



STANDING COMMITTEE ON CROWN AND CENTRAL AGENCIES

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**STANDING COMMITTEE ON CROWN AND CENTRAL AGENCIES
2007**

Ms. Sandra Morin, Chair
Regina Walsh Acres

Mr. Dan D'Autremont, Deputy Chair
Cannington

Hon. Graham Addley
Saskatoon Sutherland

Mr. Dustin Duncan
Weyburn-Big Muddy

Ms. Donna Harpauer
Humboldt

Hon. Warren McCall
Regina Elphinstone-Centre

Hon. Mark Wartman
Regina Qu'Appelle Valley

[The committee met at 15:02.]

The Chair: — Good afternoon everyone and welcome to this session of Crown and Central Agencies. Before us today we have Property Management.

First I'd like to introduce the members of the committee. For the opposition, we have with us Dustin Duncan, Dan D'Autremont, and Donna Harpauer. And for the government we have Minister Graham Addley, Minister Warren McCall, and Minister Joan Beatty substituting for Minister Mark Wartman.

**General Revenue Fund
Property Management
Vote 13**

Subvote (PM01)

The Chair: — Appearing before the committee today we have Minister Eldon Lautermilch, the Minister Responsible for Saskatchewan Property Management, and I'd like to invite you to introduce your officials at this time.

Hon. Mr. Lautermilch: — Thank you very much, Madam Chair. And I want to thank the committee for inviting Saskatchewan Property Management to be here today. We will be reviewing the department's budget estimates for '07-08. I will make a few brief remarks, Madam Chair, but I would like to first introduce my officials.

To my left is Ms. Deb McDonald who is the deputy minister. To my right is Mr. Garth Rusconi. Mr. Rusconi is the assistant deputy minister of accommodation services. To Ms. McDonald's left is Mr. Donald Koop who is the assistant deputy minister of commercial services division. And at the table is Mr. Phil Lambert, the assistant deputy minister of information technology, and Ms. Debbie Koshman who is the assistant deputy minister of corporate support services. And I believe Ms. Shelley Reddekopp is director of financial services with us here today as well.

Okay, the budget estimates for this year reflect, Madam Chair, a continuation of the direction that has previously been set. The planned expenditures support the achievement of the department's long-term goals, those being cost-effective, value-added service to government and sustainable property infrastructure.

I'd like to spend just a couple of minutes on some of the highlights of the budget estimates for the department. Saskatchewan, as members will know, is experiencing a tremendous increase in construction activity generally throughout our province. This activity has many positive economic effects. Saskatchewan Property Management will continue to focus its capital upgrading efforts on priority facilities including the Regina Provincial Correctional Centre, the Saskatchewan Disease Control Laboratory. Both are pretty large capital projects.

As well, the voice over Internet protocol, or VOIP, is an emerging telecommunications technology that essentially

merges the phone and the computer with the Internet and is a less expensive and more mobile service than traditional telephone lines. SPM [Saskatchewan Property Management] has successfully installed VOIP technology at its head office, and it plans to implement the service within government buildings in Regina and Saskatoon over the next three years.

Now Property Management will continue to perform a leadership role in the sustainable development of property infrastructure that reduces the impact of government operations on the environment. This work will support the green strategy of the government by lowering greenhouse gas emissions through reduced fossil fuel consumption and using wind power, as well as by diverting waste from landfills into reuse and recycling programs. SPM plans to increase the amount of green power it purchases to meet government's electricity requirements. SPM also strives to provide the best property management and support services for best value to public agencies.

With that, Madam Chair, I would be willing to work with my officials to entertain questions from committee members.

The Chair: — Thank you, Mr. Minister. That leads us to Saskatchewan Property Management, vote 13, central management and services (PM01). All agreed? Mr. Huyghebaert.

Mr. Huyghebaert: — Thank you, Madam Chair, and welcome to the minister and officials. We have a few people that want to ask a number of questions, so I'll just start with a few general questions and then turn it over to a couple of other individuals that would like to get in.

One of the questions, series of questions that I would like to start with is the Department of Learning and the location of the Department of Learning building. It is my understanding that they had changed buildings in 2004, and at that time SPM had gutted the old SaskEnergy building and refinished the inside. And again it's my understanding that the department is now moving to another new location, and my question is, will SPM be gutting and building and refinishing the new facility? And is it in fact that the Department of Learning is moving to a new facility?

Hon. Mr. Lautermilch: — Madam Chair, I'm told by the officials that we're not aware of a new relocating of the Department of Learning. But obviously we can take notice of that and return with a response to the member.

Mr. Huyghebaert: — I thank you for that if you will do that because it's my understanding that there will be a move afoot, and I'm sure that that would come under SPM management if in fact it is a move to another facility.

And my next questions relate to ones that we had spoke to last fall. And it was related to the Finance building on the corner of Albert and College. We had questioned last fall about it being over budget, and it had not been completed and was behind schedule. And at that particular time 11 million had been spent. And I believe in your answer last fall there was two floors that had been completed, floors 10 and 11. And my question now is,

how many floors have been completed on the Cooper Place building?

Mr. Rusconi: — Four floors have now been completed — 11, 10, 9, and 8.

Mr. Huyghebaert: — Is there any further work to be done from SPM in that building?

Mr. Rusconi: — Yes. The project's still ongoing. They're currently working on floors 7 and 6. The project is slightly behind, schedule so the project is scheduled to be completed near the end of this calendar year. So they'll be moving down two floors at a time until they finish.

Mr. Huyghebaert: — And the date again, project to be completed by . . .

Mr. Rusconi: — Near the end of the calendar year, December.

Mr. Huyghebaert: — Okay. And can we be advised as how much money has so far been spent on this project and how much is estimated now to finish the total renovations?

Mr. Rusconi: — Yes. The amount spent to date . . . I have it here somewhere. Yes, the original budget was . . . The budget was fifteen six. It is now 16.9 and so it's over \$1.3 million. I don't have the exact figure that's been spent to date, but it's around \$12 million. I could get that for you. I have it here somewhere, but I can't seem to put my finger on it. Yes, I'll have to get that number for you. It's . . .

Mr. Huyghebaert: — Okay. And the completion date is slated for the end of the calendar year and your original completion date . . . and I can't find it in my notes from last time. What was your original completion date established when the project started?

Mr. Rusconi: — I believe it's about a year behind schedule.

Mr. Huyghebaert: — Okay. And I know what the answer will probably be, but just for the record, the reason for the delay.

Mr. Rusconi: — A number of reasons. This was a fixed-price tender, so the cost of the actual tender work hasn't gone up. But there's been a number of situations that we didn't foresee, that weren't planned in the project. So there's been a number of change orders, as well as there's been some enhancements that have been decided to do in terms of some of the furnishings. There was some additional asbestos found. There was some issues with the elevator as well. So there's been a number of change orders that have created the problem, so it's, to be honest with you, it's been a pretty difficult project.

Mr. Huyghebaert: — And the cost overrun, you mentioned a fixed-price tender but with a year-long delay. I'm trying to put my head around what the cost overruns . . . if it's a fixed-price tender, then the cost overruns are related to just the improvements within the building?

Mr. Rusconi: — Well it's things that were not included in the tender package when the contractor tendered on the project. For example additional asbestos may have been found on a couple

of the floors, which was additional cost to the project — that type of thing where the tenders had changed. So it's factors that came about after the tender had been awarded which we would review with the consultant and either approve or not approve. In this case we've approved to the point of 1.3 million.

Mr. Huyghebaert: — In the original contract, although it's a fixed-price tender, was there any penalty clauses within that contract for construction delays?

Mr. Rusconi: — I don't believe so.

Hon. Mr. Lautermilch: — If I could just respond to that, I think you know, a number of things have happened. When you're into renovating an older building, you run into circumstances where you have asbestos. I know in this particular building there have been some changes to the plumbing that weren't budgeted in the original budget, which obviously means change orders, which means an increase in cost.

I think the member will be well aware of the pressures right now on all construction companies in terms of attracting tradespeople. This is a workers' market. It's pretty obvious that the strength of this economy has created problems for contractors doing government work as well as doing work in the private sector.

And sometimes the timelines have to be extended. And this one is now extended to a completion date of December of '08, as previously was scheduled was December '07. And I think it's fair to say that Dominion Construction, who is doing this tender, is a well-known, reputable company who has done work both in the private sector and in the public sector. And obviously we've had a delay. But I think at the end of the day, we'll have a safe building for the people who will work in there, and it'll be an asset that will be extending the lifespan of this building by another 40 years.

And so I think when you take a 40-year-old building, you embark on 15, 16, \$17 million worth of renovations, and when you're extending its lifespan another 40 years, it's not a piecemeal kind of a situation. What we have is a building that's going to be totally retrofitted, and I think will serve us for the long haul.

Mr. Huyghebaert: — Well just to clarify, Mr. Minister, you just said that if you're doing renovations for 16, \$17 million, it's quite a renovation. And I think the question I asked earlier, what was the cost? And it's going to be 60.9 million. That's far different than 16 to 17. What is the cost of the renovations?

Hon. Mr. Lautermilch: — The current budget is forecasted to be 16.9. The original budget was 15.6, but as was indicated by Mr. Rusconi the change orders — cleaning up asbestos and some plumbing that wasn't expected to be done — has made a change in the amount that the building rent improvements will be costing.

Mr. Huyghebaert: — Okay. I had wrote down 60.9. You meant 16.9?

Hon. Mr. Lautermilch: — 16.9 as opposed to 15.6 originally.

Mr. Huyghebaert: — Okay. I think that's all that I have for the moment. I'll let my colleague have a few questions.

The Chair: — Ms. Draude.

Ms. Draude: — Thank you, Madam Chair, and to the minister. My questions today are going to be around the maintenance and the improvements to our legislative yard. The building here, it's looked after by people who are on staff or are they contracted?

Ms. McDonald: — Are you talking about the grounds here?

Ms. Draude: — That's correct.

Ms. McDonald: — It's Wascana Centre Authority.

Ms. Draude: — So they are contracted?

Ms. McDonald: — No, Wascana Centre Authority does all the grounds maintenance, the grounds planning, the upgrades to the grounds. They do pretty well everything in the planting of the flowers, the growing the plants early on. They pretty well take care of everything in the legislative grounds and Wascana Park. The legislative grounds are part of Wascana Park.

Ms. Draude: — Okay, so the flowers are provided by Wascana Authority as well then?

Ms. McDonald: — Yes. The way Wascana Centre Authority is funded, there's three funding partners. There's the university. There's the city of Regina. And there's the provincial government.

Ms. Draude: — So can you tell me what the cost breakdown is?

Ms. McDonald: — I haven't got it right at my fingertips. I can get it for you. I think the province pays the majority. The city, I think, if I have it right, we do about . . . The province does about 60 per cent, and the university does 15, and the city does the rest.

Ms. Draude: — Through what department?

Ms. McDonald: — The provincial share comes through the Department of Environment, their funding.

Ms. Draude: — Okay, some of the other buildings in . . . especially down Albert Street, they're government buildings. Are they all looked after by Wascana Authority?

