

PRINCE EDWARD ISLAND LEGISLATIVE ASSEMBLY



Speaker: Hon. Kathleen M. Casey

Published by Order of the Legislature

Standing Committee on Community Affairs and Economic Development

DATE OF HEARING: 9 JANUARY 2008

MEETING STATUS: PUBLIC

LOCATION: POPE ROOM, COLES BUILDING, CHARLOTTETOWN

SUBJECT: SUNDAY SHOPPING

COMMITTEE:

Robert Henderson, MLA O'Leary-Inverness (Chair)
Jim Bagnall, MLA Montague-Kilmuir
Paula Biggar, MLA Tyne Valley-Linkletter
Michael Currie, MLA Georgetown-St. Peters
Sonny Gallant, MLA Evangeline-Miscouche
Robert Mitchell, MLA Charlottetown-Sherwood
Janice Sherry, MLA Summerside-Wilmot
Buck Watts, MLA Tracadie-Hillsborough Park, replaces Cynthia Dunsford, MLA Stratford-Kinlock

COMMITTEE MEMBERS ABSENT:

Doug Currie, Minister of Health, Social Services and Seniors

GUESTS:

Roy Doucette (Labour Relations Officer); PEI Chamber of Commerce (David Hooley, Don Reid); TIAPEI (Don Cudmore, Adam Doiron, Judy MacDonald); Tourism PEI (Chris Jones); PEI Federation of Labour (Carl Pursey, Blair Penny)

STAFF:

Melissa Keefe, Committee Clerk
Ryan Conway, Research Officer

The Committee met at 1:45 p.m.

Chair (Henderson): Okay, I guess we'll call our meeting of the Standing Committee of Community Affairs and Economic Development to order.

I'd like to welcome everybody back after our little hiatus, I guess, during the Christmas holidays. Now I guess we're having an opportunity to get back and discuss more of these issues around Sunday shopping which we are mandated to make a presentation to the Legislature on in the spring setting.

So we have an agenda. Everybody has an opportunity to have a copy of the agenda. Do we have an approval for the agenda?

Mr. Gallant: So moved.

Chair: Moved by Sonny Gallant.

Okay, on our agenda, our first item is Roy Doucette, Labour Relations Officer. Maybe we could ask Roy to kind of come forward and we'll have the opportunity to hear your submission. The committee has the opportunity to ask some questions. Whether you want them to ask questions during your submission or after, I'll turn the floor over to you.

Roy Doucette: After probably may be better, Mr. Henderson.

Chair: Okay.

Roy Doucette: Thank you for your invitation to the committee.

From a labour perspective, the *Employment Standards Act* is the act which coincides as such with the *Business Retail Holidays Act*, which was enacted in March of last year. As far as a departmental perspective on the legislation and what impact it's had at least

on our resources and the number of inquiries we've had., there have been virtually between 20 and 30 phone calls from employees who were concerned about the fact that they may have to work on Sunday.

Now as you are probably well aware, the legislation when it was designed was to protect those employees who were employees at the time that the legislation was enacted. So they were grandfathered in, and so if they chose not to work on Sundays they were certainly permitted to do so. So those are the types of inquiries that we had.

For everybody else then, of course, after that that was hired, then it became a condition of employment. So if you wanted to work at whatever store it happened to be, then it was a condition of employment that you may be required to work on Sundays.

The other part of the act that coincides with this as well is our *Day of Rest Act*, which states that every employee is entitled to one day off in seven and, where possible, that day shall be Sunday. So again, we have legislation in that area and although it is restrictive in that it does say: And where possible, that day shall be Sunday.

Some of the phone calls that we did get did prompt us to contact some of the major employers within the province because this seemed to be the focus of where you're a large employer, naturally you wanted experienced people if you were going to be open on Sunday afternoons from 12 o'clock until 5 o'clock or whatever hours the employer chose.

As a result of that, these employees felt somewhat intimidated simply because the story they were getting from the employer was: If you don't comply with working on Sunday, then what is going to happen is your hours of work are going to be reduced or something else will take place and so on and so forth. So there was some intimidation

and threats from the employer community. Luckily enough for us, it was restricted to three major employers in the province. So after I did take note of the complaints - I did not do it on a name basis - I simply called the employers on an anonymous situation saying: We've got issues from a departmental perspective that we know that your managers, supervisors, lead persons, whatever, are informing the staff that if they don't work on Sunday, here's the repercussions. So when that took place we certainly got a hold of the human resource directors for these companies and explained to them that that was a form of intimidation to these employees who were grandfathered in and so that would not, under our legislation, be permissible.

Fortunately, all of the companies did comply. We've not had an inquiry since where any senior employees or employees who have been grandfathered in have been subjected to any further innuendo or threats. So that, basically, Mr. Henderson, is pretty well the labour perspective on Sunday shopping and the impact it's had.

Over the last several months since, probably, we've generated certainly some interest in March, April and May, but since that time there have been very few inquiries about Sunday and the need to work.

Chair: Okay.

Any questions for Mr. Doucette?

Jim Bagnall.

Mr. Bagnall: This is not relating to that. Will you take one anyway?

Roy Doucette: Pardon?

Mr. Bagnall: It's not related to Sunday shopping, but will you take it anyway?

Roy Doucette: Sure.

Mr. Bagnall: There's been a lot of people and a lot of pressure on raising the minimum wage standards across the Island.

Roy Doucette: Yes.

Mr. Bagnall: The figure it should be a \$10 base minimum wage increase. How's your feeling on that as from the department of labour? Do you support that or are you opposed to it?

Roy Doucette: It really isn't my position to support or oppose. At the end of the day, the Employment Standards Board is charged with that responsibility of recommending to government whether or not minimum wage should or shouldn't increase.

I know there's been, as you stated, a lot of pressure for a livable wage, which would be \$10 an hour. As you see in the other provinces, some of them are certainly moving towards that end. They're doing it in phases, stages, whatever, and they plan to do it over a number of years. I think there's been one province in the western part, Saskatchewan probably, who have now passed legislation which will see it move and in 2010 hit a livable wage of \$10 an hour. At that point in time, it will be tied to CPI, be tied to an index.

Mr. Bagnall: Are you working on that at the present time, putting some recommendations together?

Roy Doucette: Well, at this point in time, certainly the Employment Standards Board is charged with the responsibility of making recommendations to government, and they have met. Where those recommendations are or what may be recommended I have no idea at this point in time, but certainly the Employment Standards Board is mandated to meet once a year and to give suggestions or recommendations to government with respect to minimum wage.

Mr. Bagnall: Okay. I think there's already plans for - isn't the plan in there for a certain percentage raise again this year if nothing changes?

Roy Doucette: Yes. Well, again -

Mr. Bagnall: Which was put in place a year or two ago I think for a three-year phase.

Roy Doucette: Yeah. The situation - we're still at %7.50 and until government deals with whatever the Employment Standards Board has recommended, but certainly there will be a recommendation coming forward from the board from that committee.

Mr. Bagnall: That'll be spring, right?

Roy Doucette: Pardon?

Mr. Bagnall: Will that be in the spring? When does that -

Roy Doucette: It's hard to say. Again, they'll make their recommendation as to timing. Traditionally, what's transpired with respect to minimum wage increases, we give them a six month lead time simply because of the tourism sector and other sectors who have probably already budgeted for the coming year. But again, I can't speak for the administration when it will come about.

Mr. Bagnall: But it's normally around April, isn't it, that it's been coming lately, (Indistinct) of April?

Roy Doucette: For the last, yeah, the last three increases were in April 1 of each year, but they were given as well six months' lead time even for the first increase.

Mr. Bagnall: So has anybody been given any lead time right now for an increase for April?

Roy Doucette: At this point in time, it being January - again, I don't know. The

administration may take the recommendation and put it into force as of the first of April or later. I really can't speak to it.

Chair: Maybe for the benefit of the committee, could you give us a little bit of an idea about the composition of the Labour Relations Board as far as - are there five people on that particular board?

Roy Doucette: Yeah, sorry. There's the chair, vice-chair, and then there's six members; three representing management, three representing employees, yes.

Chair: Okay.

Ms. Biggar: And who would that be?

Roy Doucette: The chair at the present time is Don MacCormac. The vice-chair has just been appointed, not sure of the name. Sorry, I stand to be corrected. These appointments have not yet gone through, but some of the members have already met with respect to minimum wage. Now I don't know just where they're at with all of it.

Ms. Biggar: Fine. What's the scope of your mandate?

Roy Doucette: The scope of the mandate of the Employment Standards Board?

Ms. Biggar: Yes.

Roy Doucette: It's minimum wage as well as it acts as a tribunal when there are issues whereby as officers we deem an employer to be owing wages on paid vacation, pay in lieu of proper notice, whatever. They also hear those complaints.

Ms. Biggar: Thank you.

Roy Doucette: As far as the appointment issues are -

Chair: Robert Mitchell.

Mr. Mitchell: Just one quick question in regards to - I know you said you received some calls from those that would have been grandfathered in under the clause. Would there have been any calls back when the four Sundays before Christmas started? Did you receive any calls in regards to any issues at that point in time?

Roy Doucette: No. Like I say, the traffic really was from March until about June, July sort of thing, and then after that, very seldom a call with respect to Sunday shopping. It just did not seem to be an issue.

Mr. Mitchell: Okay, thank you.

Chair: Okay. Are there any other questions?

Okay, we thank you very much for your presentation, Mr. Doucette.

Roy Doucette: You're quite welcome, thank you.

Chair: Our next speaker up is David Hooley, representing the PEI Chamber of Commerce. We'll give him a little time to get set up and move on.

David Hooley: Thank you, Mr. Chairman, and members of the committee. Good to be here.

With me is Don Reid who is our vice-chair of the PEI Chambers of Commerce. Some of you probably know Don with his tourism Don hat on. He wears a variety of hats. Today he's wearing the hat as vice-chair of the PEI Chambers of Commerce. My name again is David Hooley and I am the chair currently of the PEI Chambers of Commerce.

Mr. Bagnall: You're in good company because he's a Bedeque boy and any Bedeque boys are good company.

David Hooley: (Indistinct). So I have circulated a written presentation and my remarks will generally follow that, and any questions at the end are certainly welcome.

The first couple of paragraphs, I just gave a little short history of what is the PEI Chambers of Commerce to give the committee some sense of from whence we come, what are our grass roots. In a nutshell, the PEI Chambers of Commerce is an umbrella group of the seven local chambers that exist in PEI sort of from east to west and parts in between: Charlottetown, Summerside, Kensington, Eastern Kings. There's an Acadian chamber, a western chamber, and then one up in the Crapaud area. So there are seven local chambers.

Under the auspices of the Atlantic Provinces Chamber of Commerce we have the PEI chamber which, as I say, is the umbrella provincial group for those seven local chambers. Then the Atlantic Provinces Chamber of Commerce in terms of the regional part of the chamber movement in Canada is part and parcel of the Canadian Chamber of Commerce. So it's a widespread movement. Most of the chambers, the seven chambers in PEI and elsewhere in Canada, for that matter, are all incorporated under the federal *Boards of Trade Act*.

