

OPSEU comments on changes to Election Finances Act

OPSEU President Warren (Smokey) Thomas made the following remarks to the Standing Committee on General Government at Queen's Park on Tuesday, June 7 regarding Bill 201, An Act to amend the Election Finances Act and the Taxation Act, 2007.

Good evening. I'm Warren (Smokey) Thomas, president of the Ontario Public Service Employees Union. With me I have Clarke Eaton, Special Assistant to the President.

It is great to be here to talk about Bill 201 and the changes the government has proposed to election financing and political communication in this province. On behalf of 130,000 OPSEU members working and living in every community in this province, I want to say thank you for the invitation and thank you as well for the time allotted to my presentation and the questions I expect you will have.

As a free and democratic union that exists and operates within a framework defined by legislation, and as an organization whose members' livelihoods depend largely on public funding for public services, OPSEU is deeply interested in public policy and the way our elected representatives are chosen.

We are very concerned about the role of what I'll call "big money" in provincial politics. I don't think there is an organization in this province that has spent more time than we have trying to expose the links that connect politicians to corporate interests and vice versa. Those Ontarians who care to see what is happening are witnessing the greatest robbery in Ontario history.

Through the sale of public assets like Hydro One, through the use of public-private partnerships to build infrastructure, through contracting out of frontline public services, and through other methods, a massive transfer of wealth is happening in Ontario today. It is a transfer of wealth from public hands to private ones. It is legalized larceny, and as such it is profoundly undemocratic.

Six days ago, CBC News reported that Greenfield Specialty Alcohol, a company that has received more than \$163 million in subsidies from the provincial government in the last decade, has donated \$480,000 to the Ontario Liberal Party over that time.

Incredible.

There is something wrong in Ontario. Not everything that is wrong can be fixed by changing the way political campaigns and political communication are financed and regulated in this province. But Bill 201 is a start, and we welcome it.

Bill 201 is an opportunity to talk not just about election financing, but also more broadly about democracy itself. Democracy was invented as a counterweight to entrenched power – economic power especially – and I hope you will remember that in this debate. Because so were trade unions.

I want to talk specifically about the key points in Bill 201 and then add a few ideas about what is not in the bill but that we think should be.

First, Bill 201 proposes the banning of corporate and union donations. On the face of it, all unions should be in favour of this. As far as I can see, corporations are outspending unions by a significant margin when it comes to political donations, so for us, the banning of corporate and union donations corrects the current imbalance and is, for us, an improvement.

But when it comes to third party advertising, I think we are getting into different territory.

The bill proposes to limit third-party advertising to \$100,000 per organization during a general election, and \$600,000 in the six months prior to the election being called. This is problematic.

OPSEU has never been a part of the Working Families Coalition, which has spent a lot of money opposing past Tory leaders to the benefit of the Liberals on Election Day. Nonetheless we do speak out frequently on a wide variety of issues, and do spend money on advertising with respect to these issues.

Do we think provincial and demonstration schools that provide fabulous education to special needs children should be kept open, not closed? Yes, we do.

Do we think ServiceOntario offices in communities like Terrace Bay and Milton and Embrun should be kept open, not closed? Yes, we do.

Do we think the Bay Street bankers, corporate lawyers, construction bosses, and Liberal party operatives who make up the privatization industry in Ontario are ripping off the people who fund their activities through their taxes? Yes, we do. And we're not afraid to say so.

I note that the limitations on third party political communication in Bill 201 do not apply to all third parties equally. There is one group of corporations that is, it appears, exempt. And that is the news media.

In the definition section, Bill 201 specifically stipulates that “the transmission to the public of an editorial, a debate, a speech, an interview, a column, a letter, a commentary or news” does not qualify as political advertising.

That’s fine – we all support freedom of the press. But in doing so we should ask ourselves why news corporations should be exempt from the rules for third-party political communication contained in Bill 201.

The news industry today is increasingly concentrated in fewer and fewer hands. To view Postmedia, or TorStar, as anything but corporations is naïve. The political communication they do is little different from the political communication OPSEU does. They just happen to own the means of communication.

The automatic exemption of media corporations from rules related to political communication needs to be examined. Why would we support it? In my view, there can only be one reason: that despite their political biases – sometimes overt, sometimes transmitted through editorial choices that are invisible to most – we regard these media giants as organs of democracy.

I don’t object to that. But if freedom of political communication only applies to those who own the presses, we have a problem. Especially when political communication by the most democratic independent organizations in society are censored by law.

I am talking, of course, about unions.

Imagine OPSEU spends \$1.3 million calling for proper funding for our public hospitals. For us, that’s \$10 per member. The fact that we are able to empower those 130,000 members to speak up is an asset to our democracy. And yet under Bill 201, it is seen as a detriment. I don’t understand that.

Democratic organizations should not be barred from communicating about politics, any more than news organizations should be. Both are vital to the functioning of political life in this province. They should be encouraged, not repressed.

The point of reforming political finance should be to make the voices of people louder than the voice of money. Bill 201 isn’t doing that.

Bill 201 falls down when it comes to contribution limits. Of my 130,000 members, I don't think more than a handful could ever afford to donate \$1,550 to a party or candidate. For a person who makes \$40,000 or \$50,000 a year, a more realistic limit would definitely be less than \$100. If you look at the Bernie Sanders campaign in the U.S., it's easy to see that a major campaign can be financed with average donations that are much lower than that. With a contribution limit of \$1,550, big money still plays too big a role in elections. I would lower it dramatically.

The idea of quarterly payments to political parties is another initiative in Bill 201 that I cannot support. The main reason for this is simple: If I voted for a party in 2014 but find I despise it in 2016, why should I be forced to donate my public dollars to that same party in 2018 so it can compete against the party I now support?

Make no mistake about it: dollars are votes, too. And we should treat them as such. The simplest idea might just be to allow every Ontarian to allocate \$10 per year to the party of his or her choice, paid for by the government, and ban all other donations entirely. I would love to see that debated here.

That would certainly cause parties to tailor their policies to more Ontarians, I think. I'm seeing a disturbing tendency in all parties to aim their campaigns only at people who will vote. With real money at stake, and no other way to get it, we might actually see parties mobilize to reach people who normally feel excluded from the political process. You might actually boost participation, which should be the goal of all election legislation whether it relates to financing or not.

On a final point, Bill 201 proposes a small change to the wording around the publication of public opinion polls on Election Day. The bill maintains the current ban, but really what it should do is extend it.

If we already know that the publication of opinion polls has an undue influence on voting behavior on Election Day, why not limit the publication of polls even further? I would support extending the ban on the publication of polls to two weeks before E-Day.

Just imagine what election campaigns might be about if it became impossible for news outlets to turn them into horse races. I think it could only enhance the quality of democratic debate.

I want to thank you again for inviting me to be here on behalf of my members, and I would be more than happy to take your questions. Thank you.