Ms. McDonald: — The buildings itself are SPM. The grounds around them are Wascana Centre Authority, so all the buildings that are along which we call the mall are taken care of by SPM.

Ms. Draude: — And how many buildings is that?

Ms. McDonald: — Oh how many buildings altogether? I think there's five . . . well you count the powerhouse too — five.

Ms. Draude: — So at the end of the year or the beginning of the year, you're given a budget, and this is how much that is estimated it's going to cost you to look after the grounds for

these five buildings. And that's what's paid, no questions asked, or how does this happen?

Ms. McDonald: — For the grounds, we give . . . well the Department of Environment gives direct funding to Wascana Centre Authority to take care of the grounds and what need to be done at the grounds. And I don't want to speak on behalf of the Department of Environment, but I think Wascana Centre Authority and the Department of Environment negotiate out what they need. I don't know exactly if they've received any extra or any incremental funding in the last few years.

I actually sit on the board of Wascana Centre Authority on behalf of government, so I know that for some years we didn't receive increases in funding from any of our funding partners. I also know Wascana Centre Authority has now partnered with some private sectors to do enhancements in the park as well. But with regard to the operations and maintenance of the physical buildings that are in the mall, SPM takes care of all of those buildings.

Ms. Draude: — Does SPM look after things like decorating the Legislative Building at Christmastime?

Ms. McDonald: — Yes, we do. This year we did. We have at times . . . I think it was last year Wascana Centre Authority did that for us. But the building manager in this building this year decided that he wanted to do it and take care of the Christmas decorations. And we were in agreement with him. He had the money in his budget, so he took care of the seasonal decorations.

He takes care of the decorations and sort of . . . Like if there's a special function in here like the opening of the session and things like that, when there's plants in the rotunda, he'll work with oftentimes Wascana Centre Authority, but he will actually take care of those within the building.

Ms. Draude: — So does Wascana Authority . . . Then the legislature doesn't have any voice in whether those plants that will decorate the rotunda when there is an official opening, if the flowers are provided by some florist in the city or . . . There's no say in that from anybody in the Legislative Assembly.

Ms. McDonald: — I really don't know. I think probably our building manager here talks to whomever is doing it, and they get together on what ideas they could do. Certainly they, you know . . . He's always done some stuff around Christmas, but I think he's relatively artistic when it comes to special events and certainly the opening of the legislature and has a good idea of what he does. We've always been relatively happy with the way he looks after the building for special events.

Ms. Draude: — Okay. Thank you very much.

Ms. McDonald: — You're welcome.

The Chair: — Mr. Duncan.

Mr. Duncan: — Thank you, Madam Chair. Maybe I'll just defer to my colleague from Humboldt.

The Chair: — Ms. Harpauer.

Mr. Duncan: — I just wanted to get on the record.

The Chair: — Okay. Sounds good.

Ms. Harpauer: — Thank you. My questions are generally the same; only mine are specifically on this building which you say is looked after by SPM. So how much money did SPM spend in the last year on this building, specifically the legislature building, for maintenance and upkeep — meaning capital dollars, not the staff and janitorial and labour expenses but actual upkeep capital dollars?

Ms. McDonald: — Oh, so just individual capital dollars for this building?

Ms. Harpauer: — For this building.

Ms. McDonald: — I think I'm probably going to have to get back to you with regard to specific capital dollars for this building for the way we break out the budgeting on this building.

Ms. Harpauer: — If you could do that it would be appreciated.

Ms. McDonald: — Sure.

Ms. Harpauer: — And the other question I have is, okay, if there's an area in this building that . . . For example, a hallway that is particularly poorly lighted and — or poorly lit I guess is better English — could possibly be considered an occupational health and safety situation. How would I as a staff member within the building go about getting that fixed? What's the process?

Ms. McDonald: — Well this building is a heritage building.

Ms. Harpauer: — Yes.

Ms. McDonald: — So we're very restricted with what we can do with regard to either the interior or exterior of this building in that we have to stay sort of very close with regard to what the original lighting fixtures would be.

And another thing that we've tried to do in all of our buildings . . . and as you're well aware, we did some major retrofits in this building in the last few years. And when we've done those, we've tried to be as energy efficient as we can as well.

I suppose if you were having a problem with regard to thinking a hallway is too dim within the building, you would take it to the OH&S [occupational health and safety] committee within the building. And there should be one within this building.

Ms. Harpauer: — Then they would review it and then apply to SPM for the funds?

Ms. McDonald: — We would have to . . . I mean if all of a sudden it meant that we would have to put . . . I mean if you can change it by upgrading a bulb; that's one thing. If it means putting in additional lights, we would have to look at how we could do that with regard to still following, adhering to the

heritage of the building and getting the lights in there.

When we did the gallery down here, it was pretty trying to get the marble that would match and get something that we could get sign-off on heritage that would make people . . . that would sort of have it meld in with the building on the heritage aspect of it.

And it's now actually, it's not only a municipal and provincial, but this also has a national heritage designation attached to this building.

Ms. Harpauer: — So what you're telling me is that the heritage aspect takes precedent over occupational health and safety.

Ms. McDonald: — I would think . . . well I don't know. I'm sorry; I can't say. We can find out for you.

Hon. Mr. Lautermilch: — I think, Madam Chair, it's fair to say that those of us who have spent some time working in this building — and I've spent a number of years here both as an opposition member and a member of government — that the staff in the building have been very, very co-operative when an issue is raised, whether it's with respect to carpeting or lighting or paint or having pictures hung, that the building manager and his staff have been incredibly accommodating in my opinion.

I think it's also fair to say that the nature of this building in terms of lighting, in terms of the aesthetics, they worked very, very hard to maintain the integrity of what is a 100-year-old building. And I think it's a building that we all cherish as the seat of government. It's the people's building. And so obviously we want to maintain its architectural integrity and keeping in mind that we need to ensure the safety of people who work in this environment.

I think it's fair to say that they do take some special efforts. As you will know, marble floors can be very slippery. I've had some experience with them myself as many of the people who work in this building have. They take special efforts in terms of how they clean and how they wax those floors to ensure the safety of the people who work here. And I know that the building manager's very open when we have a concern. Just raise it with him, and generally he can find a way to make it work and to make things better.

Ms. Harpauer: — I guess the concern isn't . . . You know you're looking at structural and architectural issues, and that's not even what I'm referring to, something that significant or that costly. And I'm not sure if there's so much co-operative . . . I'm sure that they do co-operate. But I'm also hearing a lot of submissiveness. It's SPM won't give them money, so what's the point of even asking, is what I'm hearing.

And we're talking things simple like blinds in some of the office windows. Some of the offices have no privacy if you have someone come in for a meeting. Some of the rugs is piecemeal; it's patched together. And you're right. For a building of this significance and stature, some areas in this building are an embarrassment to have outside people come into and view, so that curtains that I don't even want to touch them because I think the dust that would come off of them. And

that's if you have curtains, if you're fortunate enough to even have them on the windows.

So there's issues like that that I would caution SPM is becoming negligent in maintaining this building to the standard of a great office building.

Hon. Mr. Lautermilch: — Madam Chair, if the member has individual or specific difficulties with curtains or whatever, I mean I'm more than willing to intervene if there are some deficiencies that she feels need to be brought up to speed.

I can say to her that our backroom here in the government members' lounge, we've got a big long curtain that in actual fact has got a rip that's been repaired, and it's not a new curtain, and it might be that we want to have that replaced.

But I mean, if the member has an issue with anything specific, I'm more than willing to deal directly with that through my office. Yes, I think Ms. McDonald has something to add.

Ms. McDonald: — One of the things we do with regard to this building . . . This building is no different than any other building we have in that they actually get not necessarily much of a capital budget every year, but they get a defined maintenance budget every year. And I know that our manager in this building really has a juggling act of what he's going to do every year and where he's going to spend those dollars, because it . . . I mean, is it a lot of dollars? You know, it's the dollars we think are appropriate at that amount of time.

But we're finding that, you know, to do the things that are required and requested in this building, of which we really do try and meet needs in this building probably quicker and a little more efficient than . . . No, wrong term. Not more efficient but because we know how public this building is, we certainly try to accommodate what we can. But again, there is just sort of a certain amount of budget in here.

And I know exactly what you're talking about when you speak about the drapery, but we've sort of . . . You know, he's caught between a rock and a hard place at times, where he says okay, I can take the draperies down, but I don't have money this year for new drapery. So do you go without . . . And it's a choice. It's a choice, you know. So there's some of that.

Ms. Harpauer: — I'm looking forward to know what the number is because I have absolutely no clue what is spent on this building from SPM. I also will put together a list for the minister — and it won't be within the next week or two; it'll be hopefully within the next month — of different things that I see as items. And maybe they will be considered because they are basic office, what you would expect in any office in any given professional environment.

I also caution the minister about calling the member's lounge a backroom because some members are sensitive to that particular terminology.

So what money comes from the Heritage Foundation for any retrofits since this is a heritage building?

Ms. McDonald: — If we're doing something, if we're doing a

project within the building, that we have to apply for heritage money. It doesn't automatically come. And so, based on what the project is, how visible the project is, the cost, the application, we never know what we will get from Heritage with regard to dollars.

Ms. Harpauer: — Since it's a national heritage site as well, would there be for certain projects money available from the federal government?

Ms. McDonald: — Only if they have money. Like if our project — because our project would have to compete against others for heritage dollars — so if we have something that competes and makes it up the chain of command, we would get some dollars. Heritage dollars are very thinly spread dollars. There isn't a lot of dollars, and they're tough dollars to compete for.

Ms. Harpauer: — Have we ever qualified for any for this building from the federal government?

Ms. McDonald: — We would have had some heritage dollars when we did some of the, probably when we did some work in the Chamber, probably when we've done some external work in the hallways, and things like that. We could see what we could find out, what we've gotten in the last five years if you'd like.

Ms. Harpauer: — If we needed to, for example, replace the carpet in this room, in the Chamber, which is a significant, a huge expense, would you in your mind — and I know you can only speculate — would that be something that you would apply for heritage dollars? Would it even qualify for it?

Ms. McDonald: — No we wouldn't apply for it because there's sort of a terminology and it's called programming. And because carpet falls under a program in a building, so we wouldn't. It's not a heritage carpet. But your desk, if we had to redo all the desks or tables in here, that may qualify if we had to redo something.

No, chairs would not qualify as well. I mean, these chairs we continuously, we don't upgrade them but we redo these chairs on a very frequent basis. We sort of do a rotation through the chairs to put new foam and new leather and new cloth on them, and new rollers are . . . no there isn't rollers on them, but certainly new casting if that needs to go on them or whatever.

But no, carpet wouldn't, carpet, draperies, any of the things like that wouldn't be considered heritage.

Ms. Harpauer: — I have one follow-up question to the member from Kelvington-Wadena, and that is, do you know what the total amount of our commitment to the 60 per cent of funding for the Wascana Authority is?

Ms. McDonald: — I'm sorry, I don't understand.