So the chambers of commerce movement has been around for well over 100 years. I think, just by its name, not many people need to be told that, generally speaking, our mandate is to try and act as a spokesperson, be it a voice for the interests of business in terms of the public affairs of our province or our community as the case may be.

That's why we were happy when Melissa contacted us and invited us to come and present.

Sunday shopping takes me to paragraph 3-4. What has been going on in the background - and I'm sure the committee has heard some

of this already from some of the local chambers who I know have presented - there has been some surveying done by the local chambers of their members to try to get a broader-based sense of the various members of the businesses across the Island, where they are coming from in relation to this issue.

I did attach to this - they're relatively short and mercifully easy to read - the results of the surveys that have been done. For example, if you flip down, you'll see a page which looks like this which has Charlottetown in my handwriting at the top of it. That will show you the most recent survey they did. You get a sense there of what kind of questions they were asking and how many responses and what the answers were in 2006 and 2007. Then the next one you'll see in the bundle is DCI, which is the Downtown Charlottetown, Inc. You'll notice that they don't always ask the same questions, and of course, therefore, you don't always get the same answers, but I think if you do look closely at the questions that were asked whether in Summerside or Charlottetown or wherever, they are similar questions all coming at different aspects of Sunday shopping and how it impacts their community and what people's thoughts are about it.

So the first step sort of after speaking last fall about coming here, I wanted to find out what the other local chambers had done and they were hearing from their members so we didn't duplicate effort. The thing that struck me was that (a) fairly tight-ended question around: Do you support regulation of Sunday shopping at all, right? I didn't think that question had been squarely asked. You'll see some of the questions that are closely related to it but not exactly as asked. So we did a survey monkey, e-mail survey, just in the past couple of days, so this is hot off the press so to speak. As of about 5:00 yesterday evening - and I'm just at paragraph 5 now of the submission, middle

of the second page - as of five yesterday evening we had 177 responses, and these would be from Souris to Tignish, and these would be people who are members of one of those seven local chambers of commerce. That's who the survey went out to.

As of five yesterday, 68.4% basically said the government should get out of the business of regulating retail hours altogether and leave it to the decision of the individual merchant, and 31.6% were of a contrary view. I checked again just before coming over here. We closed the survey at noon and the number of responses was up to I think 198 at that point, but the percentages were not materially different from what you see here. So a little better than two-thirds, one-third of the members who responded to the survey are saying that they think the *Retail Business Holiday Act* should be repealed in its entirety: We don't need government telling businesses when they should open and when they should close, whether it be on Sunday or any other day of the week for that matter.

Now you'll notice included in the question, and beginning at paragraph 6 of the paper I filed - I won't take the time to go into this in any detail here right now - but some of our members just - these are anecdotal discussions that were happening - some people were expressing some concern about: What about employees' rights? If government gets out of this business, are people going to be forced to go to work on Sunday over conscientious objections, that kind of thing? Is that an issue?

So I guess partly because my background is a lawyer, it was something that I had some general knowledge of and did a little bit more digging into it just to make sure that I was up to speed on it. Some of you around the committee table may be familiar with this, others may not. There is what's known in human rights law as a duty to accommodate, and that is a duty that an

employer owes to their employees in relation to a whole range of things from physical disabilities to religious beliefs, any of the protected rights under the Human Rights Act or the Canadian Charter of Rights and Freedoms, any of those protected rights, an employer in terms of setting down the terms and conditions of employment has a duty to try to accommodate employees' needs. In terms of what that means, it means that they have a duty to accommodate to the point of what's called undue hardship on the employer.

Undue hardship is a fairly high threshold to meet. It can't be just inconvenient for the employer, say, to accommodate an employee who has a conscientious objection to working on a Sunday, or a Saturday in the case of some religions, for example. Even a little bit of financial hardship wouldn't necessarily get them off the hook either. They have to work to schedule their workforce to try to accommodate that individual's needs. I think from the point of view of the members of the chambers across the Island, perhaps the most difficult case is the very small business operation. You know, the larger your operation - as I think all would agree - it gets increasingly easy to accommodate individual needs.

So for example, if you have 100 employees and you're going to open on Sundays, you need 20, that means 80% of the people can stay home. It probably won't be that difficult to schedule 20 people who don't have a problem with that, okay? But the smaller your business is and the fewer the employees - and in some cases, the owner is also their own employee - that can get more challenging, admittedly. But I think that for the vast majority of businesses - and I think we recognize as an umbrella group of the chambers that there could be some isolated hardship cases, if you want to call them that, where there could be some difficulties posed in individual cases - that in the broad expanse of businesses, it is likely not a

problem, and any employee who has legitimate and conscientious problems with working on a holy day in their particular religion can probably get their situation adjusted.

So when our members I think had some comfort that in most, and hopefully all, but recognizing there could be a few isolated instances where it may not be possible to always achieve that accommodation, that gave our members some comfort. Then why do we have government in this business at all? Because I think we've seen the anomalies in the past where, depending on the size of the business, the nature of the business, the time of year, Sunday shopping's on or Sunday shopping's off. I think all of those sort of anomalies were becoming very frustrating is what we heard from our members.

Just sort of knowing the rules and which days of the year and what times of the days of the year and in what businesses and so on, it was becoming a rather confused myriad of regulations. I think that that was also persuasive in terms of responses that we ended up with in the survey where a strong majority are saying government should get out of the business of regulating retail business hours altogether.

I think the last note I might close on is that the previous speaker, Roy Doucette - who's well known to myself and I'm sure others and has been around for a long time in this field in the province - the point is that there are other ways to skin the cat. Aside from just the business of working on a Sunday, the *Employment Standards Act* provides many mechanisms to protect employees' rights, and including a maximum number of hours a week, there's an overtime cap, there are certain minimum benefits, whether it be minimum wages or whether it be vacation pay or whatever. Government has many tools at its disposal - I think is what I'm trying to say - to make sure that employees

are fairly treated in the workplace, in different facets of employment. When you combine those ways and means with the human rights protection which is contained in the PEI *Human Rights Act* and the Canadian Charter of Rights and Freedoms, on balance our submission is that you've got a workable situation without the province having to tell individual businesses when they should or should not be open for business.

If you leave that decision to them, those hardship cases or potential hardship cases I alluded to earlier, those businesses may choose to stay closed. That's a combined economic and social decision that each business has to make for itself. If it's in their best interest to be open, they'll probably be open economically, and if it's not in their best interest, they won't be open.

So bottom line is we would urge the government to get out of the business of regulating, and I suspect most of our members would urge you to de-regulate a whole bunch of other things that you regulate as well. But certainly Sunday hours is one of those.

So either Don or I are open to any questions if the committee members have any.

Chair: Paula Biggar first, then Mike Currie and Jim Bagnall.

Ms. Biggar: Yes. You had indicated you had 198 respondents by noon today, out of a total of how many members?

David Hooley: There would probably have been about 700 or 800 have gone out. I could get an exact count and let the Committee Clerk know exactly what that number is. It's not a hard number to get, but I'm just going generally in terms of membership. I would guess 750, 800 probably, so it's not a bad response around 25%.

Ms. Biggar: Okay.

Chair: Mike Currie.

Mr. M. Currie: Thank you, David.

A couple of questions, one being - I probably got the same response, I guess, from the business community as you did. In having my own business for a number of years, I had to work a lot of weekends and Sundays and it never really bothered me, but I have got quite a few questions on like Access PEI. Should they be open to accommodate?

Because in the trucking industry, if you take potatoes, for example, you either have to load Saturday or early Sunday morning so you're in Boston for 8:00 the day of business, starting business down there. These people all work, the transportation companies all work on the weekends and Sundays, to accommodate as we're an export based province. So they say that they should be able to access driver's license, re-license their truck, all that stuff if they're open. Does your chamber agree with that or would you entertain that?

David Hooley: It's not a specific question that we've addressed. I expect that the most likely answer that would come forward if we were to canvass our membership on that would be that government obviously interfaces closely with business in many segments of its activity, so in that sense government is a business, right?, and it's a service provider in our community.

Just as I guess we would say you should let individual businesses decide when they're open or closed, so too with government. It's government's decision at the end of the day whether they are open on Saturdays and Sundays or not. We all know, of course, that typically today they're not. Whether any pressure might build as we find with the retail shopping or other businesses are

operational on Saturdays and Sundays, it's conceivable that there may be a demand emerge for more of those services to be available for the 48 hours of the week that they're not currently available.

Chair: I think it should be noted that there are some government operations that are open on Sunday from parks, liquor stores -

David Hooley: Snowploughs.

Chair: - golf courses, so you know.

Mr. Bagnall: Information centres.

Mr. M. Currie: Just one other question, David, in regards to the *Retail Holiday Act*. I think it is probably outdated myself because as a province, with an increasing number of immigrants coming to our province, Sunday's not their holy day and they do recognize other days as being the holy day. So it probably is time to review that and adjust accordingly if we're going to embrace immigrants in this province.

David Hooley: I mean, on that basis alone it might not withstand a Charter attack if someone was so inclined to mount it.

Mr. M. Currie: I know from being in development before that in other provinces they are having difficulties because Friday is viewed as a holy day by other religious beliefs -

David Hooley: Friday at sunset until Sunday at sunset in -

Mr. M. Currie: Yes, and so they don't desire to work on Friday. You might build something all week and manufacture it and want it shipped out Friday. Well, you're short-staffed. They'll come in Saturday and Sunday. So you are open seven days a week now in other provinces to accommodate if you're going to integrate immigrants into your workforce.

David Hooley: If you're interested, if you go on Google and you google 'duty to accommodate,' those three words, there are thousands of hits. It's really quite amazing how much information there is out there in the human rights realm largely. A lot of those questions are canvassed right down to individual cases, whether it's human rights commissions that have guidelines and protocols for employers/employees alike telling them what the rules of the game are. So there's lots of information out there if the general public or individual members want to have a look.

Chair: Jim Bagnall, and then Robert Mitchell.

Mr. Bagnall: Not really a question, just a comment.

First of all, I congratulate you on your presentation. Excellent presentation. It's a presentation that I wholeheartedly agree with. When I was in government before, I supported -

David Hooley: We've got one vote then, have we?

Mr. Bagnall: I can guarantee you that I'm a firm believer that small business should dictate their own hours and dictate their own destiny and that government shouldn't be telling them when we can open and when we can't open. I supported that when I was in business from day one. I wanted that right 25 years ago and still couldn't get it. Even when Sunday shopping came in, my support was to open it up completely and allow the businesses to make the decision of where they wanted to go.

I believe that that's the way that we should be looking, that we should be looking to allow the businesses the right to open or close - their decision - not regulated by government. I see that 68% of the businesses that you're dealing with agree

with me there, so I really look forward to seeing the outcome on this. But I really support your presentation and your stance. If it had have been the other way, I would have argued with you.

David Hooley: Thank you, and we're pleased to hear we have at least one vote when this comes to the House.

