group of children at a time. I also provide the only French-speaking daycare in my region. I offer mostly homemade meals made with organic and local ingredients. I also accept cloth diapers. I have a university degree in psychology and previously worked as a child and youth worker for the children's aid society. I am very qualified to run an unlicensed home daycare. I am therefore able to charge a premium fee for my services so that I can afford to stay at home to raise my children.

"However, I do not think it would be feasible for me to continue this form of employment based on the amendments this government is proposing. First off, I would no longer earn enough money. The agency would take part of my pay. I would no longer be able to receive the premium I charge for offering different services. I would not increase the amount of children I have in my care in order to make more money, because that would negatively affect the care my children

would receive. Also, being licensed with an agency would not be worth the paperwork headache.”

So, Mr. Speaker—Madam Speaker, now—I wanted to raise those issues because parents are coming to us with these heart-wrenching stories about the care and what this bill is going to mean to them. I don’t think we can take their concerns lightly. We have to take pause about what they’re saying on an ongoing basis. We’re talking about choice; we’re talking about a heart-wrenching decision to leave children in the care of another person, and that can only happen when you actually trust the provider that you are sending your kid to, and that trust comes in many forms. That trust may be a setting that isn’t in a public setting. It may be in a home in a neighbourhood. The connotation of having a child in a strip mall or at a school at the age of 13 months or 14 months is not acceptable to a lot of families. They want their children in the care and comfort of a home environment with other kids, with other children, where they know that their child is going to be loved and nurtured. Madam Speaker, I think we have to take a look at what this legislation is doing to families right across this province. This is a fundamental decision that parents make, one that we can’t take lightly.

Ultimately, I think we have to understand that choice is paramount. What I choose may not necessarily be what other people will choose. As I made mention earlier in my previous remarks on this particular piece of legislation, my family did choose a non-profit child care centre for our kids, but that’s not the choice that I know the member for Renfrew–Nipissing–Pembroke had made for his kids, and I know that he is probably going to comment on that choice when he gets to debate this particular piece of legislation.

If we’re really interested in increasing the number of licensed spaces in daycare, I think we have a number of things that we could do rather than pursue this bill. The red tape involved in starting up a licensed child care centre in the province of Ontario is too cumbersome. It takes two years to actually start a licensed child care centre. The thought that these home care providers, who are independent business owners, have to then become an employee of an agency in order to provide licensed child care in the province is too much to stomach for a lot of these young families who are entrepreneurs. The rule stipulating a common pedagogical approach to providing the care for these kids also is too much for many of these child care providers to take.

So I say, Madam Speaker, that we have to focus religiously on safety. It’s undetermined whether this bill will actually improve safety. I think it goes some ways in doing that. We need to protect choice. I think this bill has a negative effect on that choice, particularly if it’s trying to treat all child care providers equally. We have to look at affordability and the number of spaces available. Again, this bill significantly alters both of those particular aspects that we need to consider. I think we have a lot more work to do on this bill.

**The Acting Speaker (Mrs. Julia Munro):** Comments and questions?

**Ms. Catherine Fife:** It’s a pleasure to comment on the member from Cambridge’s analysis of Bill 143. It’s somewhat ironic too, because he referenced the issue that we dealt with in

Waterloo, where we actually tried to follow through on the original plan that was put forward by the Liberal government to create a seamless day of child care around our current infrastructure, which is our schools. To date, actually, that has been incredibly successful, creating 1,600 child care spaces at no cost to the taxpayer, and it would have been an amazing program, but the Liberal government backed off on that because of the pressure of third-party operators. I want to say, I totally understand where the third-party operators were coming from, because child care has been destabilized. There is no solid infrastructure for child care in the province of Ontario, which is why we have a shortage of spaces, and which is why parents are resorting, in some instances—and some tragic instances—to unsafe, unlicensed home care situations which, devastatingly, has resulted in four deaths of children in the province of Ontario.