Ms. Harpauer: — The Wascana Authority you said was a part of government, the university, and the city of Regina, and the government's portion was approximately 60 per cent, you believed. Do you happen to know what the total for that amount would be for a given year?

Ms. McDonald: — I'll get you the breakdowns of the three of them, okay?

Ms. Harpauer: — Oh that would be great. Thank you.

The Chair: — Mr. Duncan.

Mr. Duncan: — Thank you, Madam Chair. Good afternoon, Mr. Minister, and to your officials. I just have a couple of really just follow-up questions to, I guess, the last time we met.

But just to go back to the line of questioning before us, if I could just add a question or two on the whole issue of this being a heritage site. Who exactly, when you, when Ms. McDonald talks about that any changes have to make sure that they are within certain guidelines in terms of remaining, you know, that this is a heritage site, is it the . . . Who exactly in the provincial government and perhaps in the city — I don't know if the city's involved, but provincial and federal government — do you have to go through specifically? I believe there's a heritage branch in Culture, Youth and Recreation. Is that the body that's responsible?

Mr. Rusconi: — There is a heritage branch. And when you're dealing with a heritage building — whether you're renovating it or whether you're disposing of it or demolishing it, whatever the situation may be — the heritage branch is involved. Quite often they'll direct us or request that we do certain things with respect to the heritage designation on a building.

There's a similar process in the federal government. I'm not familiar with exactly where it's located in the federal government, but there's a process that we have to follow to get approval in order to maintain our designation, and in some respects to qualify or at least to apply for supplemental funding to assist us with the project. So there's that process that you must go through.

Mr. Duncan: — Is there a specific guideline that you have to follow when you're making additions or changes to this building that you could either do on your, that, you know, that you can do on your own as the Property Management or that you have to, okay, if you're going to do X, then you have to get approval from other . . .

Mr. Rusconi: — I think there's a certain amount of — I don't want to say common sense — but there's a certain amount of leniency with respect to typical things within a building. But if you're dealing with the structure, the architecture, the curtain wall in terms of what kind of material that it is and how it's fastened and that sort of thing, I think clearly you have to go through that process. But I mean if you're dealing with something that's much less minor like a carpet or even doors to a point, but some doors would be considered heritage and we would certainly have to follow some process there as well.

So there's a little bit of give and take. And you know, the best thing for us to do is to consult with the various heritage organizations in government, be it provincial or federal, to make sure that we're following a process that's acceptable.

Hon. Mr. Lautermilch: — Madam Chair?

The Chair: — Mr. Lautermilch. Sorry.

Hon. Mr. Lautermilch: — It may be helpful because we are, as I understand it, not responsible for heritage programming — I believe it's Minister Hagel. And I think what might be helpful if we were to ask the officials, because I think there is some lack of understanding in terms of how a building is selected, which elements of a building would be selected for grant funding. So I think it might be helpful.

Obviously, the officials have a cursory understanding of it because we do have some buildings that are designated as heritage buildings. So what we should do, and I think it would be helpful if we were to gather that information. And we can offer that to members of the committee from whichever entity in government is responsible.

Mr. Duncan: — Okay. I appreciate that.

Going back to what I had originally planned to ask you at this meeting, I believe you recall, Mr. Minister, last time Property Management came before this committee, I had a few questions on Souris Valley and the deal surrounding that. Correct me if I'm wrong, but the disposal or the transfer of ownership to the city of Weyburn and any dollars that were attached to that entire process, is that now, is there anything in this year's budget that is a carry-over on that deal or has that all been covered off in, I guess it was supplementary estimates in last year's budgets? The deal is, it's done as far as the government's concerned?

Hon. Mr. Lautermilch: — Mr. Rusconi will respond to the details of the arrangements.

Mr. Rusconi: — The agreement calls for the first payment to the city of Weyburn to be made I think, I believe, by April 30 of this year. So that payment has to be made. The expense I believe though was incurred through the supplementary estimate process. So that payment will have to be made then. The second and final payment is made next fiscal year.

Mr. Duncan: — Okay. Thank you. That's all the questions I have. Thank you.

The Chair: — Mr. Huyghebaert.

Mr. Huyghebaert: — Thank you. Just to get into the vote 13 area, I notice on page 127 on vote 13, our FTE [full-time equivalent] has increased from 828.5 to 834.5. Can it be explained what the extra six positions are for and when they come into effect?

Ms. McDonald: — The six positions are three cleaners in Kelsey — I'm actually doing it without my notes — three cleaners in Kelsey, one is an art coordinator but it's a frozen position, one is a mechanic for air ambulance, and that's five. What's the sixth? And one for risk management. We've taken over risk management for government so we have one position there. So those are our six positions.

Mr. Huyghebaert: — Out of those six positions, there's a new one as you stated as risk management. The other five, who completed this work before?

Ms. McDonald: — The reason we need the three cleaners at Kelsey is there's more space there, so that's why we need three more people to do the cleaning at Kelsey. The work that was done with regard to the art coordinator, we never did have the position before but, with the art that the government has, we feel it's necessary that someone do the tracking, the maintenance, and all sorts of stuff attached to the artwork. But that's a temporary frozen. And Donald can respond with regard to the, or Mr. Koop can respond with regard to the mechanic for air ambulance.

Mr. Koop: — We have three aircraft mechanics stationed in Saskatoon and we felt the need for a fourth mechanic for the service. And as a result, we were successful in the budget development process.

Hon. Mr. Lautermilch: — Thank you. We'll come back to the air one later. Follow-up on the Kelsey and the need for three cleaners. Obviously when you're enhancing training spaces by the thousands and you're expanding the rooms and the classrooms and the, you know, the practical application facilities, it requires people to clean them in the evening. And that's part of the pressures of growth in these areas of government.

We have expanded thousands of training spots — nurses, I could go through the list — and I think obviously when you're in this kind of a job market and when you have young people who need training to enter the workforce or those jobs, those thousands of new jobs that have been created in this province, we need to have the buildings in the appropriate condition for them to go to school. So that's part of it.

Air ambulance, the incremental pilot, I think safety of patients who fly from around this province into our major centres for the tertiary care that they sometimes require, it's important that we have aircraft maintained to the highest level of standard anywhere.

And so the addition of a new air ambulance mechanic, the cleaners, risk management, art coordinator — I think it's fair to say, if you look around these buildings and all the buildings around this province, we have a lot of very valuable Saskatchewan art and it needs to be tracked and we need to ensure that it doesn't disappear on us. And so obviously that's a role that is important as well.

And I know it's not popular when government grows the number of FTEs, but if we're going to provide the services and if we're going to expand what government does, it's obvious that we need to have the public sector employees to be able to serve those needs.

Mr. Huyghebaert: — I guess I would have a question. You stated we're putting thousands of new training spaces in and so we need more cleaners. Did we reduce the number of cleaners when we reduced the thousands of training spaces in the last number of years?

Hon. Mr. Lautermilch: — I would say to this member that the number of training spaces in this province has not been contracting, it has been expanding — in Moose Jaw, in Prince Albert, you know, in Saskatoon and Regina, in some of the

community colleges in outlying areas — and obviously it's important that we meet the needs of this growing and expanding economy. And frankly I don't see that you're going to be seeing Saskatchewan's economy contracting. Therefore it would to my mind make sense that you won't be contracting the number of training spaces. If anything I think we'll be expanding.

The economists are forecasting growth between 3.3, 3.6 per cent in our economy and that's growth over growth. Obviously it creates new opportunities, but it creates new pressures. It's creating new pressures on the amount that we have to put into our highways, into our infrastructure. You know, the new population figures are encouraging. So I think what we as government need to do is to ensure that we're cautious and prudent in terms of the number of employees that we have and that we're not having people on payroll for payroll's sake, but that we are managing prudently the affairs of state, and when that requires people, we need to ensure that we have qualified people to do those jobs.

Mr. Huyghebaert: — My original, or my just previous question, we know we've cut training spaces over the past numbers of years, and to give an example, there's nurses. And my question was, did we cut corresponding positions in stuff like cleaners when we cut those training positions, or is there an explanation for it?

As I understand, Kelsey was a training facility a long time ago where even nurses trained, and we know that those positions were cut. And so were the corresponding positions cut at that time, and were those facilities not used, or if they were used, what would they be used for during that time?

It just seems odd that all of a sudden now we say we're creating more new training spaces but we know it's been down cyclically. It's been down for a number of years, and specifically in nurses and probably specifically at Kelsey. And so now we're hiring more nurses because the minister is expounding about the economic growth, and we agree with the economic growth. We like to see the economic growth. But to try and justify it by rattling on about highways and whatnot, that doesn't answer the specific question.

The question is, we're having more training spaces now, and so we're hiring more positions such as cleaners. And when we were in a downturn in, specifically in nurses, was there a corresponding cut in those positions at that time?

Hon. Mr. Lautermilch: — Madam Chairman, let me answer this question that the member poses in this way. I recall a time of contraction of government, and it was in the early 1990s as the previous administration had wrapped up a billion-dollar-a-year debt to the point where we had the largest per capita debt in this province.

And do I recall contraction and the number of civil servants contracting? The answer is yes, I do. I was the minister of Rural Development when I first came to cabinet, and I was also the minister of Natural Resources. And the number of full-time equivalents, if the member wants to go back to 1991, contracted substantially. I can recall in the neighbourhood of 60 full-time equivalents in the Marquis Towers Building in Prince Albert, right across the street from my constituency office, where many

of my friends and neighbours found themselves out of work because this government had to cut the costs of operations in order to pay down our deficit on an annual basis and pay down our debt.

So I can say to this member, not only in health care areas, but in natural resources and in highways and transportation and every other area, there has been time of contraction and when that happens, people do lose their jobs. That is absolutely correct.

Since then, we've been able to balance our books. We got 13, 14 consecutive balanced budgets in a row. We have paid down our debt in this term of government — \$1 billion. Our economy is growing, and there in actual fact are more full-time equivalents.

So there are times when government and the number of employees will in fact contract. That is true. And hopefully we never see another time like that again. We've been fortunate enough to have growth, year over year over year in economy, where our population is growing, the job numbers is growing.

And it's not to rattle on as the member would suggest, but I think it's important to know that when government needs to contract a number of employees, it does — but only because of necessity. And when we have to employ more people to deliver an enhanced program, the answer is we will make sure that the resources are available there.

Mr. Huyghebaert: — Well it's very interesting. I mean, the minister's kind of reiterating what the government's trying to sell the people of Saskatchewan, that it's a balanced budget where in fact we know it's a deficit budget. It's even admitted to by the Minister of Finance.

Also the debt, and you want to go back into the '91 era where there's \$1 billion deficit, and what is our deficit increasing this year? Nine hundred million — that's what the deficit is increasing. So that's what prompted the question. Here we are in a deficit and adding a debt to the province, and we're increasing FTEs. And that's what prompted the question.

Well when it is a downturn, do we have a corresponding downturn in FTEs? And your explanation, sure, in very tough times. But right now you say we're increasing training places. And it probably doesn't come under Property Management, or I'd be asking how many training places are increased and in what facilities.