Chair: Robert Mitchell.

Mr. Mitchell: Just a question there in regards to members. Has there been any feedback in regards to feeling pressure because your competitor's open on a Sunday so you feel you have to open? What's the general feeling within that -

David Hooley: Anecdotally, I can comment, and Don probably could too. I certainly have heard that remark. Typically it's from a small operator but who offers goods and services in competition with larger operators. You'll hear it from, for example - of course, everybody's interests are different. A person who operates, say, a small convenience store, whether that be in Tignish or Montague or Souris or Charlottetown, (Indistinct) of Charlottetown, doesn't matter. They weren't very happy when Sobeys and Superstore were allowed to open on Sundays because that was their biggest day of the year or be the biggest day of the week, I should say, and so that has not been good for businesses.

So you get a whole range of different interests and motivating factors that will drive a business or an individual employee to support or not to support regulation of shopping hours.

Mr. Mitchell: I guess my next question is: So how, if you legislate your own hours, where does take that feeling away from the business if your competitor opens but you're not going to? Like, what would be - how would that change if you (Indistinct) now

you can control your own destiny?

David Hooley: I think, right, it's a good point, and I might just mention this before I answer directly your question. The other anecdotal issue we hear, aside from the one of feeling the pressure to sort of meet the competition if they're open on Sunday, is from small businesses that are located in shopping centres where a term of their lease stipulates that they're supposed to be open at certain hours. It's not just Sunday that can be an issue. It can often be night-time hours, particularly in the winter months when business is slow, and that can be a hardship in certain instances on smaller businesses. So we hear that kind of concern as well.

I think what the majority of our memberships is saying is that that's not a place for government to go. Let the marketplace sort that stuff out. It's very complex. There are many divergent interests, there are many divergent businesses of goods and services. To try to come up with and play God and write a rule book around that, you're -

Mr. Mitchell: I guess, for me, I've heard a lot of pressures because another business is open so I have to be open. Then I'm surprised by the numbers because now they want or your membership has said we want to have control. So that means a store will open, therefore three more will have to open. So I just, I (Indistinct) -

David Hooley: It's free choice. I hear what you're saying although I think -

Mr. Mitchell: It's contradictory, I guess, to what I'm hearing, the pressures of being open on Sunday as it is today.

Don Reid: I'm just wondering, though. Are you interpreting virtually the question in terms of (Indistinct) -

Mr. Mitchell: Maybe I am.

Don Reid: - and that's what I (Indistinct) -

Mr. Mitchell: Clear me up on it then.

Don Reid: Well, I'm not sure. I'm getting the feeling the presentation we're about virtually is that we would like to see, on behalf of the chamber, the legislation go back to where it was before even it became an issue, to say that it's freedom of choice. So that every business operator, whatever business you're in, you have the freedom to choose what days of the week you're going to open and close based on the competition, based on the residents in your area, based on the business you're in, the products you sell, the services you supply.

I think that (Indistinct) than someone saying get back to, and maybe it doesn't really need to have legislation at all, other than to go by the act that was in place 25 years ago or whatever the case may be. But I guess (Indistinct) -

Mr. Mitchell: Which would have said that you were closed on Sunday.

Don Reid: If that be the choice.

Mr. Mitchell: I guess you can only have it either one way or the other. It's either wide open -

Don Reid: I'm in a business now that I have to be open, not by choice. My grandparents four generations ago, they made the choice and said: We're not going to open on Sundays. They were in the same tourism business.

Mr. Mitchell: And you have to remain open because of competition.

Don Reid: Because of competition,. So the business I'm in as a motel operator, it's 24/7, and that's the norm. That's international, national. It doesn't matter. Reflective, though, of generations ago that

that same industry chose when it opened and closed based on the operator and based on their beliefs. Now we're becoming part of an issue that becomes religious, becomes cultural, becomes competitive.

Then I guess I'll take a statistic from the business sector that 87% of the businesses on Prince Edward Island are small business. Is it right for government to regulate and determine when and when not businesses should close based on - and we all know it to be somewhat factual that the larger box stores and larger corporations is where the Sunday shopping originated from.

Mr. Mitchell: Which will probably, if you give a green light with no regulations, they would be open 52 Sundays a year or whatever amount. So therefore, that would put pressure on others to open as well.

David Hooley: See, Sunday is a microcosm, I would argue, of a bigger regulatory issue, right? It's not just Sundays or just Saturdays, in the case of some religious beliefs. It's: When do you open and when do you close on Monday to Friday, for example? Once government steps in and starts trying to regulate what day of the week or what time of the day or how many hours a week you can be open or not open, it's a slippery slope.

I think what the majority of our members are saying is: Best not to go there and leave it to the individual retailers in this case, which is the focus of this particular piece of legislation. Let the individual retailers decide what's in their best interests. Eventually I think they'll make rational decisions based on what's economically best for their individual business. Whereas the minute you start to regulate any of the seven days of week in terms of quantity of hours or what days they can be open, you're starting to make choices for them as business people, and that has ripple effects of its own. So I guess our belief is it's best

to let each individual run their own business in the best way they know how.

Will there be competitive pressures on some businesses to be open on Sunday? Probably yes, and they'll have to make a decision whether it's good for their business or bad for their business on balance to meet that demand or not. They'll probably try it for awhile, and if they get enough extra business or if they lose business by not being open, they'll make those sorts of choices. Right now they don't always have the free choice, and so what we're advocating is trust Island businessmen and businesswomen to run their businesses in the way that they believe is best for themselves. Give them the free choice.

Chair: Okay. Buck, and maybe one last question if there's one. Buck.

Mr. Watts: Yeah, David, a lot of the negative remarks I've heard about Sunday shopping come from employees themselves, especially of the big box stores. Do you have a handle on - let's say, was there ever a survey done of the employees, the people that have to work on Sundays?

David Hooley: I'm not aware that any of the local chambers - certainly, we didn't at the PEI province-wide level. We didn't get into surveying employees as to their preferences. I think that - you see, you run into two situations, right? There may be an employee who - it's got nothing to do with religious belief. They just don't like working on Sunday. They would prefer to have the day off.

Mr. Watts: Yeah, and that's true. And the comments I heard (Indistinct) -

David Hooley: You know what I mean? Whether for family time or for whatever, right? But I guess the point we were trying to drive home through this submission was more - there are other ways to protect

through the labour standards code without getting into what day of the week, which crosses over into a religious-cultural realm. There are other ways to protect employees and make sure that they aren't forced to work, quantitatively, too many hours a week, you know, 37.5, 40 hours, 50 hours, paid overtime after so many hours, and so on.

Our feeling is that that's the better way for government to protect employees' rights like you're describing rather than mandating that nobody could open on Sunday or nobody can open on Sunday afternoon or nobody can open on Sunday at certain times of the year. Because once you go there, you're making one day different than every other day of the week in terms of whether you can be in the retail business or not be in the retail business.

As I say, I don't doubt if you surveyed employee preferences, that there's probably - I mean, put your hand up in the room that likes to work on Sundays. I don't think many hands are going to go up. Who likes to work on Saturday? Not many hands would go up. But do some of us work on Saturdays and Sundays? Yes. I do it on a regular basis. I'd prefer not to. If I was surveyed and I was asked my preference, I'd say: I prefer to stay home with my family. But life doesn't always work out that way.

Mr. Watts: Those were some of the remarks that I've heard, too -

David Hooley: Right.

Mr. Watts: - (Indistinct) Sunday, and I'd like to spend some time with my family.

David Hooley: You always get a - I guess what always concerns business, when government regulates a particular activity, be it Sunday opening, it's like you throw the rock in the water, there's ripples, right? It doesn't stop at where the rock touched the

water first. The rock touched the water on Sunday shopping hours but that has all kinds of implications, different ones for different businesses depending on their situation. So I think on balance what we felt was: Leave the choice to the individual businesses who should know best what's in the best interest in their business and let government interfere the minimum it has to in the relationship between employer and employee.

By all means, I don't think you'd find many businesses on PEI that wouldn't say that the *Labour Standards Code* in principle isn't a good thing. That's the way to skin the cat, we would argue, rather than regulating store hours.

Chair: Any other questions?

The only other comment or question I would have, Dave, would be just around this duty to accommodate. How much would that have an impact on an employee who accepts employment to work on Sunday? I mean, I know it can (Indistinct) for employees that are working currently and the law changed or whatever, but if the law changed that Sundays were a reason for that business to be open and they hired somebody, would the employer have much impact to accommodate at that point?

David Hooley: I guess my quick answer, subject to doing some research and finding out that some judges ruled differently on me, my quick answer off the top would be that human rights laws - and that would include like the PEI *Human Rights Act*, the Canadian Charter - are what the courts call quasi-constitutional in character. These are fundamental rights and freedoms, okay? So anything else - like a contract of employment or another act of the Legislature - is of a lower level, subject to those higher level human rights protections that we all as individuals enjoy in the free and democratic society that we have here in

Canada.

So my gut reaction would be that the duty to accommodate is going to prevail. If I take a job at a big box store, for example, I mean I probably know when I take the job that they open on Sundays either 52 weeks a year or whatever number of weeks a year they choose to do it, but that doesn't mean that if I have a conscientious religious belief that I might not be able to require that employer to accommodate my need not to be at work either all that day or certain hours of that day or whatever the case might be in the individual circumstances.

The duty to accommodate is very fact specific. It's right down - and that's the way it has to be in order to be fair.

Chair: Yes, I would think.

David Hooley: You get right down to the specific situation and what ways and means might that individual be accommodated.

Some of the interesting cases are with disabled employees, with physical or sometimes mental disabilities, and to what length does the employer have to go to meet their special needs. It's amazing the diversity of circumstances that come up.

Chair: Okay. With no other questions, I thank you very much for your presentation on behalf of the chamber.

David Hooley: Thank you very much. At least we got one vote out of it, anyway.

Chair: Our next presenters are the Tourism Industry Association of Prince Edward Island. I see Don Cudmore here. Yeah, we're a little bit ahead of schedule so that's a good thing. Allow you to get set up.

Okay. I guess we'll welcome Don Cudmore to our committee and we'll probably ask you to introduce your people.

Don Cudmore: Yes, we will. Thank you, Mr. Chair.

Chair: And we'll let you take over the floor.

Don Cudmore: Thank you. We appreciate the opportunity to be here to discuss this very important issue for the tourism sector.

We have here today Adam Doiron, our president, who will be doing the presentation - we've circulated copies as well- and we have Judy MacDonald, our past president, here today to do the presentation. We're very flexible as far as answering questions through the presentation, but it's fairly complete, so we'll wait till the end if that's suitable with you as well.

Thank you again for having us here.

Adam Doiron: Thank you.

As Don mentioned, I'm Adam Doiron, President of the Tourism Industry Association of Prince Edward Island. We're just here to present our support to Sunday shopping as it hasn't changed for many years. We always supported Sunday shopping. We feel it's a customer service issue.