I would completely concur with his comments, though, that this is about trust. If that's the question, if the question is actually, "How are we going to create more quality, accessible, affordable and safe child care in the province of Ontario?", unfortunately, Bill 143 does not get to that issue. It does modernize the Day Nurseries Act, and the Day Nurseries Act needed to be updated because there were some serious issues with that piece of legislation. But when you listen to the informed voices on this issue, their primary concern, their two big questions, are (1) "How will this affect operator viability?" and (2) "How will this affect health, safety and well-being of children who are in those centres?" Those are two outstanding questions. We'll get to committee. We'll try to address those.

**The Acting Speaker (Mrs. Julia Munro):** The Minister of Education.

**Hon. Liz Sandals:** I'm very pleased to respond to the member from Cambridge. I just wanted to recognize that Andrea Calver from the Ontario Coalition for Better Child Care has joined us in the gallery.

I wanted to start by setting a little bit of context here. When we introduced full-day kindergarten, there was actually a broader plan around that. We said we're going to have full-day kindergarten for four- and five-year-olds. That will be completed this September. Where schools have full-day kindergarten, they must also, if parents request it in sufficient numbers, have before- and after-care. As the member from Kitchener–Waterloo noted, some boards have opted to do that directly. Many boards have opted to do that through third-party operators. But the bottom line is that 62% of schools that already have FDK at parent request also have before- and after-care, and that number goes up each and every year.

That leaves the issue of before- and after-care for six- to 12-year-olds, and some form of programming being made available is included in this bill. Then the other piece is, how do you address the viability of the operators that remain in the community? In many cases, they've had the kids that were four- and five-year-olds move on to FDK, and there's a separate initiative, which is a regulation under the current Day Nurseries Act, looking at trying to improve the viability for those operators who remain in the community. So there's quite a range of things that are going on here. It's important to understand them all.

The member mentioned rural child care, and that's really related to the regulation. I will—

**The Acting Speaker (Mrs. Julia Munro):** Thank you. Further comments.

**Mr. John Yakabuski:** It is a pleasure to comment on my colleague from Cambridge's speech earlier in the day. He actually mentioned me, so I thought I'd better at least respond in some way. He is right that there are some concerns with safety in some of the institutions and some of the people offering daycare today.

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Our experience has been that that choice was so important. Early on, we were both working, and our children were babysat in Barry's Bay by Maryann Yarascavitch. We couldn't have asked for better. We moved to Wilno a couple years later, when Zachary was five, Heidi was three, and Emily and Lucas were not yet born. From the time we were in Wilno, our neighbour Georgine Lorbetskie looked after the children when we weren't there. I'll tell you, we could not have found any better daycare on the face of the earth. Georgine took such a tremendous interest in the kids; it was unbelievable. Sometimes we almost felt guilty that they got better care from Georgine than they got from us. It was just that she had that much love and interest in their upbringing and their welfare. My daughter Emily is probably going to be mad if I mention this, but Georgine took it upon herself—because she had to start the process—and I think she had Emily trained shortly after her second birthday. That's pretty darn good, and it's just because she was such an interested and attentive caregiver.

So the question of choice—and was she licensed? No, she was our neighbour. We lived next door. How convenient is that, to get the best daycare in the world and you only have to walk your children over to the next house? We were very fortunate in that regard, and we're very thankful for the assistance that Georgine provided. We were more than neighbours; we were friends. To have somebody like that—or maybe not to be able to have somebody like that because they would have to go through a licensing process, would be something that I would think would be unfair. We have to look at this whole situation, and make sure that choice is available and that—

**The Acting Speaker (Mrs. Julia Munro):** Thank you. The member for Davenport.

**Mr. Jonah Schein:** I'm really happy to speak today to Bill 143 and also welcome Andrea Calver from the Ontario Coalition for Better Child Care to the Legislature.

This is a debate that we need to have in Ontario when it comes to child care. When I speak to residents in my community, we have younger people moving into our neighbourhoods, people who need child care. Quite frankly, when I speak to people, they have no idea how they are going to pay those bills. So it baffles me that it has taken this long to start to debate these issues here.