Now to the facilities, I guess it's fair to ask the minister as to how many more rooms and facilities under Property Management are being utilized by these training positions that require the extra staff.

Hon. Mr. Lautermilch: — Madam Chair, I can tell the member I'm . . . First of all, let me correct the member. This is not a deficit budget that we are operating under. That was the same accusation that members of the Saskatchewan Party made last year, which turned out to be patently false. What we have done is used reserves in this year which is cash — not borrowed money, it's cash — and it's cash funded over the term. And the four-year term of this government, you will see that we have balanced.

The bond rating agencies are some pretty astute people, Madam Chair. They do this as a matter of profession. The international banking community reviews the financial circumstances of this province on an annual basis. These are the people who will make the decisions and make the judgment in terms of our creditworthiness and in terms of how we're managing this economy. And the fact that we have had 16 straight consecutive credit rating upgrades, I think speaks a world of the management of this economy by this NDP [New Democratic Party] government.

And I will compare the financial management of this government with any government preceding. And I would suggest to you that we will stack up very well with any government that will follow us. And I think thinking people, people who have followed the history of this province, will understand that the 1980s saw this province mismanaged incredibly — probably the most incompetent administration that ever people of this country had to face.

And I think it's also well known in this province that this government started balancing budget and has paid down substantially the debt. They also understand that this government put in place debt/equity ratios in the Crown corporations that are industry standard. And I think they also know that, going into the future, this government would continue to manage.

Now if the member's question is how many incremental square feet based on the number of training jobs, what I will do is work with the department, SPM, with the Department of Learning and other agencies who have been responsible for the increase in the number of training spots by the thousands, and we will bring forward the number of incremental square metres that are occupied by training spaces. I don't believe that we have all of those here today. We'll have to coordinate that interdepartmentally and I will undertake to do that and provide that information to the member.

Mr. Huyghebaert: — Well I look forward to that. And just to go back on your rant about the '80s, etc., and the deficit budget, even the Finance minister today has stated nationally that if you spend more money than you take in, it is a deficit budget. That is what is stated. That is fact as of the current time. You can spin it however which way you want, but if you spend more than you take in, it is a deficit budget.

And I'm wondering, if the minister wants to deal with finance questions, does he disagree that there's a \$900 million deficit increase in this budget? Is the auditor wrong?

Hon. Mr. Lautermilch: — What I will say to that member is that there isn't anyone in this province who doesn't understand that when you put money into your savings account for a year that your expenditures will increase, be over your income. And if that's not borrowed money and if over a period of time you balance your books, you balance your chequebook, meaning that your expenditures are in line with what your revenue flow is and that your cash flow will change from month to month, from year to year, and there are times that you will go into your reserves. And I think every person in this province understands that with the exception of the Saskatchewan Party.

Mr. Huyghebaert: — Well it's a fun debate to be into because you still didn't answer the question. Is 900 million deficit the correct figure from the auditor?

Hon. Mr. Lautermilch: — Madam Chair, there is no \$900 million deficit.

Mr. Huyghebaert: — Increase in debt.

Hon. Mr. Lautermilch: — Madam Chair, the debt of this province has gone down since 2003 by just under \$1 billion.

Mr. Huyghebaert: — We'll revisit that one at another time because there's \$900 million debt increase in this budget by the auditor's figures.

Hon. Mr. Lautermilch: — Any time.

Mr. Huyghebaert: — Yes. On page 128 we have accommodation services. And I gather from the accommodation allocated to departments, the figure that's in bracket is what the department pays to SPMC [Saskatchewan Property Management Corporation] for — I'm assuming — rental of properties to the Department of Property Management? Is that correct?

Mr. Rusconi: — Yes. Yes, that's correct.

Mr. Huyghebaert: — And accommodation charged to external clients, can it be explained who the external clients might be?

Mr. Rusconi: — There's a good number of external clients, some arm's-length from government. SIAST [Saskatchewan Institute of Applied Science and Technology], for example, is non-GRF [General Revenue Fund] basically. Tenants in SPMC buildings are classed as external clients.

Most will be public agents, organizations of one type or another. There are a couple very minor private sector tenants, but the vast majority are public organizations.

Mr. Huyghebaert: — Would it be possible to get a list of those?

Mr. Rusconi: — Certainly.

Mr. Huyghebaert: — On page 129 the minister mentioned in his opening comments about voice over Internet. There's 1.17 million that is new in this budget for VOIP. I understand the usage of VOIP. I'm just wondering if that \$1.17 million — is that paid to SaskTel?

Ms. McDonald: — That 1.17 is actually one-time capital for VOIP. It's not paid to SaskTel.

Mr. Huyghebaert: — Okay. One-time capital. I'm wondering what that entails as far as capital for voice over Internet.

Ms. McDonald: — Pardon?

Mr. Huyghebaert: — What are the capital costs for voice over Internet?

Ms. McDonald: — There would be the phones, there would be computer upgrades, those sorts of — what else? — power supplies. Just the actual physical capital to get VOIP in and operating in government employees' workstations.

Mr. Huyghebaert: — Now on the next line it has other and there's \$7.9 million in other. Can that be explained, what the other is?

Ms. McDonald: — The budget?

Mr. Huyghebaert: — Yes. It's page 129. Line item in the budget estimated 2006-07, 1.5 and now it's 7.912 million estimated for 2007-2008. That's a significant leap for a \$6 million-plus leap for other.

Mr. Rusconi: — The increase is a result of a number of the small basically maintenance projects for a number of our buildings that have been moved over from (PM02). There was a split previously in our subvotes where some of the projects that we did for our clients were in two different subvotes. They've now been combined into one so that it's a transfer of funds from one subvote to another.

Mr. Huyghebaert: — Where would those subvotes be listed?

Mr. Rusconi: — I believe I'm just going to get . . . to make sure I'm saying this correctly. But I believe they were in (PM02) and they were transferred to (PM03). I'm getting the nod from back there that that's correct. They were transferred from (02) to (03).

Mr. Huyghebaert: — It would be nice if we had a little bit more info on that, only because it's a \$6.5 million increase in the line item without any explanation other than what you've just given me. So it would be nice to have some information on that.

Mr. Rusconi: — Okay.

Mr. Huyghebaert: — I'll just take a break for a few minutes, and my colleague would like in for a few minutes.

The Chair: — Thank you, Mr. Huyghebaert. Mr. Hart.

Mr. Hart: — Thank you, Madam Chair. We are here again in estimates, and I don't imagine that you can imagine what I'm going to ask about. So I won't hold you in suspense any longer.

I wonder if you could update the latest status on the Echo Valley Conference Centre. I know there's been some developments, and I've been getting questions from constituents as to what actually is going on and where's the thing at and so on. And I've been reading some articles in papers and so on. But I wonder if you could briefly summarize exactly what the status of that facility is at this point in time.

Hon. Mr. Lautermilch: — Madam Chair, before I turn it over to the deputy, I would want to say that I'm disappointed that Mr. Zimmerman isn't here today because he's generally been helping you with your line of questioning on this. And so we'll miss him today, and if you could pass on, on my behalf, that we truly do miss him. Ms. McDonald.

Ms. McDonald: — Thank you. We've actually extended the option agreement with the town of Fort Qu'Appelle to December 31 of this year. The resort village of Fort San is in the process of possibly passing a bylaw that would ask for heritage interests on that building. There has been several objections sent to the resort village and, based on that — of which we are one of the ones that have sent in an objection — based on that, we extended the time period for the developers. So it's basically the same as it was when we last spoke. Development has taken place.

I understand that the development group had a booth at the recent Regina Home Show of which there was a lot of interest expressed there for participation and, you know, what was the development all about and things like that.

Mr. Hart: — But as far as any work taking place on the site, I was by it within the last month, and I didn't see any, unless something was happening inside the buildings. You are maintaining the buildings in their mothball situation. Is there heat being . . . Are any of the buildings being heated at this point in time?

Ms. McDonald: — We have one building being heated, but otherwise the rest are just in a mothball state. So they're the same as what we spoke to you about last time.

Mr. Hart: — Okay. Now you mention that Sask Property Management was one of the objectors to this heritage status. What is the basis of your objections? I'd like that for the public record.

Mr. Rusconi: — The information that we received from the resort village was very cursory. There was no detail attached to it. We clearly needed more detail before we could remove our objection. So we've asked for that detail. We've met with them recently and spoke to them about the situation.

There's also comments in their draft bylaw with reference to maintenance and operations of the current facilities, which is a concern for us because of the huge cost involved if we had to install new heating systems, new sewer systems in order to maintain the building. So we've in fact recently sent a letter to the village asking for a meeting so that we can sit down and discuss exactly what their intentions are with respect to the bylaw in terms of the maintenance and operations.

As well as the buildings that they feel should be saved, with respect to heritage and the bowl, there are other objections. I know the developer is concerned about the size of the bowl they want to have preserved which will cut down on the amount of lots that might be available in their development. So discussions are ongoing and hopefully the heritage issue will be resolved shortly.

Mr. Hart: — It should be noted, Madam Chair, that the Architectural Heritage Society of Saskatchewan did put the Echo Valley Conference Centre on their watch list last year. And I believe it was the third facility on their list. Now whether that actually has any relevance in readings, whether you're first or third or tenth, but there is interest from other people besides the Fort San people to preserve some of the heritage of the, you know, the sanatorium. It was one of the first ones in the

province, and it is part of our history and so on.

Now I'd like to move on to a . . . There was a meeting in Fort Qu'Appelle or in the area. It was reported on in the March 13 edition of the local paper, the *Fort Qu'Appelle Times*. And I understand some of your officials from Sask Property Management were there.

And one of the items in the report that caught my attention is . . . perhaps I'll just read the sentence and ask you to comment on it. It says, "However, a senior representative of SPM confirmed at the meeting that Fort Qu'Appelle was only given an option to develop a proposal." And that last part of it, ". . . an option to develop a proposal," I was always of the understanding that, from our discussions in the past, that the town of Fort Qu'Appelle actually had a proposal. Now what are your comments on that quotation?

Ms. McDonald: — We actually met with Mayor Zimmerman and one of his council and his clerk and at that point in time this came up. And our regional director, who was at that meeting, who was the most senior staff person there but who was also there with a fellow that worked with him, when the fellow made that comment, he was sort of, to say the least, taken back. And because it was a public meeting, he didn't want to publicly correct him at the meeting. So we have since corrected this with Mayor Zimmerman and said that our staff member had made a mistake.

Mr. Hart: — So then there was a proposal. It wasn't just an option to develop a proposal.

So then to summarize the current situation, everything is in limbo until this issue of heritage designation is determined. Where are we at now? How do we proceed from where we are now?

Mr. Rusconi: — That's one of the issues that they're dealing with. I mean, there's other issues to me, you know, to be frank about it. I mean, there's the environmental issues. There's all sorts of things at the resort village of Fort San have asked the developer to develop, i.e., traffic studies and flows and traffic counts and that sort of thing. So there's a number of issues that yet have to be resolved. But things are moving on a little quicker than they were six months ago. So there's hopefully things will be resolved within the next few months. The heritage issue, I think, will be resolved. So clearly there's some work that needs to be done yet.