The Tourism Industry Association of Prince Edward Island is a 600-member, non-profit organization representing tourism businesses in all geographic regions of Prince Edward Island. Our mandate is to promote and advance the tourism industry in Prince Edward Island, to strive for continued development and improvement for the tourism facilities and services offered to the public, to create a wider interest in and appreciation of the tourism industry among the general public in PEI.

In considering Sunday shopping there are three main issues for consideration. Tourism is a significant component of the provincial

economy. Tourism is a 12-month around business. To remain competitive, Prince Edward Island must satisfy the demands of consumers. The tourism sector makes an important contribution to the Prince Edward Island economy.

On PEI, tourism delivers a diversified product to the Island's economy. In a recent document authored by Dr. Kubursi, a professor from McMaster University in Hamilton, Ontario, a summary of the most relevant impacts include: the provincial GDP of PEI is permanently increasing annually by almost \$298 million as a result of tourism activity in PEI, or about 6.9% of the GDP.

Tourism is responsible for over 7,000 person years full-time equivalent jobs of employment. Although predominantly in the accommodation and food sector service, the jobs are also created in retail sectors. Wages and salaries total \$191 million annually.

More than \$115.6 million in tax revenues are realized annually by three levels of government on the impacts of the tourism industry in PEI. Of this amount, the provincial government collects about \$38.3 million.

Tourism is a 12-month industry. The public perception is that the tourism industry operates for a 12-month period from the end of June to the end of September with a peak period around mid-August. However, evidence as supported by the province's mandatory occupancy reporting system depicts a different picture. Occupancy data, as supplied by the accommodation sector, demonstrates that tourism operates year round.

The following table provides an overview of the number of accommodation units sold per month over the 2006 period and the monthly percentage representation. We go from 12,000 room nights in December up to

133,000 room nights in August, and all months in between: 14,000, 18,000, 16,000 - they're all off-season months. The occupancy data supports that during the peak period of August over 1,100 operations are open for business. These operations are spread across the province, from East Point to North Cape and all points in between. During the winter months the average number of operations is about 155 with the majority concentrated in the urban areas of Charlottetown and Summerside.

Tourism is a competitive industry. Information from the 2007 exit survey and information provided by the occupancy reporting system demonstrates that visitors to Prince Edward Island come from almost every region of the world. However, the majority of our visitors continue to be from Ontario east and, to a less extent, the northeastern seaboard of the States.

Although traditionally our competition may have been our Maritime neighbours, tourism is now a global industry that is extremely competitive. Consumers have a wide selection of available options for travel. Today's consumers are faced with a multitude of travel choices from the Caribbean holiday in the winter to a weekend getaway in New York.

In order to remain competitive, Prince Edward Island must offer the selection of services and amenities that the consumers demand. Retail shopping is an area where consumers demand choice and the opportunity must be available to fulfill their needs. Research supports that visitors travel to the province for various reasons, including pleasure or vacation, business, meetings, conventions or to participate in a sports event. Their mode of travel is by car, motor coach, air and cruise ship. We also know that visitation occurs seven days a week.

Both the public and private sectors involved

in the tourism industry continue to invest millions to encourage people to visit our province. In addition, there has also been significant investment in improving our infrastructure including our road systems, air access, and Charlottetown port. These investments are necessary to make Prince Edward Island an attractive destination and to remove the barriers which impact travel.

In 2008 the port of Charlottetown will welcome the largest number of cruise ships ever hosted by the province. Both the federal and provincial governments have invested significantly in this project. Many of these ships will arrive on Sunday and when they arrive, the passengers and crew want to visit the port-of-call and they want things to do. Retail shopping is very important.

Air access continues to improve at the Charlottetown airport with a record number of people using the airport. This traffic does not stop on Sunday. When visitors arrive, they want the convenience of being able to shop.

In a recent web poll conducted by TAIPEI, respondents were invited to offer answers and/or comments to the following questions: Are you in favour of (a) year-round Sunday shopping, (b) May to December Sunday shopping, or (c) no shopping at all on Sunday? Do you feel that the opening on Sunday should be the choice of the retailer - yes or no - and also to give their comments. The poll was open for 4.5 days and 170 responses were received: 51% were in favour of year-round shopping, 25% were in favour of May to December shopping, and 24% supported no shopping at all. Of that, 78% of those responding felt that opening on Sunday should be the choice of the retailer. Clearly, some of those who oppose Sunday shopping supported leaving the decision making process in the hands of the retailer.

We believe that in order to remain competitive we must satisfy the demands of the consumer. To the tourism industry on PEI, 12-month Sunday shopping is a consumer expectation and an enhancement to our product offering.

Also, you'll see there in our poll we asked for comments. We've received over 50 comments. I won't run through them all, but they are there for viewing. They are the ones that do support Sunday shopping, and there are some in there that are against it.

Don Cudmore: We really thought it was important to include the full report including the comments, and there are some that are very negative against it - some for religious reasons, some for family experience reasons - but most of them that are in support of it really feel that it should be out of the hands of government. It should be left up to the various businesses to stay open.

Now it needs to be noted here that we're a tourism industry association and we represent tourism operators. We're all open anyway and we need that additional service. We're getting that at the gate, we're getting that at the cottages, we're getting it at our attractions, that there really should be an opportunity to buy this, this, this or this seven days of the week. There's a surprise factor that we're not open. I think there's a point taken that most areas of this country allow for Sunday shopping, and in the US. Some of the jurisdictions that we come from allow for Sunday shopping as well. So when they're coming here they're expecting at least what they would get in their own provinces.

We're open for questions, obviously.

Chair: Okay. Any questions for the tourism association?

Sonny Gallant.

Mr. Gallant: In all due respect to what you just said, has there ever been a question formulated to the respect that maybe we could have Sunday shopping from mid-June to mid-September? When our students are around and we have that extra influx of employees, and that's when the bulk of our tourists are here? I know and I agree with you that tourism is a year-round industry, but that is a big chunk of our tourism trade, right?

Don Cudmore: Yeah, and we did ask that question in this and (Indistinct) I can't remember the percentages.

Mr. Gallant: Oh, was it asked in this one?

Don Cudmore: Yeah, The three questions that we asked, of course - do you support May to September, year-round Sunday shopping, no Sunday shopping, and do you think it should be left up to the retailer? So the results are there. I think it's 40 -

Adam Doiron: Twenty-five percent were in favour of May to December.

Don Cudmore: May to December, yeah.

Mr. Gallant: But I'm saying from June to September, not May to December.

Adam Doiron: We haven't asked that question.

Don Cudmore: Well, it's kind of splitting hairs. So I mean our old, traditional season was really not May to September or not June to September, but it was May to October, and we're dealing on the seasonal side of it.

The issue on labour and when there are more people available and the fact that we are busier is certainly a factor. The reality is we do have some labour issues after Labour Day, and prior to Labour Day when the schools are not open. The good news about that though is some of our accommodations

drops from the market and so those employees are available to work in other areas and so sort of the need drops a little bit.

But the reality is the whole issue of having enough employees to open seven days, three days, five days is a whole other issue for not only our sector but other sectors in seasonal economies. It is an issue that we continue to strive for solutions. But the reality is for businesses and expectations of consumers and we really - and that's why it was easy for our association to make this decision many years ago. The consumer demand was there for Sunday shopping. There was an anticipation that it would be provided. Although you'll see in some of our comments some of our operators have said our visitors said: We come here because there's no Sunday shopping and because we're different. We acknowledge that, but the wide majority of people do anticipate that they'd have the opportunity to shop on Sunday.

Chair: Jim Bagnall.

Mr. Bagnall: You just touched on an issue there that I was going to bring up as unrelated. Are you finding it hard right now to get employees in the tourism sector?

Don Cudmore: Oh yes. This has been an issue for quite a few years with us. We were lucky enough to have - not lucky enough in terms of being lucky, but a few years ago when we started to have a bit of a decline in the tourism business for the past few years, it kind of mitigated the problem a little bit.

But prior to that, like six years ago, I had phone calls in my office from accommodations' operators that couldn't rent rooms because they couldn't get them cleaned. They didn't have enough people. We had calls from restaurants that had to shorten their hours because they couldn't get service staff and they couldn't get kitchen

staff. We will be back into that situation again. It still is difficult, very difficult, and we're doing some programs for not only housekeeping training programs that they're being picked up pretty well, but we've also entered into an agreement with this government, as a matter of act, to do some cook training. We're trying to fill some of the specific needs right now, but it is an issue and it's going to a bigger issue than ever.

Mr. Bagnall: Don, is wage the issue? Because normally, historically, the jobs in the tourism sector have been low income jobs.

Don Cudmore: Yeah.

Mr. Bagnall: With the people that are migrating out west on a continuous basis because of the dollar value, are we into a situation where we're going to have to raise our minimum wage in order to keep the tourism sector employees intact?

Don Cudmore: The reality is - and in fairness for those that don't work in the industry like yourself and now myself - that work directly, we've been raising wages for years. In the tourism sector, the average wage is well above - well above - minimum wage. We've got people in this room that are paying service staff, that are paying kitchen staff, dishwashers, up to \$10 an hour.

We've done some surveys on what are the main barriers to employment in this sector. The main barrier to employment in this sector is the short season. It's a seasonal economy. It's no longer acceptable to offer a person a job for 10 weeks of the year when they really need a minimum of 14 or 16 weeks even to get EI benefits. The reality is our employees don't want to be on PEI. They want to be working 12 months of the year but we're living on Prince Edward Island. We're lucky enough to be able to

live on Prince Edward Island. There's some negative things that come with it, and that is the seasonal economy.

Yes is an easy answer. Wages are always an issue at every sector and we are challenged like the manufacturing, like trucking, like all the others, to try and raise to the wages that are being - the economy that is out west. We don't have that economy. We're dealing with it and, at the end of the day, the bottom line has to be there as well.

Mr. Bagnall: Tourism figures for 2007, last year, are they up?

Don Cudmore: They're up about, based on the research that we've seen already - and I think you'll get some of that from Chris afterwards - but the numbers that were presented at our annual meeting, and seem to be accepted by the industry, were an increase of 2 or 3%. I can't remember the exact percentage but there were increases.

I tell you, we're into a positive situation right now. Any time after the past few years, any time you see any increase it's a positive thing. We're rising to that and we're hoping that we'll continue, through further investment by the industry and, hopefully, by government, to market and to enhance our product that we'll continue to rise back to where we should be.

Mr. Bagnall: Do you think Sunday shopping played a part in that?

Don Cudmore: I think Sunday shopping is a component. One thing about Prince Edward Island, it's more than a one sell. It's more than accommodations. It's more than the landscape. It's the whole product. I think if you add Sunday shopping, continue to have Sunday - yeah, Sunday shopping, that component, might have had them stay a little longer. We have no research to tell us that though.

But the reality is that if you're going to be in the market and if you're going to be competitive and try and grab from other people that are in the market in providing the service, you have to provide the service. Sunday shopping is really all about that for us.

Chair: Okay. Any more questions?

Just one question from myself would be: Since the tourism industry has been open on Sundays for quite some time, are you finding any issues pertaining to labour issues where people want that Sunday off, or is it more they are well aware that when they take employment Sunday is going to be part of it? Not an issue?