What I do hear from the government, unfortunately, at times, as boasts—I hear ministers here, on the government side, speak about how they've spent the least per capita, the smallest investment per capita, of any province in Canada in our social programs, and we pay that price in our communities. When we look at how we are going to reduce poverty in this province, the best anti-poverty program we could ever imagine would be an affordable child care system. This bill does not speak to this issue. In fact, this bill is increasing child care spaces only by lessening the regulations, saying that it's okay to have more kids in care. It is kind of unthinkable that this would happen at the very same time that we continue to see kids die in child care. As somebody who is expecting my first child this month—

Applause.

**Mr. Jonah Schein:** —thank you—I couldn't be more excited for what's about to happen but also more terrified. We have one year to figure this out. Who is going to take care of this child that we already love so much? To think that there just aren't choices available for where that child is going to be safe and where we can actually afford to get the care that we need—every family deserves that child care.

If we look to Quebec, we know that we can have a publicly funded child care system that puts families first and lets people go back to work and have good care for their children.

**The Acting Speaker (Mrs. Julia Munro):** The member from Cambridge has two minutes to respond.

**Mr. Rob Leone:** I want to thank the members from Kitchener Centre, Renfrew–Nipissing—sorry, Kitchener–Waterloo; I made the mistake to you as was made to me—Kitchener–Waterloo, Renfrew–Nipissing–Pembroke and Davenport. I want to also thank the Minister of Education for taking the time to listen to debate on Bill 143. I think it is important that the minister listen to the concerns that we are going to raise, concerns that—in four minutes, I've heard the NDP echo some of the concerns that we've made, and we have added to those.

I think viability and cost are certainly very important questions in our child care system, ones that we have to come to grips with. There are no easy solutions. I think that there are, actually, a lot of difficult solutions and decisions that need to be made.

But what I want to restate in the minute that I have left is that we have to be, obviously, unapologetically in favour of child safety. That is a very important aspect of our approach to this piece of legislation. I don't want it to seem that by making the suggestions that we're making, safety isn't a concern to us, because it very much is.

But we are also concerned about choice, about affordability and availability of child care that this bill certainly challenges. I think that we owe it to our constituents to have a thorough debate on this particular issue. It's not going to go away.

I know full-day kindergarten, as the member for Kitchener–Waterloo stated, challenged the business model of child care in Ontario. It did so in a very huge way that we have yet to really consider, just because the business model of child care relied upon providing care for four- and five-year-olds that no longer is there. Now this bill is talking about what we're going to do with six- to 12-year-olds in addition to four- and five-year-olds. These are challenges that we have to come to grips with.

We have to ensure that there are spaces available and these businesses are run properly.

**The Acting Speaker (Mrs. Julia Munro):** Further debate?

**Mr. Peter Tabuns:** I appreciate the opportunity to rise today to discuss this bill, and, as my colleagues have acknowledged, to welcome Andrea Calver here. She and the Ontario Coalition for Better Child Care have been, well, I guess “relentless” is a fair word, in the work they've done to try and improve the situation of children, of parents and of child care providers in this province. I have a number of points that were raised by the Ontario Coalition for Better Child Care that I want to address this morning in my speech.

As you are well aware, Speaker, and as everyone in this House is well aware, families in Ontario feel squeezed. They feel squeezed because, in fact, they are being squeezed. One of the most significant pressures facing young families is the cost and availability of child care. Parents get frantic about finding a waiting list that's open and is not 10 years long. They are concerned about the cost because, frankly, at going rates of \$1,000 and up per month per child, if you've got two or three children in care, you are paying an extraordinary amount of money. And they worry about the safety of their children. There's no getting around it. We have seen deaths in child care provider situations—and I'll address that further as we go in—but, certainly, every time a parent opens a newspaper and sees the death of a child in care, that parent is profoundly shaken. Even if they have confidence in their own provider, they second-guess themselves: Am I really observing what is going on accurately? Did those other parents make a mistake? What's the reality here? This is an anxiety in addition to the cost and availability that I believe we are called on, as a government—as a Legislature, more to the point—to address.

In my own riding of Toronto–Danforth, we have nearly 10,000 families with 15,000 children. That includes 7,000 kids ages zero to five, and over 4,000 kids under age 14 live below the low-income cut-off. That's approximately 28% of the children who live in my riding. That's a lot of children in poverty, in need, and whose families face multiple stressors, child care—or lack of it, more to the point—being one of them.