Mr. Hart: — You mentioned, Mr. Rusconi, that the village has asked for some traffic impact studies, I guess. Now of those requests that the village has put forward, in your opinion or the department's opinion, are they legitimate concerns? How would you care to comment on that?

Mr. Rusconi: — I believe they're a little premature. Clearly access and egress from the site is important, and traffic flows are important because it's a cottage area, and there's lots of children around. But until they have a more firmed up the development and they note the number of residences and the number of people that may be in that area, it's difficult for them to do a traffic flow study. So I think it's a little premature, but it's certainly something that has to be dealt with at some point

in time.

Mr. Hart: — Well I understand that the Mitchell Developments, they have a blueprint of what they'd like to do. And we had a meeting in June, I believe it was. And we had a bit of a plan which called for quite a number of residences or residential units in the area which would certainly, I guess, would impact on the amount of traffic. And I guess, we're all familiar with the highways or streets or whatever you want to call them that serve that area.

I don't know whether I'd agree with you whether they're premature because if you're . . . first of all, give the go ahead to approve this development . . . you know, I'm just taking the view point of the council. If this development does go ahead and then we have to deal . . . it would be their responsibility to deal with all the traffic problems that would develop from the increased traffic. You know, I think maybe that needs to be done now. And I suppose . . . I'm not sure whether your department, the Sask Property Management, would have a role to play in that, or is that something that the developers would need to deal with council on that?

I'm not sure whether you have, as current owners of the property, whether you have a responsibility. And I wonder if someone would care to comment on that.

Hon. Mr. Lautermilch: — Madam Chair, I think I would like to enter the discussion at this point. When I came to this file, this was one of the ongoing discussions that had been taking place. As members of this committee will know, the Echo Valley Conference Centre was no longer required by the government, was deemed surplus. And we offered this facility to sale to other government entities. There was no one interested within government.

We then moved forward and indicated that we would entertain proposals from local communities. And we received one from the town of Fort Qu'Appelle. We received one from the resort village of Fort San. So it's obviously an issue where these two communities were competing for the same facility.

The evaluation of the two proposals was done, and the proposal from the town of Fort Qu'Appelle was the one that was accepted, which was not very well received by the community of Fort San. And I understand, Mr. Hart, you have been working with Mayor Zimmerman on this. And I think it's fair to say that Mr. Zimmerman does not want to see the Fort Qu'Appelle proposal move forward.

And obviously we've had a request now to have a look at this heritage building. Fair enough. We've had a request for some traffic counts. Fair enough as well. What I find interesting though, with the last time we had this discussion in this Chamber, it was indicated that the proponents of the Fort Qu'Appelle initiative were more than willing to put forth their proposal so that people could understand it. That was not the same with the community of the resort village of Fort San. And obviously that was the issue at that point. It appears that's not the issue now. We're moving on to what other tools and vehicles can be used. And that's fair enough as well.

My interest is this. My interest is that we have an asset that is

surplus, deemed surplus by the province of Saskatchewan. It's a provincial liability at this point, and we would like to see if there's an opportunity for the development in a positive way. It's a beautiful old building, as you will know. There is a lot of emotion tied to the sanatorium. A lot of people in Saskatchewan had family in there and so it does have some emotion tied to it.

I think that from our perspective as a government, what we want to see is the best use possible for those assets at the least cost to the province and at the best way to develop the economy. So it's, from our perspective, not a matter of which community. I would be satisfied — and I think SPM would be satisfied — if it was either of these communities that were moving forward with a proposal. But that isn't the case. There were two proposals. SPM had to make a choice. They made a choice, based on their criteria, that the town of Qu'Appelle had the best proposal and so they moved forward with them.

Now we'll go through the process and the heritage designation will go through its process. And whatever is required with respect to the environment, that process will be done. Whatever is required with respect to traffic management, that obviously will have to be done. But I think from our perspective we're here to facilitate development as opposed to being an impediment. And I think that's what we have been doing and that's what we will continue to do.

And I can tell you it is not my intention to choose sides in a debate. I'm not interested in that. What I'm interested in is the best proposal moving forward. And I think it's fair to say . . . I haven't looked at either of these proposals, because that's not my job. That's the job of the department officials and that's what they've done. You have expressed interest in the proposal by the town of Fort Qu'Appelle. The proponents say they're willing to make that public. The resort village of Fort San is not, as I understand it, those folks are not willing to put their proposal forward. So be it.

So we're going to move forward. We're going to continue to go through the process and we'll discuss this probably at another time in the legislature here. But from our perspective it's one of acting in the interests of the people of Saskatchewan on an asset that is deemed surplus by the province. And that's our position, and so the officials have been working to try and facilitate that and we'll continue to do that.

Mr. Hart: — Madam Chair, if I could just respond to the minister's comments. I think the problem that we are faced with today — and the people of the valley are faced with today — stems back to this government's haste in trying to dispose of this asset after it was deemed surplus. The people of the valley had requested a six-month stay of execution so they could work with the department, or at that time the corporation, to see if they could develop an alternative use for the facility. But that was denied, and the facility was closed, and ultimately — as it's been explained many times before — that the process, the policy that is used, is in place currently for disposal of surplus assets, was enacted.

I have stated earlier on a number of occasions that it seems to me, I'm of the opinion that the policy that Sask Property Management has in place for disposal of surplus property may not fit this particular piece of property. This is a large piece of

property with multiple buildings that has some very significant heritage implications which we are now dealing with.

I'm not so sure whether the best interests of the people of the province are being served by the process that has taken place and is currently ongoing because we don't know — I don't think — whether we have the best proposal because we've only apparently received two proposals. I think this property should have been . . . First of all, the people of the valley in consultation with Sask Property Management should have determined what part of those facilities should be preserved, if any. That's a question that was never dealt with, and now we're dealing with it after the fact. And also we should have heard from people of this province and particularly the people of that area what they felt are the best uses for that property and what are their ideas.

And then I think what should have happened, that once we've established those parameters, this property should have been put up for public tender so that we could look at proposals received from people who have the wherewithal to develop properties like this in the best interests of the people of the province and people of the area.

I don't think we've got that because of the way the process was handled. And I would suggest that perhaps we step back from this. Options have only been given; none of them have been exercised. It's not too late to start over again and perhaps handle this in a way where the people of the province and the people of the valley will have maximum benefit from this.

And perhaps we can preserve some of our history also because currently there is no requirement in the development of this property to preserve any history. And I think we need to look at that question very seriously and see if there isn't a way that we can preserve at least a piece of our history. Certainly there are a number of buildings on that property that can be removed and should probably be removed. There's a number of smaller buildings, houses and that sort of thing. The main structure and particularly that portion that was the original building on the site, we need to look at that and see if there's any way that we can preserve that.

Far too often in this province we are too ready to tear buildings down — buildings that people from other countries, particularly Europe, would be astonished that we are not preserving our history. And I think future generations may want to ask why we didn't do that.

So, Minister, that would be my recommendation to you that perhaps you look seriously at. You're not committed. All, as has been stated here today, all you've done is extended that option to the town. They haven't exercised it. I believe you still have the ability to say, look, maybe we didn't do this thing right and we should start over again. And let's consult with the people of the valley and of the province as to what type of development we want there, and then let's see where that leads.

Hon. Mr. Lautermilch: — Madam Chair, let me respond to the member this way. I can tell you that I personally had some history with this building, as one of your colleagues, the member from Wood River, has. This building was no longer used as a sanatorium. It was vacant and obviously the

Government of Saskatchewan felt a strong desire to find a useful purpose for this building. And so we did. We put many public dollars into establishing a low-cost convention centre in order to maintain the heat, generate some revenue, keep this building functional.

And the people of that valley were well aware of the pressures. This just didn't happen overnight. This has been ongoing for years, many years. And they know that we found a purpose for it. And they know that we brought the navy cadets to that facility under a contract. That was a good arrangement for the cadets, and it was a good arrangement for the province because it generated some cash flow from the federal government through that program to be able to help to keep this building functional.

That contract expired. There was then a desire to find other arrangements. We searched around to find what we could. We made no secret of the fact that we felt there was some desire in the community, desire in the province to maintain the integrity of this building. And so obviously we looked internal to government to see if we could find a way to make this happen.

There were no takers. SPM, the owner of the facility, had an ongoing maintenance and operational cost that we felt we needed to move forward, and so we did. So we used the process that we use in every other jurisdiction from Weyburn to Prince Albert, every other community. It's a proposal that works well. You see if there's internal to government the ability to utilize it. You then shop it to other municipalities. And if other municipalities aren't involved, then you can shop it — and that's our process — to the private sector.

There have been many public meetings, in Fort Qu'Appelle and in Fort San, the village of Fort San. This just didn't come to be overnight. But it came to the point where the government felt it needed to make a decision, and so we entertained proposals. One proposal was chosen; one was not.

And the member can argue that we should scrap the whole proposal and go back to square one. He can make that argument, but I would say that the officials who have put together the proposal for disposal of surplus buildings in this province have done some good work and have learned lots over a lot of years of managing these kinds of properties.

There's never a solution to a problem where you will satisfy everyone, and so what you have to do is have a fair process in place to determine which proposal you would choose, which one is in the best interests of the province, and that's what we have done.

Now there are those that don't agree with that, and I say fair and fine. And we'll go through the heritage designation process. That is a process that's been developed by officials — federal, provincial — as well. And so we'll go through that process of analysis.

And at the end of the day we're going to make a determination as to the future of this building. And as I said, there won't be 100 per cent agreement to that, and that's fair enough as well. But I want to say this, that I believe firmly that the officials who made this decision with respect to the Fort Qu'Appelle initiative

and choosing that one did it because they believed it was in the best interests of the people of this province. And there is no other motive and no one should imply that there is because there's not.

Mr. Hart: — Madam Chair, I heard the minister say that — of at least infer that — the reason that the conference centre was shut down is because the sea cadets were leaving, and I wonder is that what the minister said.

Hon. Mr. Lautermilch: — Well what I'm saying is this. We were working to determine a way of cash flow and we had been encouraging people of Saskatchewan to use it as a conference centre so that we could maintain at least a break-even or a small subsidy if that's required. And obviously there were decisions in terms of the sea cadets that impacted on the cash flow of this facility. And so obviously when we're looking at cash flow and we're looking at long-term operations and what sustainability there is or isn't, that would be one of the determinations. And it was a contract that was there for a number of years. I don't have the details here. I would assume the officials can find it for us. But I think it was a deal that was put together in the interest of young Canadians. It was put together in the interest of the province of Saskatchewan and of the community who were very glad to host the cadets for those number of years.

And so I would say that the evaluation and the decision is made on cash flow or a lack thereof and obviously we didn't see that it was necessary for a surplus building to continue to consume public dollars at the rate that the Echo Valley Centre is and we were looking for a solution and are continuing to look for a positive conclusion to that asset. And obviously there's no one here who doesn't enjoy a summer view of that building and of the yards and of that whole landscape. That's a beautiful area of our province and that's a facility that's been there for so many, many years. And obviously if we can find a way to maintain the structural integrity of it, that's what we would hope to do. And if we can find capital — private sector capital — to invest in order to make that a reality, I think that's a good thing to do as well.