Don Cudmore: I'm sorry. Do you want me to answer that?

Judy MacDonald: We were just chatting. I think anyone in the tourism industry understands that there is no weekend. It's seven days a week, especially for small operators, small businesses. I mean, you know, you're going around the clock. The thing is that I think it's important to have the best service so that we can keep people here longer and keep people employed, making that employment opportunity much more viable. Like, if the business is doing well, so are the employees having more work. I think in a seasonal economy we need to welcome every opportunity to increase our revenues and therefore increase the employment.

Chair: But you're not finding employees are coming and saying: Implementing this duty to accommodate, saying, well, I've got a family gathering on Sunday or I can go to church on Sunday.

Judy MacDonald: No. I think that's one of the things that you ask when you hire someone, and I think it's an expectation. One of the things that you say: Are you available to work? You're not going to work

every single weekend but you are going to work some weekends, and if you special plans, please let us know far in advance so that we can accommodate you. But it's an expectation.

In fact, I find tourism workers are probably looking for extra hours to work because they really want to be able to, as we say, make hay when the sun shines, so they want maximum number of hours' work during the summer season.

Adam Doiron: As well, the students can only work in the Saturday and Sunday so we have get that - you mention about September. Some students want to work as many hours as they can but they can only work nights and Saturdays and Sundays, so they're more than pleased to work at that time.

Chair: Okay. Any other questions?

We'd like to thank your association for making your presentation to us and we'll certainly take your comments into account.

Don Cudmore: Thank you very much.

Adam Doiron: Thank you.

Chair: Okay. Is there anybody here from the Federation of Labour? We're a little ahead of schedule so -

Mr. Bagnall: Chris is here.

Chair: Chris is here, yeah, so maybe we'll ask Chris if you'd like to come forward. (Indistinct) okay, are we ready, Chris?

Chris Jones: I'm ready.

Chair: Okay, we'll just allow Melissa to pass out copies of the presentation and then we'll reconvene.

Okay, I'd like to call our meeting back to

order and I'd like to welcome Chris Jones, Director of Policy, Planning and Research for Tourism PEI.

I'll turn the floor over to you, Chris, and you can make your presentation. If you want to entertain questions at the end we'll go that way. If you want to entertain questions during it, that's fine too.

Chris Jones: Great.

Thank you, Mr. Chairman, members of the Standing Committee on Community Affairs and Economic Development. My name is Chris Jones, Director of Policy, Planning, and Research. I'm here today on behalf of Tourism Prince Edward Island.

I have a narrative presentation, and what I'll do is I will highlight some of the points I want to make with the use of a power point. So if you'll allow me to begin the presentation.

In terms of an overview, the objective of the following presentation is to provide the standing committee with statistical information pertaining to the tourism industry. Specifically, the presentation will focus on four key areas: a definition of tourism; evidence to support the significance of tourism as a component of the provincial economy; evidence that supports that tourism occurs over a 12-month period; and data that identifies the competitive market place for Prince Edward Island.

The information contained in this presentation includes data gathered from various independent sources including: occupancy reports filed with Tourism Prince Edward Island by all licensed accommodation operators; air passenger movement as reported by the Charlottetown Airport Authority; passenger vehicle flow, as reported by Strait Crossing Bridge Limited; passenger vehicle flow as reported by Northumberland Ferries Limited.; cruise

ship data as reported by Tourism Charlottetown; interim results from the 2007 Exit Survey conducted by the Tourism Research Centre at the University of Prince Edward Island; and a report entitled Economic Impact of Tourism Expenditures in PEI, dated September 2007, by Dr. Atif Kubursi from McMaster University.

First let me begin with a definition of tourism. Tourism in Prince Edward Island consists of a myriad of products and places all woven together to form a single sector. The sector is based on our culture of who we are and what we do, our way of life and our people. This is a sector that is vibrant and strong and offers significant sustainable opportunities for the future. Unlike other more traditional industries, tourism is not classified as a single industry like fishing, manufacturing or farming. Tourism is defined as a group of operating units or establishments engaged in the same or similar kinds of economic activity, such as hotels, restaurants, airlines, and department stores, all supplying goods and services for tourism. Statistics Canada would define a tourism business if: it provides tourism commodities to visitors; and it would cease to exist without tourism or would continue to exist only at a significantly reduced level of activity.

The second point is particularly important when we begin to measure the importance of tourism on the provincial economy of Prince Edward Island. Current statistics support the population of Prince Edward Island is estimated to be 135,851 people from the current census. The 2007 estimates for tourism visitation are 1.37 million people, which represents a 1% increase over 2006. These statistics support that relative to our population, the volume of visitors or tourists play an important role in increasing demand for goods and services. The question arises, is whether our current level of retail operations would be sustainable without the influx of tourists.

Second point is the tourism sector makes an important contribution to the Prince Edward Island economy. Since 2005, Tourism Prince Edward Island has commissioned Dr. Atif Kubursi, a professor from McMaster University in Hamilton, Ontario, to prepare an independent analysis of the importance and contribution of the tourism sector to the Prince Edward Island economy. Dr. Kubursi is a world renowned economist who has conducted similar work for the United Nations and in Canada for the provinces of Alberta, Ontario, and Quebec.

The focus of Dr. Kubursi's work is to examine and quantify the contributions of tourism in Prince Edward Island. Specifically, Dr. Kubursi has examined the impacts of tourism on the following elements: Prince Edward Island's gross domestic product; provincial employment; the tax base and the diversification of the economy.

The findings of Dr. Kubursi support that the quantitative benefits that accrue through tourism are significant to the Prince Edward Island economy. Such benefits are generally made through a number of channels, and I'll introduce these: direct impacts - through direct increases in business activity and response to the direct expenditure of tourists on such items as accommodation, food, transportation, entertainment, and retail; indirect impacts - indirectly by the operations of businesses which provide services and products to tourism facilities and establishments that directly sustain these facilities, operations, and capacities to meet the demands of their visitors - this may include the dry good wholesaler who supply linens and bath towels to the accommodation property or the food wholesaler who supplies the beef, pork or potato to the local restaurants; there are also induced impacts and these emerge when the workers in the sectors stimulated by direct and indirect expenditures spend their additional incomes on good and services.

The results of Dr. Kubursi's work support that the tourism sector is a critical cornerstone of the economy of Prince Edward Island. A summary of the most relevant impacts include:

(a) the provincial gross domestic product, GDP, of Prince Edward Island is permanently increased annually by almost 298 million as a result of the tourism activity on Prince Edward Island which represents about 6.9% of total GDP;

(B) tourism is responsible for over 7000 person years full-time equivalent jobs of employment. Although predominantly in the accommodation and food service sector, these jobs are also created in the retail sector.

© wages and salaries are augmented by a total of 191 million annually, and;

(d) more than 115.6 million in tax revenues are realized annually by the three levels of government on the impacts of the tourism sector on Prince Edward Island. Of this amount, the provincial government collected about 38.3 million.

Tourism is a 12-month industry. The public perception is that the tourism industry operates for a 12-week period, from the first of July to the end of September, with a peek period around mid-August. However, information from the province's mandatory occupancy reporting system, passenger movement from the Charlottetown Airport Authority, and vehicle traffic as provided by Strait Crossing and Northumberland Ferries, supports that tourism activity occurs on a year-round basis.

Occupancy data, as supplied by the accommodation sector, demonstrates that tourism operates year round. Table 1 in your report provides an overview of the number of accommodation facilities open over a 12-month period. The occupancy data supports

that during the peek period of July and August over 1,100 operations are open for business. These operations are spread across the province from East Point to North Cape and all points in between. During the winter months the average number of operations open is about 155, with the majority concentrated in the urban areas of Charlottetown and Summerside.

Table 2 provides an overview of the number of accommodation units sold per month over the 2006 period in the monthly percentage distribution. This information supports that in 2006 almost 560,000 room nights were sold. Although the majority of these room nights are sold during the months of June to September - which represents almost 395,000 room nights, 71% - there continues to be a significant level of activity during the remaining period. Approximately 12% of total activity takes place during the months of January, February, November, and December, which represents approximately 65,000 room nights. So the table I've presented on the illustration shows the peeking of room nights in July and August. But you can still see that during the months of January, February, March, April, November, December, there still is activity. Almost 20,000 room nights sold each of those months. So there still is a form or level of activity that goes on.

It's also important when we look at the figures representing 12% of the total activity in January, February, November, and December, 65,000 room nights, if we were to multiply that by \$100 per night by the 65,000 room nights, we'd be in the vicinity of \$6.5 million. That's just in the accommodation industry alone. We also have spinoffs into other sectors such as food, entertainment, and retail. So that's an important consideration.

To supplement the accommodation data, we've examined data from the Charlottetown Airport Authority that

supports air traffic occurs over a 12-month period. Table 3 in the narrative represents total passenger movement at the Charlottetown Airport for 2006. We can see from the power point that 225,440 passengers were in and out of the Charlottetown Airport in 2006. For four months, including January, February, November, and December, account for almost 22% of the total passenger traffic, or almost 50,000 passengers. Again, we see a similar flow as the accommodation where we've got seasonal peaking in July-August. But we do still have a significant level of activity January, February, March, April, and November and December. A lot of activity going through the Charlottetown Airport.

We've also examined data provided to Tourism PEI by Strait Crossing and find during the months of January, February, November, and December an average of 43% of the total traffic consists of vehicles registered outside of Prince Edward Island. So these are non-resident visitors travelling to the province. Again, a graphical presentation, what we see here is the Strait Crossing data, and we're looking at the non-resident percentage. We can see that although January, August, September, I guess June, there is a high concentration of non-residents, we see for the most part from January, February, March, April and November and December, almost 40% of that total traffic is made up by non-residents. So again, non-residents are travelling to the province 12 months of the year.

The information contained in the above tables - the accommodation information, the information from the airport authority, the information from Strait Crossing - clearly illustrates that tourism activity occurs over a 12-month period.

Tourism is a competitive industry. Preliminary estimates from the 2007 Exit Survey and information provided from the

Occupancy Reporting System demonstrates that visitors to Prince Edward Island come from almost every region of the world. However, the majority of our visitors, 78%, continue to be from Ontario east and, to a lesser extent, the northeastern seaboard of the US at 8.2%, with international overseas visitors accounting for approximately 4.5%. Again, the table illustrates our major market areas. Predominant are Ontario and Nova Scotia, over 20% of the market, followed by Quebec and New Brunswick at slightly over 15%, with US population at around 12 and international around 4.5%.

Although traditionally our competition may have been our Maritime neighbours, tourism is now a global industry that is extremely competitive. Consumers have a wide selection of available options for travel, and certainly with the use of the Internet, today's consumers are faced with a multitude of travel choices, from a Caribbean holiday in the winter to a weekend getaway in New York.