Approximately 2,500 single-parent families are in my riding, with median incomes of less than \$30,000 per year. Large numbers of people are facing very difficult circumstances.

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In the minister's opening remarks at second reading, she said, "Ontario's children and families cannot wait any longer.... They cannot wait for us to strengthen oversight in the child care sector. They cannot wait for access to safe, modern care that gives children what they need most."

In this, I agree with the minister: Families—parents and children—cannot wait. But I am not sure, and my colleagues are not sure, that the bill, as it's currently written, actually addresses the problems that we see in the child care sector.

The Ontario Coalition for Better Child Care issued a statement on February 28, 2014: "Ontario needs a stronger system of public and not-for-profit child care: Let's do it right!"

They talk about the proposed amendments to regulation 262. I have to say, Speaker, for those who are watching this debate, that what we have before the Legislature is a bill, but what is being considered as well by the minister and the Ministry of Education are regulations that would have substantive and far-reaching impact on the quality of care in this province that are not here for debate but will affect this bill in its deployment and will be of great consequence to children, child care providers and parents across this province.

So I want to quote from the Ontario coalition's statement. They recommend that the "following actions be taken prior to implementing any regulatory changes:

"(1) A full review of the issues facing early learning and child care programs, with an opportunity for information-sharing and consultation with academics, sector leaders and families." I think they're quite correct in saying that there needs to have been a broader range of discussion on these changes to the regulation.

"(2) A full review of the infrastructure of the early years sector and the required supports to build capacity and quality in order to implement change in a consistent, thoughtful manner."

Speaker, when we pass bills in this chamber, we give a government a set of guidelines, a framework within which they can operate. But frankly, any given bill is not enough to make the change that is needed in broader society. It's a question of the policies that come with that bill, a question of the budgets that come with that bill, and a question of planning, strategies and implementation to make a change from one system to another. Having gone through some of the chaos around what I felt was poor implementation of full-day kindergarten, my hope is that there will be some clearer, thought-out strategy in taking another step forward in dealing with the child care system.

The Ontario coalition goes on to say:

"(3) Acknowledgement of the current underfunding that exists within our sector with announcements of further funding to address this shortfall."

It's interesting for me, as the energy critic and as the education critic, to deal with our huge system of electricity supply and to deal with our primary and secondary schools. I see stresses and strains in both those areas, but it's when I come to the child care sector where I see a whole system held together with paper clips and rubber bands. It is a deeply under-resourced sector and one that has extraordinary thinness on the ground: If you take out one part, there's no extra part to fill in. This is a sector that is constantly under strain. I've heard it from parents and I see it when I go to child care centres to talk to the people on the non-profit boards and their staff who are trying to figure out how to make next year's budget work. They do extraordinary things with very limited resources. But in the end, to deliver a system as broadly as it needs to be delivered with the quality that our children need and deserve, there's going to have to be more investment in that system.

The Ontario Coalition for Better Child Care goes on to say:

“(4) Further, we believe that legislative and regulatory changes should not be implemented to save money but based on the articulated principles outlined in the early years policy framework. Building an early learning and child care system on these principles will make positive change for the children and families of Ontario. It will also respect the important work of our registered early childhood educators.”

I think, frankly, Speaker, it's incumbent on all of us here to take in the recommendations of the Ontario Coalition for Better Child Care and to have them shape our approach to this bill, to the regulation that is being considered in other forums, and to keep it in mind when we go to clause-by-clause debate on this bill.

The lack of affordable, accessible and safe child care spaces can be expressed in a variety of ways, and I just want to go through some numbers. As of 2012, Ontario's median monthly child care fees were \$1,152 per month for an infant, \$925 per month for a toddler and \$835 for a preschooler. But note, infant care fees can be as high as \$2,000 per month. Child care can easily cost parents \$60 a day, over \$10,000 a year.