I think of the Grant Hall Hotel in Moose Jaw and I think of that building sitting idle. It wasn't a government building; it was a private-sector-owned building. But we worked with the local community in order to find a way to make that work and so what do we have? We have one of the most successful spas anywhere, any place and it's been a great asset for the community of Moose Jaw. And why did it happen? It happened because the city of Moose Jaw worked with local residents and with the province who put many, many dollars into support of that project in order to make it work.

And so what do we have? We have that building as part of Moose Jaw's history, but we also have that building as part of Moose Jaw's future. Now if we can translate that kind of action to this building at Echo Valley, that's what we would love to see happen.

Mr. Hart: — Well, Madam Chair, just for clarification, the sea cadets did not leave on their own. They left because the building was going to be closed. The Echo Valley Conference Centre was going to be shut down. That's why the sea cadets closed. I believe, and I've been told by people associated with

the sea cadets, that they would have stayed for quite some time if some long-term arrangements could have been made. So we can't blame it on that.

Now the minister said that the conference centre operated at a deficit. And the information that I was given, when we first discussed this facility, is yes, it did operate as a deficit. But I'm not so sure that the deficit was at the level that was stated in the financial information, in that the operation and maintenance costs, certainly if you looked at those and extracted any overhead costs that probably are still ongoing, the costs of operation or the deficit of the facility wasn't that onerous that it couldn't have continued to operate for another six months to allow the people of the valley to at least try and come up with a plan.

And I think this is where we got off on the wrong foot to begin with. We have not only people of the valley but people throughout the province who felt very strongly — including the Saskatchewan Federation of Labour and other organizations that felt very strongly — that this facility should be given a chance, that we should give it a bit of time to see if we can find a solution to the problem. And that didn't happen and so as a result, we're here today.

And so once again I would, Madam Chair, recommend to the minister that perhaps we start again on this facility and consult with the people of the province and the people of the area to determine what part of our history we want to preserve and can afford to preserve. And then, determine what type of, have some public input as to what type of development we'd like to see there. And then perhaps we need to go and just put this thing out for public tender so that we could have, we'd get numerous proposals from anyone who is interested in developing that property. And perhaps at the end of that process the people of the province and the people of the areas will be the big winners.

Hon. Mr. Lautermilch: — Well, Madam Chair, no one should suggest that there hasn't been opportunity for public involvement because there has been. The number of public meetings held out there has not been inconsequential. And I would want to say as well that . . . And I can ask Mr. Koop to go through the economics again, but basically the contract that we had with the navy cadets was a wash. It was one of recovering expenses. It was revenue outside of that, and so no one should suggest that, I will say, that the decision was made because the cadets had decided to pull the pin. Because it was more than that. Obviously the number of conventions, the costs of capital over a period of time, and the analysis of the operations, did mean that the operation was in deficit. And that's fair enough.

But I would not want anyone to assume, those that don't live in the area or that aren't interested in that area, no one should assume that this was a decision that was done in the dark of night. It was an open process. There were public meetings in the communities, in the surrounding area, and everyone knew that we were looking for a solution. Everyone understood the process. And I would stick by my conviction that the department officials have acted in the best interest of the people of the province with the process that they've used. There are those that will not agree with that thesis. But I think it's a

process that's worked well in other areas of the province and I see no reason it can't work well here.

The Chair: — Mr. Huyghebaert.

Mr. Huyghebaert: — Thank you, Madam Chair. Looking back to the vote 13 on (PM05), under allocations, vehicle services, I note that there is a roughly \$6.8 million increase in vehicle service. Can that be explained please?

A Member: — If I may . . .

Hon. Mr. Lautermilch: — Mr. Koop.

Mr. Koop: — Okay. If I may, Mr. Huyghebaert, the increase is \$6.799 million. There's about \$4.5 million increase in fuel, repair, and maintenance costs for the vehicles. There's an increase in insurance and other taxes of roughly \$978,000. There's increase in amortization for the vehicles of about \$448,000. There's an assortment of other amounts that are changing there, but the increased amortization, the fuel, repair, and maintenance, and the insurance and other taxes account for the bulk of the increases.

Mr. Huyghebaert: — Thank you. That sounds like a fair increase from last year. When you look at the fuel repair comparing the fuel prices from last year's 29.800 million, I mean fuel prices were very high last year at this time also. In fact they were running, I think if I remember right, about at the same level as they are now if I remember correctly. I mean they fluctuated up and down to a high of, I think, 1.18 and down, and I don't think I've seen it much lower than 98 cents. So that's seems like a pretty huge increase in fuel costs when there's not been that much of a fluctuation in fuel prices since last year.

Mr. Koop: — Well as you're correct in noting, that fuel prices have fluctuated considerably — 1.18, 1.20 — and, you know, we kind of think back on those days.

Last year's budget did not fully reflect the fuel increases that we experienced last year. In fact last, I believe it was, November, we increased the operating rates for the central vehicle agency largely to adjust for the increase in fuel that we had been experiencing. That hadn't been fully budgeted at the beginning of the year. So what you're looking at is the budget-to-budget difference that we see as the cost facing the central vehicle agency.

Mr. Huyghebaert: — That gives an explanation. I don't know if I follow a breakdown of that because that does seem very, very high for that difference in maintenance. Insurance shouldn't be that much difference. And the fuel costs, like I say, if it wasn't budgeted for in last year's, that incremental difference . . . but I don't remember seeing a summary estimate on that particular fuel cost in last fall's summary estimates. Did we absorb that someplace else? Or where was the fuel cost of the 2006-2007 budget? Where was that absorbed?

Mr. Koop: — Well the increase in the rate that was effective last . . . and I believe it was November 1; I could be wrong on that, but about that time. That's revenue that we receive as a department from the clients who are renting out the vehicles.

Those revenues were used to offset the increased fuel costs. There wasn't a need for an additional appropriation. The central vehicle agency derives its revenues from the various charges for the clients that use the vehicles. The only funds that are appropriated are for the purchasing of vehicles.

Mr. Huyghebaert: — I guess that leads right back to where I was at the start, this \$7 million, 6.799 to be exact. Is the fuel cost then not absorbed by the consumer also? So you've given me a figure of 4.9 million for fuel, but from what you've just said of last year, would that not be absorbed by the consumer?

Mr. Koop: — When you look at this particular subvote, you'll see recoveries from external and internal clients. Those are the revenues received in part for the use of the vehicles as well as other transportation services provided by the department.

Mr. Huyghebaert: — I guess I'm just kind of curious. If that is being absorbed, that 6.799 — I'll round it off, it's easier — if that's being absorbed in recovery, I'm a little unsure of the accounting procedures as to why it wouldn't be included as an expense in the allocation of vehicle services.

Mr. Koop: — What you're looking at under the line allocations, vehicle services, 36.599 million for '07-08, an increase of about \$7 million from the 29 million in the previous year. If you go further down, you see recovery, internal and external. I'm looking at page 129. And you'll see that the internal recoveries have increased from 22 and a half million to 25.7 million, and the external recoveries have gone from 15 million to 19 and a half million.

That's the revenues coming in to offset that increase in the expenditure for vehicle services noted above the 36 million.

Mr. Huyghebaert: — Okay. Now is there any allocation in . . . I can't see any allocation in here for the purchase of new vehicles. Am I missing something, or is there actually an allocation for the purchase of new vehicles? It has a slight increase in machinery and equipment, but I don't see anything specific to new vehicles. Is there a plan to purchase new vehicles because I know we did in the supplementary estimates last fall.

Mr. Koop: — If I may, it's subvote (PM07).

Mr. Huyghebaert: — Okay.

Mr. Koop: — Just looking for the page number here for . . .

Mr. Huyghebaert: — Yes, 130.

Mr. Koop: — Page 130, yes. And you will see an increase in the machinery and equipment component. Vehicles are a part of that machinery and equipment classification.

Mr. Huyghebaert: — Okay. And that leads to my question. How many new vehicles will we be purchasing?

Mr. Koop: — I have that answer. In just one moment I'll dig it out. The figure . . . I don't have it added here, just a second. I haven't got the total added here, but it's 530 vehicles for . . . These are replacement vehicles: some 95 vehicles for one of our

major Crown corporation clients; 25 vehicles for another one of our Crown corporation clients; and 5 miscellaneous, sort of special-purpose vehicles — 655 vehicles. That's the plan. It may change in the course of the year as some clients will change their minds and new requests will arise.

Mr. Huyghebaert: — These are purchased through CVA [central vehicle agency].

Mr. Koop: — Yes.

Mr. Huyghebaert: — And how is the purchasing done through CVA?

Mr. Koop: — We would canvass clients annually as to what vehicles they require. We have a vehicle replacement policy which gives criteria in terms of the number of kilometres and age of the vehicle. Of course there are some vehicles that turn out to be sort of poor vehicles and might require replacement earlier.

A number of departments will also have changes in their program requirements. They might require five new vehicles and so on. We would compile this and then put out a request for tenders to the manufacturers and would receive bids back from them. And essentially it becomes what I might describe as a standing offer. They say they will provide mid-size sedans at such and such a price. And we may end up buying 30 of them, or we may end up buying 35 of them, but all at that same price. It's not a fixed order because the requirements may change through the course of the year.

Mr. Huyghebaert: — Are these requests for tenders, do they go right to the corporate side of the car companies, or are they done at a local level?

Mr. Koop: — I believe they're sent directly to the manufacturers. This has been a historic arrangement, and as you see from the numbers, we are a pretty significant player in the market. And those vehicles, if they are awarded . . . For example General Motors might be awarded the mid-size sedans. General Motors would then credit the sale of those vehicles to local dealers so that the Saskatchewan business is supported. But the actual sort of bid price would come directly from the manufacturers.

Mr. Huyghebaert: — With the purchase of 655 new vehicles . . . and last fall I think there was a hundred and some, but that was included in last year's summary estimates. I'm looking at 655 new vehicles in the fleet. It would be fair to assume that 655 vehicles would be taken out of the fleet. Correct me if I'm wrong on that. And if there are 655 vehicles coming out of the fleet, what's our disposal action for those vehicles? And if there's not 655 coming out of the fleet, then I'm curious as to why we wouldn't have an equal number coming out, or are we actually including the number of vehicles in our fleet?

Mr. Koop: — Well the size of the fleet has grown in total over the years. It's now over 5,000 vehicles. I can recall sometime back when it was in the, I'll say, 3,500 or 4,000 range. So overall the size of the vehicle fleet has increased. Now bear in mind not all of these are, sort of, operated by what we'll call executive government. Various departments, the commercial

Crowns are free to use our services or to tender on their own. We have had years where they have been very active, and asking us to purchase vehicles and then turn around and lease them to them. And other years, sometimes they've gone out on their own. It's their call. They're not obliged to use our services, but for the most part they've found that we get a pretty good price for the vehicles.