In order to remain competitive, Prince Edward Island must offer a selection of services and amenities that potential visitors demand. Retail shopping, or retail therapy as some people refer to it as, is an area where consumers demand choice and the opportunity must be available to fulfill their needs. In 2006 it is estimated that non-resident visitor expenditures on retail shopping, which included clothing and general merchandise, was in the range of \$40 million.

In conclusion, the presentation supports a number of important points. First, tourism is important to our economy. Second, visitors travel to Prince Edward Island for various reasons, including pleasure or vacation. They travel here for business, they travel for meetings and conventions, and they travel here to participate in sporting tournaments. Their mode of travel is by car, motorcoach, air, and cruise ships. Data as supplied by

Strait Crossing, Northumberland Ferries, the Charlottetown Airport Authority, and Tourism Charlottetown cruise data, supports a visitation to our province occur seven days a week and 365 days a year.

Finally, tourism is a highly competitive business, and in order to compete we must satisfy the demands of consumers. It is anticipated that the information that's presented in this report provides a factual representation of the scope of the tourism sector and is important to the Prince Edward Island economy.

Thank you for the privilege to sit before you today.

Chair: Okay, Chris, Mr. Jones. Do we have any questions for Chris?

Yes, Paula first, then Jim second.

Ms. Biggar: I'm just wondering if there is any plans or have you thrown around the idea of a package deal for people coming here?

Chris Jones: We actually do have several packages listed right now, Island vacation packages, in partnership with Tourism PEI and in partnership with the industry. Many of the operators are starting to package their product - accommodations with golf, accommodations with golf and restaurants. There is a degree of that going on right now. If you're referring to the all-inclusive type vacations that we're seeing in the Caribbean, we're not there yet, but we're certainly looking at those availability and those options.

Ms. Biggar: Okay, thank you.

Chair: What is preventing us from being there yet to provide an all-inclusive? Is it just the industry itself isn't interested, individual businesses?

Chris Jones: I certainly don't speak on behalf of the industry, but I think what it is, it's a competitive point in how competitive can we be with the Caribbean right now? Someone flashed something on my desk this morning, 795 to Cancun, Mexico, including flight from Toronto. That's an all-inclusive accommodation. It's a price point being competitive and it's based on volume.

Again, I don't speak for the industry and I can't answer why we're not there right now, but I think we're moving in that direction. It may not be the \$799 one week all-inclusive but it maybe a 799 four night golf your brains out and stay at a four star resort with lobster dinner.

Chair: Actually, Mr. Cudmore's in the back raised his hand. Anything you want to add to that?

Don Cudmore: Perhaps I might add to it. The province or the industry a few years back entered a general agreement with one inbound company to provide airline and packaging. The airline component never worked out. Simply that. It was an airline issue. But the reality is, we're providing packages now for everything but the air. That is the next step and there is the sensitivity of pricing. Until we can get our airlines to a pricing sensitivity that we can actually make a package feasible and reasonably priced, then it probably isn't going to happen. But we are continuing to work towards that. Because we realize our competition, our domestic competition, Canadian competition, is basically taking these southern vacations for 789 a week and they're having an experience.

Now, albeit, they're not having an experience like they have on Prince Edward Island, but they are having an experience and they're away and they get a chance to experience beach, food, and all those sorts of things. We continue to rank that up as one of our highest competitions. Anytime you

know what your competition is you try and do some of the things that they're doing. So the industry is continuing to work towards that.

Chair: Jim Bagnall, you have a question for Chris?

Mr. Bagnall: Chris, you're a Director of Policy, Planning, and Research for Tourism PEI, so you're a government employee?

Chris Jones: Yes, I am.

Mr. Bagnall: You work for the Department of Tourism?

Chris Jones: I work for Tourism PEI, Crown Corporation.

Mr. Bagnall: Are there any plans on expanding airline travel this year?

Chris Jones: I would say that we are entertaining offers and always prospecting for additional lift and additional carriers coming into the province. Whether there are any announcements coming I couldn't tell you at this moment. I know within the last two months we announced, through Air Canada and the Charlottetown Airport Authority, flights coming out of Ottawa. My understanding is Delta is still going to be flying out of New England, Northwest out of Detroit, and WestJet is still, with Air Canada, serving the province. It's a challenge because we, like other jurisdictions, are after as much lift as possible.

Mr. Bagnall: Because it seems like our added traffic to tourism, our increases, are coming maybe from air traffic because of the major increase on tourism traffic this year with adding the extra airline on and the extra flights and companies that we put into the airport.

I'm wondering, are we continuing to trying

to expand and look forward to continuing to expand that?

Chris Jones: Yes we are.

Mr. Bagnall: What other airlines are available that we might be able to bring in?

Chris Jones: There are all kinds of airlines out there, if you want to do business with them. I know Continental right now flies into Fredericton, Blue - one of the discount airlines in the States - they're all being looked at. I think the Charlottetown Airport Authority is certainly taking a lead role in that area. Government certainly is willing to support. The support that we provided in the past, to Air Canada, WestJet, Northwest, and Delta, had been relatively successful.

Mr. Bagnall: Yeah, because as we say, I think it was 17% figures last year for -

Chris Jones: The Charlottetown Airport Authority over the last number of years has seen dramatic growth, and I think last year was 17 or 18%, which is very significant.

Mr. Bagnall: Especially to the tourism industry here.

Chris Jones: It is.

Mr. Bagnall: We're running at a very low increase and the last three or four years it was down. It's a positive sign to see that tourism is starting to come back this way again.

Chris Jones: It is. That's what we're seeing.

Mr. Bagnall: Can you tell me, on your policy and planning for the Calgary excursion last year, how did that work out?

Chris Jones: My understanding is the Calgary market - it was the first year of venturing into the Calgary market. The marketing people seem to be relatively

satisfied with it. Northwest or WestJet seems to be fairly satisfied with the amount of lift coming out of Calgary. We'll be back in the market again this year trying to secure an additional hold on it.

Mr. Bagnall: So are we going back to Calgary with displays and (Indistinct) like we did last year?

Chris Jones: It probably won't be the same tactics. Last year the tactics were to make sure that we went in with a bang and introduced ourselves. We'll be doing more partnership probably with WestJet and making people aware that Prince Edward Island is an option.

Chair: Any other questions?

Just one quick question for you, Chris. In the past the province seems to have implemented a lot towards the special events, i.e., the Aerosmith concert, things like that. How big of an impact is Sunday shopping or the retail component of that to making it a bit more of an attraction to come to this special event? Or does it have any impact?

Chris Jones: I think it's hard to quantify. Certainly we've not done any research to look at Sunday shopping and its impacts directly on those events or on the tourism industry. But I think I would echo the words of Don Cudmore, that certainly when people come to Prince Edward Island - whether it's to play golf or whether it's for one of those special events - they're coming here for that package. It's the beach, it's the restaurants, it's the retail. It's all that we have to offer. When you start shutting the doors, it limits that saleability. I can't answer directly your question, but I think it certainly does have an impact.

Chair: I imagine the cruise ship growth is also an impact when they come off the boat. That cruise ship season is becoming into the

fall quite extensively now too, isn't it?

Chris Jones: My understanding is last year was a significant growth year for the cruise market. Next year is proving to be an extremely important year with the new facility in the harbourfront, and the expectation is for additional cruises. Now those cruises don't come Monday through Friday, they come seven days a week and any day of the week. The expectation is when those people come aboard that they're here to shop for four hours or five hours or six hours or whatever they're here. They're prepared to shop and explore the Charlottetown area, or Summerside if they happen to come into the Summerside port. It's advantageous that retail be open to accommodate them.

Chair: Okay, are there any more questions for Mr. Jones?

I thank you very much for your presentation.

I think there is people here now from the Federation of Labour, Carl Pursey, so we'll ask them to come forward.

Thank you very much, Chris.

Chris Jones: Thank you.

[There was a short recess]

Chair: I guess we'll reconvene here again. We'd like to welcome Mr. Carl Pursey from the Federation of Labour. Maybe you can introduce the person that's with you and you can give your submission. I guess he's mentioned that if anybody wants to ask questions during the submission, that's fine. Otherwise, we'll hold most of our questions to the end.

I turn the floor over to you.

Carl Pursey: Okay.

Thank you for this opportunity to appear before you. With me is Blair Penny, he's vice-president of the Federation of Labour.

The labour movement has always recognized how important a good balance between work and family social life is, to ensure workers have time needed to rest and remove the stress that comes with everyday work life. We have fought hard to try and ensure that the balance is available for all workers. Unfortunately, here on PEI, more than anywhere else in Canada, there is still much to fight for.

PEI's employment standard legislation provides workers with the worst balance between work and family social life in Canada. This legislation provides Island workers with the longest work week before overtime. Table 1 here will show how many hours of work is needed before overtime. We're at the tail end of it. Most other provinces: eight hours a day or 40 hours a week and are entitled to overtime. But here on PEI it's 48 hours a week is the minimum. Some have a lot longer than that that they have to work for, depending on the individual industry that they work in. Some is as high as 70 hours a week before they're into overtime.

The lowest number of statutory holidays is here on PEI, if you look on the next table. Table 2 compares statutory holidays. We only have six. We're tied for last place and other provinces have up as high as 10 stat holidays. So the Island workers are working a lot more for a lot less already, and with the lowest standards. The lowest duration of vacation time in Canada as well. So we have the least amount of vacation for a number of years of work as well. So we're at the bottom of everything as far as employment standards show.

The legislation barring Sunday shopping was the one piece of legislation that showed that PEI's provincial government had any

respect for Island workers and needed to balance this work with their family and other commitments has made it a lot easier.

Other than being a minor convenience to some Islanders, the federation cannot see why there's any need for full-scale Sunday shopping here on PEI, especially when the previous legislation which barred Sunday shopping allowed enough businesses to open to ensure that all necessities and most conveniences were available on Sundays.

Sunday shopping has a major impact on retail workers it effects. It means they have less time to spend with their family and friends; it provides many workers, especially single-parent families or families where both parents are forced to work on Sundays, with the difficulty of finding daycare on a day when it is not necessarily readily available; it means that they have less time to spend on community volunteer work; and they have less time available to attend other family events, sports, hobbies, etc., on weekends, when most people are doing it.

The idea that Sunday shopping will stimulate the economy is ludicrous because more shopping days doesn't mean there's more money to shop. Average household debt loads in Canada are already too high and wages are stagnating, leaving little room for additional shopping dollars. However, we do know that Sunday shopping will have a negative impact on small independent stores that now benefit from the Sunday restriction on the big operators. Some of these smaller shops will be forced to close and some communities may eventually be left without local convenience stores. This is happening now in some areas.

As recent surveys show, many Island businesses are staying open simply to compete with the big box stores and they really don't want to be open on Sunday's either.

It is also argued that we need Sunday shopping to accommodate tourists. Shops that serve tourists are already open on Sundays. Previous legislation allows enough businesses to open to ensure that all the necessities and most conveniences are available. Therefore, it is hard to see how restricting shopping on one day of the week will dramatically affect the tourism industry.