In Ontario right now, there's a regulated full- or part-time centre-based space for about 20% of children under age five. Only 14% of children under age 13 have access to licensed child care options, according to Ontario Coalition for Better Child Care; 25% of child care is owned by private for-profit organizations. There are approximately 10,000 licensed spaces for infants under 18 months, but according to the ministry's own figures, approximately 43,000 children under the age of 12 months enter child care each year and another 55,000 enter child care after 12 months of age. This means that at least 98,000 infants are competing for just 10,000 licensed spaces each year: one space for every 10 infants.

Last summer, there was a meeting in my riding of the parents of Children's Circle child care. Children's Circle has been in operation for decades. It provides child care for toddlers. It provides child care for school-age children. It supports Jackman and Withrow schools in my riding. It's generally recognized as one of the highest-quality child care centres in Toronto.

That child care centre is dealing with the implications of full-day kindergarten. I want to be very clear here: We like the initiative for full-day kindergarten. We think it is a useful addition to child care options in this province. Nonetheless, Children's Circle was dealing with this issue, and part of the way that they were going to deal with balancing their books was expanding into infant care. There was some dispute with the city over the funding of that infant care, ultimately resolved to everyone's satisfaction. But I have to tell you, the parents in that room who were there at the prospect of infant care, not even a full commitment yet—it was extraordinary. They were desperate. They knew that they had to have care. They had been looking everywhere, and so any glimmer of hope that there could be good-quality infant care available to them was something that they chased with all the strength they had. The suggestion at some point in the meeting that the infant care might not go forward had a huge emotional impact.

We are addressing an issue where people have very high stakes before them in their lives: the ability for people to continue to pay their mortgages and rents, the ability for people after maternity or paternity leave to go back to work. We need to be able to address this question of available, high-quality child care, affordable child care for parents of infants.

I have to say, Speaker, as my colleague from Davenport was saying, I see a large demographic shift in my riding. Every year I go door to door. It takes me about two years to go through my whole riding. A few years ago, I came across a section of my riding that I christened the baby belt because it was a long series of streets between Sammon and Mortimer where I was hitting baby buggies on every second or third porch and new parents throughout. I was pretty impressed. I thought this was amazing. We've had a big demographic shift. Older families have moved on, and we've got all these new parents coming in. In the last month and a half, as I've gone door to door in my riding, outside the baby belt, I've found an incredible number of newborns at the door. And I want to say to those in the child care sector that if my riding is in any way representative of what's going on in Toronto or Ontario, we've got another wave of kids coming forward. It is baby time.

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There are 33,000 licensed spaces for toddlers, ages 18 to 30 months, in Ontario. There are 103,000 licensed spaces for preschoolers. So we have a huge, informal, unlicensed sector. Currently, it is the bulk of child care in this province. It's an important source of income for those who provide that child care. My hope is that we will be able to license almost all of these providers so that we can avoid the kinds of problems that we've seen in this province and the problems that I'll be describing as I go through my speech.

But we are going to need a strategy to get from here to there that is much less disruptive than the process we went through in the implementation of full-day kindergarten, where operators and principals didn't know what was going to happen next. There was not an adequate process of consultation and an adequate process of communication. All of us want supervised child care. We want safety for our children and assurance for our parents. If we're going to get there without having everyone pull their hair out, we have to have a strategy for making that transition.

**Interjection:** Smooth transition.

**Mr. Peter Tabuns:** Smooth transition. Thank you.

There is a daycare subsidy waiting list in this province that is too long. Parents in many parts of this province, including Toronto and Ottawa, need to put their names on the subsidy waiting list as soon as they learn they are pregnant if they want to have any hope of getting a subsidy by the time they return to work, and even then.

In Toronto, as of November 2013, there were only 3,600 vacant licensed spaces, but over 17,800 names on the waiting list for a child care fee subsidy. In Hamilton, as of last month, there were 1,028 kids on the subsidy wait-list. Speaker, my guess is if you went to any other urban centre—Niagara Falls, for instance, or Kitchener–Waterloo, London—you would find similar wait-lists and people in similar difficult situations. Those people who need those subsidies are in great difficulty. Those who are making more money, with difficulty, can pay the \$1,000 a month. Those who are working at precarious work or otherwise low-paid work are facing huge difficulties if they want to ensure their children are properly looked after.