In terms of the disposal, the numbers do vary. We could easily sell 600 vehicles. We probably generate in the order of about two and a half million dollars a year from the disposal of those vehicles. As you know they're done through periodic public auctions. In fact I think there's one underway right now as I was just out at the facility and there were people out there kicking the tires and asking questions and getting, you know, the sheets on what the vehicles sold for at previous auctions.

Mr. Huyghebaert: — Is the CVA still . . . or are they leasing vehicles through leasing companies as yet?

Mr. Koop: — I believe we still have some vehicles that were leased several years ago. We have not leased vehicles for the last couple of years. We have been purchasing them directly.

Mr. Huyghebaert: — So we still have some with R & R and Cajon . . . or Cajon.

Mr. Koop: — I'm not 100 per cent sure which company they are with. They might be with R & R Leasing; they might be with Cajon. For example, in this current fiscal year '07-08 we are planning to buy out 373 vehicles. They were on a lease, a five-year lease. We have an option to purchase these vehicles after the five-year lease. And we are planning to purchase some 373 vehicles. They're already in the fleet. It's simply a matter of changing the ownership arrangement with them.

Mr. Huyghebaert: — If your option to purchase from a leasing agency such as R & R and Cajon, would that terminate the relationship with those leasing companies or whatever they're called?

Mr. Koop: — Well the leases have historically been five-year leases. So these are 2002-03 vehicles that we leased. So we may have another year or two yet of vehicles that we're buying out from lease, but it will eventually come to the end, and they'll simply be all direct purchases.

Mr. Huyghebaert: — Could I get some numbers about the numbers of option to buy from specifically those two companies and how long our arrangement is still . . . where the options could be finished with these two companies? Like if there's . . . you mentioned — what was it? — 300 vehicles this year. Or did you say 200?

Mr. Koop: — 373 are planned to be . . .

Mr. Huyghebaert: — 373?

Mr. Koop: — Yes.

Mr. Huyghebaert: — And we're going to exercise that? Is CVA going to exercise that option to purchase?

Mr. Koop: — That's our intention, yes.

Mr. Huyghebaert: — Okay. And my question then is, how many is left that's being leased from those two agencies and at what point would we be exercising the last option?

Mr. Koop: — I understand the question. I don't have the answer but we'll undertake to provide it.

Mr. Huyghebaert: — Okay. And I may be missing it. It might be one of these recovery, internal, external figures. But when we dispose of the vehicles as you mentioned through auction that's probably going on right now, where does that money show up in the budget figures?

Mr. Koop: — In answer to your question, the cash from the sale goes back to the government, the General Revenue Fund. It doesn't show up directly as a recovery in the Department of Property Management estimates in front of you.

Mr. Huyghebaert: — Okay. So it goes to GRF.

Madam Chair, the time is running close to the hour, and I've got a number more questions, some on vehicles, but I haven't touched on aircraft yet. So it would be my recommendation — there's only two minutes left — that I not get started on the other topics that I have.

The Chair: — Thank you, Mr. Huyghebaert. And yes, given that we are close to the 5:00 point, we are going to stand recessed. I would like to thank the minister, Minister Eldon Lautermilch, and his officials for appearing before the committee today and diligently asking all the questions to the best of their ability. Thank you very much.

And I ask that the members of Crown and Central Agencies resume to this committee room at 7:00. Thank you.

[The committee recessed until 19:00.]

**General Revenue Fund
Public Service Commission
Vote 33**

Subvote (PS01)

The Chair: — Good evening everyone, and welcome to the continuation of Crown and Central Agencies Committee. Before us this evening we have the Public Service Commission. Before we start I'd like to introduce the members of the opposition that are on this committee. We have Dustin Duncan; Dan D'Autremont; and, substituting for Donna Harpauer, we have Wayne Elhard. And on the government side we have Minister Graham Addley, Minister Warren McCall, and Minister Mark Wartman.

Appearing before us this evening we have Minister Pat Atkinson who is Minister Responsible for the Public Service Commission. And I'd like to invite you to introduce your officials at this time.

Hon. Ms. Atkinson: — With us this evening are Clare Isman, the Chair of the Public Service Commission; Rick McKillop,

executive director, employee relations, policy and planning; Lynn Jacobson, director of corporate services; Ken Ludwig, director of organizational development; and Dawna Griffith, director of recruitment and employment programs; as well as Don Zerr, director of labour relations.

I'd like to make a few opening remarks before I entertain questions. I think that it would be important for the committee to hear some of the information on the work that the Public Service Commission does.

Today's public sector organizations are facing many challenges, including greater competition for talented employees and continuing to change in the scope of services provided and how those services are provided. The Government of Saskatchewan is committed to ensuring that we have a capable, diverse, and talented public service working in a healthy, supportive, and challenging work environment.

The Public Service Commission is guided in this by the corporate human resource plan. This plan was developed by the Public Service Commission with support and input from departments, and was endorsed by cabinet. The plan has three goals: (1) talented, innovative, and dedicated employees; (2) a healthy, productive and collaborative work environment; and (3) a diverse workforce. It is through these goals that we work with our managers and employees to maximize service and provide effective solutions and services to the people of our province.

The Public Service Commission will work with departments to implement the renewed agreement with the Saskatchewan Government and General Employees' Union and address the recommendations of the Ready report including implementing a youth initiative. This pilot program over the term of the agreement will target a number of permanent full-time positions to attract recent post-secondary graduates. It will increase youth opportunities within the public service and better prepare the government workforce for the upcoming retirements of baby boomers.

As well we're going to address the current backlog of grievances in the public service, resolving outstanding grievances of about 700 — approximately 180 of which are at the arbitration stage and will be the focus of this review. We'll encourage employees to continue to provide excellent service to the public on the understanding that any grievances will receive a full and fair hearing within a reasonable time.

And three, negotiating an essential services agreement with the SGEU [Saskatchewan Government and General Employees' Union], this will address the continuation of public safety issues during a labour dispute, particularly in the Highways department during winter months, and other services necessary to prevent a danger to the health and safety of the public.

The Public Service Commission will also negotiate a renewed agreement with the Canadian Union of Public Employees. The Public Service Commission will continue to promote the Saskatchewan public service as a workplace to build a career. It will coordinate specific recruitment initiatives to attract youth to the public service and address the most critical, difficult-to-recruit occupations across the public service.

It will continue to build the Aboriginal Career Connections program, the recruitment and retention of persons with disabilities initiative, and the masters of public administration internship program. It will support the establishment of an enhanced new professionals' network within executive government, and it will develop and implement executive succession strategies to ensure continuity of knowledge and skills in executive positions and for priority occupational groups with service-wide implications.

The Public Service Commission will continue to deliver effective and efficient human resource services to achieve the purposes outlined in The Public Service Act. And as you know, we do have a public service Act in the province.

The PSC [Public Service Commission] will develop, deliver, and coordinate government-wide leadership, management, and supervisory learning and development initiatives.

And as well, the Public Service Commission will continue to implement recommendations from review of key policies and systems to support achieving the statement of organizational culture, the government's employee survey, the new HR [human resources] payroll system, the criminal record checks policy and process, and changes to staffing and classification service delivery to enhance timelines and responsiveness. As well we are going to continue to look at better ways to improve our human resource services.

The Public Service Commission's '07-08 budget represents a \$1.2 million overall net increase for the commission. This increase provides the ability for the Public Service Commission to continue to achieve its goals and objectives. Highlights of the new funding in budget include five new FTEs, two permanent positions to address the grievance and arbitration backlog in labour relations, and three one-year terms to hire business analysts to support the HR payroll system.

As well there's funding for approved salary increases of approximately \$575,000; an ITO [Information Technology Office] systems support, \$486,000; as well as one-time funding for the Public Service Commission to hire a consultant to conduct a review of human resource administration and payroll services in government for a cost of approximately 500,000. Support has also been provided for learning and development in the public service, \$50,000; and to address the need for additional office space, 243,000.

Overall our budget this year lays the foundation for the Public Service Commission to continue to move forward on the key actions identified in our performance plan, to address key priority areas identified in our employee survey, and to fund our existing level of services. We look forward to the coming year, and we're confident that we can continue to meet the opportunities and challenges faced by our public service in the province.

I'd be pleased to answer any questions the members of the committee might have, and my officials are prepared to answer questions as well.

The Chair: — Thank you, Madam Minister. That leads us to the Public Service Commission, vote 33, central management

and services, (PS01). Mr. Elhard.

Mr. Elhard: — Thank you, Madam Chair, and good evening, Madam Minister. To you and your officials, once again it's good to have you back in the Legislative Chambers for this committee. And I think we'll by and large pick up where we left off in supplementary estimates.

I know the Public Service Commission has many challenges facing it. We've gone over those grounds previously. We won't re-till that soil tonight, I don't think. But I do want to indicate to the Public Service Commission and the minister that I have had a preliminary look through the provincial budget performance plan for the Public Service Commission. There are questions that arise from this plan. I think we should deal with those as time allows, if not in this particular session, a future session.

I do want to, Madam Minister, go back fairly quickly to the topic that I had raised during supplementary estimates. I had asked about the government and the Public Service Commission's zero tolerance policy, and during supplementary estimates the minister assured us that, although it was not the appropriate time then to discuss it, she would be prepared to discuss that particular topic as the estimates opportunities avail themselves. So I think that's probably where we ought to go tonight to start our discussions in this committee.

I have a couple of questions, Madam Minister, that have arisen as a result of your response to questions from the official opposition in the House. And in one exchange, if I noted it properly, you used the term improperly fired. And I guess for purposes of the record I would like to know what that means; what it meant in the context of the Carriere situation; and how that might contrast to what would be properly fired.

Hon. Ms. Atkinson: — Okay. Under The Public Service Act which guides the employment of people in the public service — and I'm talking about people who work in the permanent service — the only person that is given the ability to hire and fire in law in our legislation is the permanent head. In this case or in all cases, it's the deputy minister or the Chair of the commission.

When Mr. . . . The permanent head is responsible ultimately and accountable for hiring, firing, and discipline. As you will know it is has been reported widely, and it has been reported by myself in this Chamber that Mr. Carriere on February 12, I believe it was, was given his discipline as a result of the investigation that was conducted by Mr. Gillies and as a result of the decision that the deputy minister made as to how the discipline would be administered.

Mr. Scott, who was the deputy minister of the time, decided that Mr. Carriere would be suspended without pay for three months. He would be demoted three levels. He was sent to Regina, so he was transferred to Regina without any people that he would supervise. That was the discipline that he determined should be meted out for the actions that Mr. Carriere had been found to have partaken in. When the government and all of us read right on the front page of *The StarPhoenix*, I believe it was, some of the content of the Gillies report, it was determined by the then minister of the Public Service Commission that this discipline was simply not good enough. And the minister of the Public Service

Commission of the day recommended to the Premier that he be fired. The Premier directed that Terry Scott fire him.