In the case of cruise ships, some (Indistinct) that few visits on Sunday, it is also one day when they usually leave their home ports. So most of the cruise ships don't arrive here on Sundays. That's the day usually when they leave their home ports and they don't get here. So it's almost always through the week when you see the cruise ships in the harbour. Studies have shown that a lot of them, they don't spend very much money here at all in the shops, they're just browsing and looking and walking around.

As far as the regular tourists go, most of them are at the beaches on the fine Sunday days. They don't want to spend their days - a fine Sunday - in shopping at the stores, and they don't come here to shop. We got the same stores as they have back home. I don't think anyone comes to PEI for the summer for a vacation to shop the whole time they're here. They're not here just one day, they can shop the other days and enjoy the beaches and all the facilities that are at the beaches and the national parks, and that's where they should be spending their time. That's where they do spend their time (Indistinct).

We also need to question the wisdom of shaping PEI's future to suit visitors who spend a few days, or hours in the case of cruise ship passengers, here on the Island. An issue that was brought up in Nova Scotia when they decided on the issue, the idea that Nova Scotia retailers were losing money due to Nova Scotians crossing the border to do casual shopping in New Brunswick on Sunday. This is not the issue here. With

Islanders having to pay for the ferry or the bridge, they're not going to leave just to go over and buy their groceries on a Sunday or whatever for a casual trip. You go away, you're going to go over to do your shopping anytime anyway, and Sunday's got nothing really to do with it.

We also figure it's important for government to be there to ensure that the employers' continual quest to improve profit margin does not totally overshadow their employees' need to earn a fair income, while still providing themselves and their families with the best life they can outside the work place. Contrary to what business says, it's government's job that the minimum standards that allow for a fair and balance work place. Unfortunately, governments here on PEI have for too long shirked the responsibility and allowed Island workers to live with the legislation that leaves Island workers lagging far behind the rest of Canada.

In this age where PEI is to compete and maintain and attract workers, we cannot afford to maintain this lack of respect for workers' rights. In this case, the government has a chance to stand up for workers, and I hope this committee will back the recommendations that reflect this.

Sunday needs to be a day where the pace of life in our community slows down. Islanders need this to remind themselves that they are more than consumers and employees.

So that's our brief. If there are any questions - and we have the stats here with us to show that we are at the tail end of everything. We're having a job to attract workers here, we can't maintain the workers that we have. We have a vast number exiting to go west to work every week. If we're going to try and keep everything open on Sundays, there is going to be a lot fewer workers to work. There'll be no one left and the places will have to close down because they can't get

workers because the standards are so low.

Chair: Any questions for Mr. Pursey and Mr. Penny?

Don't you sort of see it as a little bit contradictory in the respect that when you're talking about a need for workers and work and stuff like that, but yet there's an opportunity to provide more work for some people? I just sort of see that as a bit contradictory.

Carl Pursey: It's not providing any extra work for any more people. The ones that are already working there are the ones that are getting the work. (Indistinct) working Sunday (Indistinct) -

Chair: I look at my own riding. I know there are students that are working, say, at the O'Leary Farmers Co-op on Sundays where they wouldn't be working normally. So that's somebody that is getting more work. It's those students. That would just be a comment that I would have. I mean, I don't think that would be standard all across in every situation.

Blair Penny: I think there are better ways of creating employment on PEI than creating work on Sundays. I think that's our position.

Chair: Jim Bagnall.

Mr. Bagnall: I notice you said - you made comments about Sunday shopping not being an issue here on PEI. Do you have any stats to back that up, like, retail sales stats to back up that statement?

Blair Penny: No, we don't. I mean, the bottom line is people aren't going to have any more money in their pocket at the end of the week. It may be spread over seven days, but what they spend in six days they're going to spend in seven days. That's basically what we're saying.

Mr. Bagnall: I don't know. Before we brought in the Sunday shopping, did you ever take the time to go and sit in the mall in Moncton and have a look at the traffic?

Blair Penny: The bottom line is, like we say, I mean, what is going on over in Moncton, that's a trip. People are going over for a trip. They're doing shopping, they're going to a restaurant, they may stay overnight or something like that. They're not going over there because of Sunday shopping, they're going over there because they want to get off the Island for a day.

Mr. Bagnall: Have you ever opened their trunk coming back? It's full.

Blair Penny: Yeah.

Mr. Bagnall: So they're there shopping.

Blair Penny: They are there shopping.

Mr. Bagnall: They're shopping because they can go over on Saturday, stay the night maybe, but they can shop all day Sunday and then come home in the afternoon or whatever they want to do. But they do go there for Sunday shopping. Yes, they probably will still do that now, but not near to the degree that was being done in the past.

Carl Pursey: A lot of times you can go over to Moncton - it doesn't have to be on a Sunday. You can go over on a Monday, a Tuesday, a Wednesday, and there are still all kinds of Island cars over there shopping. People just shop, they shop every day of the week. It's not just Sundays they go. They don't say: Because the stores are closed here we got to go shopping, we're going to go to Moncton. They plan trips around things, they go over on Monday, they stay for two days.

Mr. Bagnall: You just hit the nail on the head. Because you said people will shop

every day of the week. If you're not open every day of the week for them, they'll go some place else that is open every day of the week. That's the point I was trying to make. You close the day, you lose the business. As simple as that. That's a fact. I (Indistinct) out of retail business for 35 years. I would have stayed open every Sunday if I was allowed, but they wouldn't let me at that time. Under the regulations, I got to stay open the last five Sundays from the last few years of business. But before that, I was refused from being open. They wouldn't allow because of my store.

But yet the drug store up the street who sold three-quarters of the product that I was selling was allowed to open. I mean, he literally cornered the whole market where I had to close for the day. Then they turn around and they advertise Sunday specials to get everybody in there, so they do major business on that day that other businesses in town lost.

So by allowing the businesses to set their own hours and do their own things, it lets a playing field for everybody.

Carl Pursey: But then we need a playing field for everybody as far as workers' wages, minimum standards for work, and everything else. When we got the worst standards in the whole country -

Mr. Bagnall: I agree with you.

Carl Pursey: - for minimum wage, for everything else. All our standards are the worst. The only thing we had left was that some people do get a Sunday off to spend with their family. If we're going to take that away, we've got to increase the standards, and people got to get paid more for working on Sundays.

Mr. Bagnall: I'm a firm believer that we got to raise the minimum wage to \$10 right across the board here as soon as possible.

Carl Pursey: Right, and if that kind of thing was done then we could probably look at more things. But when the workers are treated with the worst respect in the whole country - we're the bottom on every standard, if you look up on the employment standards legislation. If we're not in the last place we're tied for last place. So our workers are getting the worst rap here than they are anywhere else and now they're going to get more that they can't have the Sunday off that they have now.

Chair: Okay, Paula Biggar, and then Robert Mitchell.

Ms. Biggar: We had a lot of data provided with us, like from the chamber of commerce, where they did a lot of surveying with their businesses on the opinion of where they stand or what impact it has on Sunday shopping. Has the Federation of Labour gone out to the employees and done any kind of data collection or survey on that side of it? I know you certainly speak for the labour market and labour force.

Carl Pursey: No, we have done nothing formally because, I mean - other than what we've heard from individual comments from people - because unlike the chamber of commerce and these people that have all kinds of government money and everything to run and function, we don't have any money to function. We're completely volunteer. We're not getting money from everywhere to do all these grand studies and have big presentation and things. Everything we do is volunteer. All we're doing is getting comments from people.

People are saying they don't want to have to work on weekends, they're going to have daycare problems and all these kind of things, and they want a day to be off with their families. We're not saying to everybody else that everything has to stay open. Well, maybe government should be open on Sunday. Is this what we're saying

too? Let's have a day of rest and have Sunday one day off for everybody. Part of our population enjoys it, why shouldn't all of it? If they have to work, why should they have to work for a low minimum wage?

Chair: So you're basically advocating every Sunday off for 52 weeks, correct?

Carl Pursey: We'd like to see every Sunday off.

Chair: That's fine. Robert Mitchell.

Mr. Mitchell: Just one question. Glad to hear Jim is looking to increase the minimum wage. He had 11 years to do it, but anyway.

In regards to the federation's view, of those that already have to work on Sunday at various other jobs that they're at, where do you stand on those jobs that have to work Sunday anyway?

Carl Pursey: Most of these jobs that have to work Sundays anyway, they're not minimum wage jobs, they're better paying jobs. They're people that work that have - I work in a place myself that's open seven days a week and has been for years, but we have extra premiums. If you work Sunday you get paid \$2 an hour extra. If you work Sunday evening you'll get an extra \$1 more and on top of a wage that's well above minimum wage. What we're talking here, these places, they're minimum wage people. The hospitals and that, they're open weekends, they're six days, your police - or seven days a week. All these places are seven days a week and have been, but they're not governed by employment standards legislation which is what these ones are all governed by.

Blair Penny: I mean, most of the places that are open on Sunday are, I would say, more a necessity that they have to -

Unidentified Speaker: Gas stations.

Blair Penny: You can't shut down the whole Island for that one day. There has to be necessities and a certain - like we say in here, we'd have no problem with the past legislation having some conveniences and necessities open. Like Mr. Bagnall was saying, there is - we're a little concerned about some of the ways that something like Shoppers Drug Mart and some of them try to get around - use loopholes to expand what their main market is. I know they're getting more into groceries and getting stuff like that. We'd like to see that probably curtail back into what their business is. They're there for pharmacy - there to be a pharmacy, not to be a grocery store, not to be that. That's what they're suppose to be open for.

Whenever we're talking Sunday, I mean, most of the businesses that are open are necessities. Carl works at Canada Post, so that's a necessity that he's in there to get the mail out, type of deal. Some workers work at hospitals on Sundays, that's a necessity that we can't close down the hospitals one day a week. We do realize that there does need to be some necessary places open. Like we say, with the tourism industry, most of the tourism shops, places where you buy souvenirs and stuff like that, convenience stores and stuff like that where they could get hotdogs or whatever they want to barbecue and stuff like that, are open.

Mr. Mitchell: And I realize that a lot of them have unions involved too, but lots don't as well. There is a wide range there that -

Blair Penny: I'll have to disagree a little bit with Carl. Some of the ones that are necessities are within the minimum wage too.

Carl Pursey: Most of them are covered, though, like your police, your ambulance drivers, your hospital workers and that type of thing that has to work Sundays. They're all covered and they make decent pay for

working on Sunday's.

It's going to drive out a lot more smaller businesses that are already in business now that stay open on Sundays. They're going to close up. Your tourism, north shore part, you know, we'd like to keep the people up around there in the summertime and do their business. Those businesses that operate up in the North Shore there, they're only open - they have eight weeks of business to do their business and they have to close down because they can't make it any more. So those places are open on Sunday. People can go there and shop and support the tourism industry there rather than having the Wal-Mart open here. If they want to shop, they just left the Wal-Mart where they came from the week before. They could do their shopping there. They're not going to find anything different.

As a matter of fact, these big stores now have everything - they want everything in the same place in every store so people know where they are. So I don't see why - a nice sunny day, tourists are going to want to stay at the beach and enjoy themselves around those areas and (Indistinct) the stuff up there.