Another issue that needs to be addressed in this sector is low wages for staff. Low wages and not enough opportunity for advancement are serious problems affecting the child care sector. According to the Ontario Coalition for Better Child Care, the average wage of a child care worker is just \$16 per hour. In the words of the Association of Early Childhood Educators Ontario and the Childcare Resource and Research Unit, “The child care workforce, earning low wages and benefits, is already struggling in an environment offering little support.” This poses significant challenges for recruitment and retention of qualified, educated and experienced staff. Frankly, Speaker, I hear that when I talk to people who run non-profit child care: that they have people who are capable but always on the lookout for better work because they find it very difficult to live on the wages that they are being paid. This is an issue that we’re going to have to address. We’re talking about the people who have charge of our children, who have responsibility for helping those children develop, learn and grow their ability, socially and intellectually, and get paid at wages that are very difficult for them to hold together home and family.

Part of what has sparked this situation, part of what has sparked this bill and debate on this bill, is the reality of child deaths in child care centres in unlicensed care.

On July 28, 2010, two-year-old Jérémie Audette drowned at an unlicensed daycare in Ottawa. Jérémie was brought by his private home daycare provider to a group outing at another home care provider’s backyard. The inquest heard there were about 30 children and four to six adults at home. Jérémie’s death was ruled accidental, but the 2012 inquest made a number of recommendations about how to make unlicensed child care more safe for children.

The inquest jury made 16 recommendations, including the following—and I believe, Speaker, that we should keep these in mind as we go back to review this bill and consider it on a clause-by-clause basis:

- (1) The ratios of adults to children should be the same at unlicensed home child care providers as at licensed providers.
- (2) All unlicensed private home daycares, regardless of licensing, should be registered with the ministry. The registry would enable all child care providers to be informed of any changes in the Day Nurseries Act, safety notices or training.
- (3) All registered daycares, including unlicensed private home daycare facilities, should be subject to unannounced safety inspections.
- (4) That, as part of registration, private home care operators must demonstrate that they possess current, appropriate first aid and CPR training to respond to potential emergency situations.
- (5) For special outings, private home daycare operators must obtain written permission from the parent at least one day in advance.
- (6) That the ministry shall establish additional criteria for staff-child ratios for off-site excursions to ensure that all children are properly supervised “in an environment of increased risk.”
- (7) That the Ministry of Education publish information regarding the differences between licensed and unlicensed private home daycares—and make it available at libraries and medical facilities.
- (8) Unlicensed home daycares should be forbidden from having pools.

Those recommendations should be on our minds as we go through and reshape this bill in committee.

In January 2011, 14-month-old Duy-An Nguyen died in an unlicensed Mississauga daycare. The provider was charged with murder.

On July 4, 2013, Allison Tucker, aged 2, was found dead in an unlicensed child care in North York. Her provider is now charged with manslaughter, and the case is before the courts.

Two-year-old Eva Ravikovich died in July 2013 at an unlicensed home daycare in Vaughan. The daycare was illegally overcrowded. There were at least 35 children registered at the Vaughan daycare, and when police arrived, they reportedly found 27 children. The ministry had failed to investigate four complaints. Eva’s parents are now suing the Ministry of Education, alleging government negligence was a factor in Eva’s death.

In January 2014, the ministry asked that the lawsuit be dismissed. In the notice of motion filed with the court, the ministry says it “does not owe the plaintiff a duty of care” because that facility was unlicensed and unregulated.

In November 2013, a nine-month-old baby, Aspen Juliet Moore, died at an unlicensed child care facility—the third death in unlicensed child care within the past year.

The minister should seriously be considering establishing a registry so that we have a central repository for tracking these deaths. To my knowledge, that sort of tracking does not happen now. But beyond that, we need to be taking the action necessary to make such a registry something that is very rarely used, something that doesn’t have to be used regularly because those deaths are avoided.

The ministry does not appear to have the resources necessary to respond to complaints and make investigations. In August 2013, Minister Sandals admitted “that the ministry did not respond to all previous complaints made against this unlicensed provider”—the one I’ve just referred to—“as is the normal policy of the ministry.” Two ministry officials were suspended. In fact, the ministry failed to respond to 25 out of 448 complaints about overcrowded, unlicensed daycares over the 18-month period prior to Eva’s death.