Blair Penny: That's where we want to keep them, too, is around the tourist attractions to provide the tourist industry with the (Indistinct). If the stores are open they'll be in Charlottetown. That's not where we want the tourists. We want them out around the beaches, we want them out around the attractions on PEI.

Chair: I think one thing to note is that not every Sunday is sunny. There are some days that are rainy.

Carl Pursey: But then there's shops up there on the north shore to accommodate them. They can go to the restaurants, they can go out, go shopping on the boardwalk in Cavendish. They can do all this kind of

stuff. There's still lots of stuff. I'm a tourist operator myself as well too, and a rainy day doesn't seem to bother them. Everybody doesn't say: We can't wait around because we're waiting for Sunday to come so we can go shopping. They're here more than Sunday so they can shop any other days and do those things on Sunday. Just think, people have to work every Sunday of the year, it's just not the way things should be.

Blair Penny: Realistically, how many cruise ships come in here and you see a person come off a cruise ship and go back with a t.v in their hand? Realistically, I mean, passengers on a cruise ship are not going to come here to buy their groceries, they're not going to come here to buy a television set or a VCR or anything like that. They're here to buy touristy stuff, maybe go to some restaurant, or pick up a Cows ice cream or something like that.

Chair: I would concur with a lot of that, but there are a lot of tourists that would buy clothes and clothes is a bit of an advantage that we have here in Prince Edward Island based on taxation.

Carl Pursey: But you don't see them going back with bags of cloths. You see the tourists off the cruise ships here, even through the week, they walk into a store, you see dozens of them walk in, they walk out again. They might buy a candy or something or an ice cream. They're not here to shop for stuff to lug back and most of them don't even eat here because their meals are provided free on their ship anyway.

So I mean, they drop very little money here. Why should we have to keep our workers, with the lowest standards, make them work a Sunday to look after a few people that come in on a cruise ship?

Chair: Any other questions?

Thank you very much for your presentation,

and take all those points into consideration.

Thank you.

That concludes our scheduled presenters. We have item number eight on our agenda as our next thing up. I think everybody's got a copy of a draft schedule for public hearings - I'm wrong, we're doing - the submissions is the next step on the - everybody is getting a copy of that. Am I correct?

I know there is a couple more that I passed on to Melissa, one from an individual at Canadian Tire, and there was another one from a Dennis McCaughey, but that'll be submitted at our next meeting. We're not going to have to review them, but everybody has a copy of them. Take into account their views, I guess, and if anybody - I'd also encourage, if there is anybody else out there as MLAs who has been lobbied or requests have come in to them to pass those - as long as there's a name on it. I know I had a number of emails to take a look at the *Guardian* chat messenger poll or whatever, but most of those comments there is no names on those and I don't think we can take them into consideration at all.

Anyway, the other is discussion of possible hearings and locations. We have a draft schedule for public hearings. We had talked about now opening this up to the general public. To this point, we haven't had an overwhelming response back as far as individuals who want to make a presentation to our committee. That probably changes how extensive we go out into the general public.

Jim?

Mr. Bagnall: Should we not wait until we hear back from your final presentations to where we should be looking? For instance, if we don't get any presentations or requests out of Montague to meet, then why would

we meet there? Or if we don't get any -

Chair: That's a good point, no, I realize -

Mr. Bagnall: - O'Leary. Why don't we put the - are you putting the advertising in on this?

Chair: They're in today. They're been in two or three already I think.

Mr. Bagnall: So why don't we wait till a response date back from them to make a decision whether we even have to meet anywhere but Charlottetown or whether we have to travel.

Chair: My only comment to that would be is that in trying to prepare and book some dates and meetings and things like that, we want to get at it. We have time, but it's starting to erode away on us a bit. Right now we're going to be in to the end of January.

Mr. Bagnall: I have no problem with booking some dates -

Chair: If there is no submissions come forward -

Mr. Bagnall: - and then we can cancel those dates.

Chair: Yeah. I think I would also note that if it was a case that - as an example, right now there are no submissions requested for Montague. If we happen to get an overwhelming amount, maybe we do a whole day in Montague in the end. But I think it's kind of important to start nailing some dates down because we're going to run into other committees duplicating and it's going to be hard to get times and places here. That's all I'm trying to suggest.

Mr. Bagnall: One other thing. Is there any way that we can go in the afternoons rather than the evenings?

Chair: The only thing I would say, just like what you're saying, if there's not a lot of submissions we can cover two places in one day. In other words, do an afternoon in say Montague and an evening in Charlottetown, or an evening in O'Leary and an afternoon in Summerside. That was my thought.

Ms. Biggar: Do we have submissions Mr. Chairman, from all these locations, other than obviously we don't have one (Indistinct)?

Chair: Yes we do, yeah. Montague is the only one that we have not had a request to make a presentation to us. But I just thought because - you get Kings County, to have some sense of representation down there.

Sonny.

Mr. Gallant: With all due respect to what you just said, Mr. Bagnall, if you meet in the afternoon versus the evening, what about the people that can't come in the afternoon because of work commitments that may want to come and make a presentation?

Ms. Biggar: We have to be flexible.

Mr. Bagnall: If we get some numbers we could ask them could they meet in the afternoon or the evening before we book it, whether it's afternoon or evening. Let them decide whether they can meet in the afternoon. If they can't - (Indistinct) wintertime it's kind of the travelling. You're going to have to travel to Montague and back in the evening. It would be much easier for you to do particularly in the afternoon to get home. I don't care, I mean I can travel.

Mr. Gallant: I respect what you're saying. But maybe somebody may not come. They may not contact us and they may not come when they see it's just in the afternoon.

Chair: I guess that's what my point would be by -

Ms. Biggar: I don't think we should take our travel needs into (Indistinct).

Chair: That's why I would be saying, if I use the example of O'Leary in the afternoon and Summerside in the evening. If somebody really wanted to make a presentation, then their only trip is in the evening. They can go to Summerside, if you're from O'Leary and you couldn't do the afternoon one. At least we're minimizing the travel to the general public to be heard.

Mr. Bagnall: Not a problem. I just was wondering why we were going in the evening.

Committee Clerk: These are really just tentative for everybody to kind of look at your own schedule and make sure they're okay.

Chair: That's why I wanted to try to get these dates out. If we could say that the 30th and February 6th are two dates that we're going to hold hearings, then we have those dates booked off. If we get an overwhelming amount we can always add on another date. In other words, Montague is -

Mr. Bagnall: It works perfect for me because I'm in Charlottetown in the afternoon and Montague at night. So (Indistinct) drive.

Chair: It's a proposal but -

Unidentified Speaker: (Indistinct).

Mr. Bagnall: What?

Unidentified Speaker: You're good.

Mr. Bagnall: Like, it doesn't make a difference to me that way, but it just seems that we're putting some travel at nighttime. If people will come in the afternoon, it makes more sense.

Chair: But I would emphasize that if we do not get any presentation requests for Montague we will not be going to Montague.

Mr. Bagnall: That's fine.

Chair: Fair ball.

Mr. Mitchell: The February 20th meeting, do we have people booked already for that, Melissa, for presentations?

Committee Clerk: We don't, no. What we were hoping is, if everyone agrees, that once all the submissions are in for Sunday shopping, public hearing presenters which will be the 18th of January is our cut-off date, if you would agree, the chairman and I could get together, work out a schedule and then submit it to you by email and let you know where and what dates and whatnot, based on this schedule here.

Chair: Sure.

Committee Clerk: Okay.

Ms. Biggar: February 20th seems like we're getting very late if we got to prepare a report.

Chair: I don't have a problem with sooner, but one issue we're going to run into is once again dates, because we've got other dates of other committees.

Mr. Bagnall: I have no problem with the 20th except that I won't be here. I will be away. I will be scheduled out two weeks there from the 18th or the 19th to the 5th or 6th of March. If we could do these before that it would certainly help me. But anyway, I'm flexible.

Chair: What's everybody else's schedule if it was any earlier, but you have some -

Committee Clerk: Like how many days do

you think you would need to go over the report?

Chair: I would think one. One or two at the most.

Mr. Bagnall: I think one to two -

Chair: We've got a lot of information here.

Mr. Bagnall: Melissa, would you - first when you talk about going over a report, would you come in with a draft based on what you've heard first, and then us to have a look at it with what changes we want?

Committee Clerk: And sit down - also you would at that point discuss what recommendations you want to put forward and you could debate everything. So I could come in definitely with a draft especially of the parts that basically recap what we've heard, where we've been, our meeting dates, all that kind of general stuff. I'll have all that ready before.

Mr. Bagnall: I think that probably one meeting likely, if we spend two or three hours going through it, we could finalize that.

Committee Clerk: So we could do that potentially on February 20th, then it would be - oh, except you're not here, that's right.

Chair: But you would have somebody replace you, would you?

Mr. Bagnall: Yeah, but the only one I have has never been at a meeting.

Chair: I know what you're saying.

Committee Clerk: Or around that date then. I can work with Marian to kind of juggle a few things.

Mr. Bagnall: Especially if it's a final report I would like to be there. But other than other

meetings, I don't mind missing a meeting and having somebody come in.

Chair: When did you say you were leaving?

Mr. Bagnall: I'm leaving on the 18th or 19th. They're booking today for me. So whatever date that I can get out and get back on.

Committee Clerk: There is possibly - the 13th there is nothing confirmed scheduled for that day. It's being held for someone, but I can speak with Marian and hopefully we can switch those two around.

Chair: Does that give you enough time?

Ms. Biggar: There is another meeting booked that day at noon, Robbie.

Chair: What's that?

Ms. Biggar: You might want to check your schedule on February 13th. There is a caucus meeting, I believe, on February 13th at noon. Unless we did it in the morning, but Wednesday mornings are -

Chair: We'll still be meeting at 1:30 anyway, wouldn't we?

Ms. Biggar: Do you think our caucus meeting will be done by then?

Chair: I would think, yeah. Close to that, anyway.

Mr. Bagnall: We could set that day for 2:30 or 2:00 even.

Chair: Two thirty, okay.

Mr. Bagnall: We could go for the 2:00 meeting to make sure.

Ms. Biggar: Yes.

Unidentified Speaker: You're going to be probably going in camera (Indistinct).

Mr. Bagnall: It's going to be an in camera session anyway.

Ms. Biggar: Maybe 2:00 on the 13th.

Chair: That would be good, yeah.

Committee Clerk: If the hearings were wrapped up on the 6th then yes, that would be enough time for me. I can do it all and get it all ready for the next (Indistinct).

Chair: Okay, let's tentatively look at February 13th as a possible date to kind of wrap things up a little bit.

An Hon. Member: Two o'clock?

Chair: Two o'clock, 2:00 p.m., yeah. Melissa and I will work with the scheduling just to see what happens when the final submissions (Indistinct).

Mr. Bagnall: Motion for adjournment.

Chair: Book those dates and we have a motion for adjournment.

Meeting adjourned.

Thank you.

The Committee adjourned