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In October 2013, Halton regional health officials said they still don’t know if the Ministry of Health takes any action when they forward complaints about child care facilities. Do they pass those on to the Ministry of Education?

I have to say that if we can’t even investigate the complaints that have been made, what does that say about the ability to go beyond complaints that are made and keep track of what is going on in the sector as a whole? It says to me that the resources aren’t there and that it poses a situation of risk for the children and families of this province.

On July 12, 2013, the member for Hamilton Mountain wrote to the Ombudsman to “request ... an investigation into the adequacy of the government of Ontario’s protection of children in unlicensed child care operations.” Ombudsman Marin is currently probing the ministry’s handling of child care complaints. His review is expected to be completed soon, and we look forward to examining the results of his investigation.

I want to thank Monique Taylor, the member for Hamilton Mountain. She has been a loud, strong voice for children and parents and for daycare providers in this House, and I think all of them appreciate the fact that she did make this request to the Ombudsman, and we are very pleased that the Ombudsman is taking action.

On inspections—a bit further: Licensed centres are monitored by provincial personnel on an annual basis, but inadequate oversight of unlicensed child care is a major problem. The ministry

doesn't track unlicensed daycares and is only supposed to visit them if someone formally complains.

In 40% of cases of complaints about unlicensed home daycares, inspectors found that the providers were in violation of the Day Nurseries Act because they had too many children in their home, that is, more than five under the age of 10.

Lack of inspectors is one of the main problems. There were only 54 child care inspectors as of the end of 2013. Ministry documents show some investigations were carried out over the phone. Somehow, I find it hard to believe that an investigation carried out over the phone would be adequate for the problems before us and the risks before us. The ministry investigated 289 complaints in the year prior to the death of Eva Ravikovich but levied only one fine, for a total of \$1,500.

Speaker, the lack of inspection capacity shows not just with unlicensed child care but also with licensed child care, and I just want to bring the attention of members of this House to an article that was published on September 3, 2011, in the Toronto Star. I'll just quote Laurie Monsebraaten:

“An award-winning daycare in Markham has had its licence suspended after three toddlers walked out of the playground undetected, crossed a busy parking lot and entered a neighbouring drugstore.

“A subsequent investigation by the Ministry of Children and Youth Services found that the children were being underfed and that the centre's supervisor was not qualified.

“Three staff were supervising 11 children on the morning of August 16 when the incident occurred.

“After the toddlers—ranging in age from 18 to 24 months and still in diapers—wandered out of sight, five other children also escaped from the playground through an open gate. But the five were rounded up before they got very far”—

**Interjection:** It was a jail break.

**Mr. Peter Tabuns:** It was a jail break.

Local business owners responded very responsibly. They rounded up the kids, they called the police and they made sure a report was written by the police before they turned the children back over to the child care centre.

The ministry told the owner to hire a new supervisor. There was, in that time, in 2011, a notice posted on the door. The children were gone for about 12 minutes before staff were sent out to retrieve them. Now notably, the daycare opened on June 10, 2009, and won the Markham

Economist and Sun's reader choice award for the best child care two years running. I think, Speaker, this illustrates the fact that parents can't always tell with certainty what is going on in a centre. There's a reason that we need capable inspectors who know what to look for, because a friendly person with good presentation in many cases can give a sense to a parent that things are all right, when in fact there are substantial problems. Note that the ministry inspected that same daycare in June and gave failing grades on 12 points.

The inspections were done. It's not clear to me that the parents were made aware that the centre was falling below the standard that has been set in Ontario law. Frankly, if I can go to a restaurant and see whether it's got a pass/fail from a health inspector, I think parents should be able to know, when they go to a child care centre or a home care centre, this operation has been inspected and it is acceptable and in compliance with the law.

One of the biggest issues that's coming up around the regulation that's coming forward at the same time in this bill has to do with increasing group sizes. The bill increases the maximum number of children in licensed home care from five to six, and as many as 12 children under the age of two can receive care from two providers working together. The concurrent proposed regulation changes will increase the size of groups for younger children. Children as young as 13 months will be able to be in groups of five kids to one staff member, which is an increase in group size of 66%. This is very concerning to parents and the child care advocacy community. This bill debate is really our only chance to talk to this regulation, which is of great consequence.

I want to take a few statements from briefing notes that have been put out by the Child Care Resource and Research Unit. People will be familiar with the name Martha Friendly, who has been an advocate for child care for decades and, frankly, widely respected and someone who, when she speaks, everyone involved in the sector should be sitting up and listening to. She writes: "Why is child care quality important? Child development research makes it clear that the importance of quality of early childhood programs cannot be overstated. If children are to benefit from them, early childhood education and child care programs must be high quality; poor quality early childhood education may be negative for children."

She goes on to say, "While no one structural feature alone can predict quality, the research shows that staff-child ratios (adults to children) are one of the most important elements of quality, especially for younger children. Overall, the research finds that fewer children per adult ... are associated with higher global quality scores; more interaction between staff and children; more responsive caregiving; better academic, cognitive and social outcomes."

And ratios have a direct impact on the staff themselves—on working conditions, on the morale, on the ability of people to be recruited and retained.

"The research also shows that it is particularly important for younger age groups—infants and toddlers—to be cared for in child care settings with better ratios and group sizes."

The child care research unit goes on to look at the proposed ratio-to-group-size changes and what it means for young children. Currently, “An infant between one and one and a half years may not be walking or eating independently and is likely to be in diapers. She is currently in an infant room with nine other babies and three adults, at least one with ECE training.” What’s proposed: “Under the new ratio/group sizes: She could be in a room with 14 other babies, between one and two years, with three staff, at least one with the ECE training.”

I’ve been in rooms with large numbers of 12-month-olds.

**Ms. Catherine Fife:** It’s chaos.

**Mr. Peter Tabuns:** Yes, chaos is a correct description.

When people who work in this field, who do the academic research, who are in touch with child care centres, warn loudly that these ratios are highly problematic, we need to pay attention to that. The minister needs to pay attention to that.

Another example: Currently, “A toddler between two and two and a half years is in diapers or toilet training, walking but not yet cautious about danger and not yet comfortable with always ‘using words’ to settle a dispute about a toy. He is now in a toddler room with 14 others between one and a half and two and a half years with three staff, (at least) one with ECE training.

“Proposed: Under the new ratios/group sizes, he could be in a room with 23 other toddlers and preschoolers between two and four years with three staff, two of whom are ECEs, or in a room with 15 others with two staff, (at least) one with ECE training.”

Speaker, those are very substantial changes in ratio.

It’s been interesting to me to not only have people like Martha Friendly express concern about these ratios, but frankly having unlicensed providers who have had a long history in my riding providing care in their homes come in and say, “I don’t work in those centres, but that ratio doesn’t look like it works. I deal with a lot of infants; I deal with a lot of toddlers. That would be very, very difficult for anyone to manage and I can’t see it working for those children.” So it’s not only those who have a long history of fighting for child care and understand the ramifications of change in ratios from an academic and a daycare management perspective, but also those who, on a day-to-day basis, are working with children and have a sense of what 15 one-year-olds in a room means.

With all the challenges facing parents in this province, we have a duty to ensure the bill addresses these problems and increases access to affordable, safe child care for Ontario families. New Democrats will ask: How does this bill protect kids in unlicensed child care operations? How does this bill provide assurance to parents that their kids will be safe for six, eight or 10 hours every day? How does this bill ensure that every complaint received is acted upon? How does this bill ensure that the ministry never acts negligently towards children in care again? How

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do we ensure that no more children will die in licensed or unlicensed child care facilities in this province? Those are the questions that we're going to have to answer. If there aren't good answers in this bill, then we have a duty to amend it when it gets to committee stage, to ensure that we can keep children safe.

Speaker, you look like you want to speak.

**The Acting Speaker (Mrs. Julia Munro):** Well, I just thought that perhaps this was a natural conclusion.

Second reading debate deemed adjourned.

**The Acting Speaker (Mrs. Julia Munro):** It being close to 10:15, this House stands recess until 10:30.

The House recessed from 1013 to 1030.