As I understand it, you cannot discipline someone for the same events twice. It's called double jeopardy. And I think it had been referred to earlier in the Public Accounts Committee. And the politicians, the elected do not have the ability to hire and fire in the public service. So he was not properly fired. The person that should have fired him was the permanent head, the deputy minister. The deputy minister meted out some other type of discipline that the politicians found unacceptable, and Mr. Scott was directed to fire him.

And so in essence you can't punish someone for the same events twice. His discipline had already been meted out.

Mr. Elhard: — Is it the contention then of the minister and her government that the only improper part of the firing was the fact that it was directed by the Premier through the then minister?

Hon. Ms. Atkinson: — Yes. Politicians cannot direct that people be fired.

Mr. Elhard: — Then how would your government deal with similar episodes should they occur in the future?

Hon. Ms. Atkinson: — What we did . . . and you will know that there was a decision by the then minister, I guess the member from Regina Rosemont, that the policy would be reviewed, the anti-harassment policy. It was reviewed. It was clearly stated that there was zero tolerance for harassment. As well the deputy minister, when there were this kind of serious harassment issues taking place, the deputy minister was to consult with a panel of deputies, other deputies to determine what sort of discipline should be meted out including firing. And that is now contained in the policy.

Mr. Elhard: — In future, Madam Minister, however if a similar situation should occur, should arise and the decision of the deputy ministers' committee wasn't satisfactory to the government, what recourse would the government have?

Hon. Ms. Atkinson: — It's my view that it's very clear in legislation through The Public Service Act, the only people that are responsible for hiring and firing and discipline are the permanent heads. The politicians are not. Otherwise you begin to have a problem where the politicians start directing what's supposed to be a professional public service.

Can I say that this could never happen again? I think there's a far greater awareness since the events of 2003 in terms of harassment, certainly within management and the permanent heads. And permanent heads now, when they're dealing with very serious issues or cases of harassment, must consult with other deputy ministers. And I understand they have used the policy. A panel of deputies have been convened to deal with issues of harassment.

Mr. Elhard: — You are saying, Madam Minister, that there was no such panel of deputy ministers when this whole issue was coming to the forefront.

Hon. Ms. Atkinson: — There wasn't. It was within the

purview of the deputy. And now we have it clearly in policy that when there is serious cases of harassment they must consult with a panel of deputies to determine what would be the appropriate discipline, including firing.

Mr. Elhard: — Can you conceive of a situation, Madam Minister, where the consideration, the very deliberate consideration of the panel though, may not meet the government's satisfaction?

Hon. Ms. Atkinson: — Well I mean you can have all of the policies in place, and sometimes the policies do not meet the government's satisfaction or the politician's satisfaction, and that's when you look for revisions to the policy. But at this moment, my understanding is that the policy has been used for serious cases of harassment, and the appropriate discipline has been meted out, including firing.

Mr. Elhard: — I guess that's one of the reasons why I'm asking these questions because the situation as it occurred was unsatisfactory. Change in policy has resulted in a new process to deal with these types of situations. If the new process is unsatisfactory or proves unsatisfactory in some instance in the future, what is the recourse of this government or any government?

Hon. Ms. Atkinson: — Well I guess what can occur is if a deputy minister, if the elected loses faith in a deputy minister then obviously the deputy minister can be removed.

The appointment of deputy ministers comes under the purview of the Premier. And in our case the deputy minister to the Premier along with the Public Service has been involved in hiring deputy ministers. So I think it's fair to say that the Premier has left the decision as to the deputy ministers throughout government departments to the purview of the deputy minister to the Premier. Now obviously the deputy minister consults with the Premier and appointments are made.

We have tried very, very hard to implement what we call a professional public service and to depoliticize the public service so that we have career public servants. And if you look at our deputy ministers, I would say we have people at that level that have basically for the most part come up through the ranks of the public service.

Mr. Elhard: — It's in everybody's best interests that we have a fully professional public service. In view of the comments you just made, did I understand you correctly to say that the committee of deputy ministers has been utilized or employed to deal with similar situations in the interim or since the Carriere case became public knowledge?

Hon. Ms. Atkinson: — I won't say it's a similar case. I wouldn't want to say that. But the panel of deputies has been used to deal with harassment.

Mr. Elhard: — Once? Or several times?

Hon. Ms. Atkinson: — Once.

Mr. Elhard: — Is it within your ability to say from which department this case arose?

Hon. Ms. Atkinson: — I don't think I can say from within which department this case arose because, as you know, it could identify the situation. But there was one case where the panel of deputies was used.

Mr. Elhard: — You mentioned the zero tolerance policy as part of the changes that were implemented when the Carriere case became public knowledge. But if I understood the minister correctly from some of the dialogue that has gone on around this particular situation, there was a zero tolerance policy that existed much prior to that. So would the minister clarify that for the committee?

Mr. McKillop: — Yes, I think it's fair to say that harassment has been taken seriously for many years in the public service, and we've had policy statements with respect to harassment and the related process and discipline associated with harassment for many years.

What wasn't as clearly stated in policy was the zero tolerance element of that policy and what it meant — that no incident of harassment would go unaddressed, that harassment of serious nature would not be tolerated — and so that language was rewritten and brought right foremost in the policy statement. So there's no question that the policy that came about as a result of the 2000 review was a much stronger policy with respect to the government's commitment to zero tolerance with respect to harassment.

Mr. Elhard: — Could the minister or her officials outline for the committee tonight the precise steps that need to be taken by anybody within the public service who feels they have been subjected to harassment.

Mr. McKillop: — The precise steps will vary depending on the circumstance — there's no question — and the nature of the incident. The first opportunity, if an employee feels that they're harassed, is to identify the problem to the harassing individual if they feel comfortable in doing so — bringing it to their attention, attempting to deal with it in that way. Some incidents may lend themselves to that kind of an approach and may actually be resolved. Others clearly will not, and in other cases clearly that won't be an appropriate step.

So the person who feels harassed has a whole variety of options in terms of where they can go, and that variety is provided in order that they find the most comfortable way for them to raise the issue. So they can go to their manager if that person is not the direct harasser. They can go to any other employee in the workplace. They can go to their union. They can go to any superior level of management in the organization if they wish. They can come directly to the Public Service Commission. The laws of the province also allow them other opportunities. They can go to the occupational health and safety division of the Department of Labour or to the Human Rights Commission. So there are a whole variety of ways in which the process might begin.

Once identified, it is management's responsibility to address it. And that is now very clearly stated in the policy, that management has an obligation to provide a harassment-free workplace, as is set out in the requirements of The Occupational Health and Safety Act. And as this is brought to management's

attention, they have an immediate obligation to now deal with the problem.

Depending on the nature of the harassing behaviour, there are again a whole variety of ways that might make sense to deal with the case. If it's a relatively minor incident of harassment, it may involve nothing more than the local manager bringing the two employees together, discussing the situation, and resolving it. That may satisfy the situation and then the case is resolved.

There are many, many cases where that simply is not likely to bring an end to it. There is the provision for the engagement of professional help out of the human resource branch or the Public Service Commission for help at that stage or to bring in any form of third party mediator to attempt to work between the parties in an attempt to resolve the conflict. Some situations again will lend themselves to that kind of an approach. In other kinds of situations, that won't be an appropriate approach either.

The next step is the filing of a formal complaint which will then trigger an investigation into the matter. If that complaint is filed, it will be brought immediately to the attention of the deputy minister of the employing department and to the Public Service Commission. The Public Service Commission will work on the appointment of an independent investigator.

The independent investigator will look into the matter and prepare a report for the permanent head of the department, outline, after doing their witness reviews and recording all of that information, file that report and their findings with the deputy minister.

The deputy minister then has an obligation to make their own decision with respect to what has happened, based on the investigator's finding, and to begin to make assessments as to the final determination of whether harassment has occurred within the bounds of the policy and what is appropriate penalty and remedy with respect to restoring the workplace to the situation where it should be.

The policy now provides the opportunity for the deputy minister to consult with the complainants if harassment is found, to gain an assessment of the impact of the harassment on the complainant and the workplace in making their determination as to what kind of disciplinary penalty is appropriate and what kind of remedial action is appropriate with respect to the workplace. Again they will seek advice from the Public Service Commission and often the Department of Justice, depending on the severity of the case, and make their disciplinary decision which they will communicate to the respondent in this case.

The new policy framework now allows them the opportunity as well to explain the disciplinary penalties that they are going to impose and the rationale for imposing it to the complainants so that the circle is more fully completed. That did not use to be the case. It was our practice that disciplinary matters and disciplinary decisions weren't discussed with others in the workplace. And we found that, while there was a requirement under the legislation to maintain a certain confidentiality with respect to harassment and discipline, that it was important in order to complete the loop of communications and in order to allow some greater opportunity for the complainants to

understand the outcome of their complaints, and perhaps gave some degree of closure to the file that they be given the opportunity for that explanation.

And similarly the deputy now has a broader capacity as well to describe the findings and the results and discipline to the work unit more generally, so that again that work unit can get back and to restore a more normal operation in a way in which they weren't allowed before.

Mr. Elhard: — Sir, that's a very thorough and probably very precise answer in a lot of ways. But I guess what it doesn't provide me is the assurance that the average public servant will know precisely what their options are if they find themselves in a situation where they believe they're harassed.

I mean you talked about all the variations and all the other possibilities that would come with this scenario, depending on the kind of harassment that has been experienced. But I'm thinking of an individual who's working at a fairly new job or maybe they've been around for a short while. They're suddenly placed in a situation where they feel like they're the victim of harassment. And the first thing I think that would come to my mind is, where do I turn for help? And if the variations and options are as diverse as you have outlined for us, I don't know that that question would be easily or readily answered, especially if the very person who should provide that information might be the harasser.

Mr. McKillop: — That's why there needs to be options, because if the harasser is your immediate supervisor we certainly can't direct you there. And so there needs to be some variety of place to go. And one option would be that there'd be some completely independent place to go.

But many employees don't have the same comfort level in finding that place and simply need someone that they're more locally aware of to be able to raise their concern. And then as long as the obligation is clear, that once made aware of that we all have the obligation to ensure that that matter is addressed and brought to the attention of those that must then deal with it, that is the reason for the breadth of options.

Mr. Elhard: — I think we will want to maybe revisit this part of the discussion at some future point because I think I need to understand how this is going to be communicated to the employees, how they will be made fully aware of their options and opportunities under the new policy for harassment in the workplace. And maybe we can do that as part of our discussions later. But at this point one of my colleagues would like to participate.

The Chair: — Ms. Draude.

Ms. Draude: — Thank you. Madam Minister, and to your officials. I have a number of really direct questions and I'm hoping that we can just have a conversation about it, about this Carriere issue. And I want to start by asking what the definition of harassment was in the old policy.

Mr. McKillop: — Do you want me to read it? I have it. I know that we tabled this document with you the other day in response to questions in the House, but . . .

Ms. Draude: — I would like you to just read the definition because there will be some people who wouldn't have the opportunity to see a tabled document.

Mr. McKillop: — Harassment is a form of discrimination. This policy endorses the definition of harassment set out in The Occupational Health and Safety Act, 1993 which states that:

“harassment” means any objectionable conduct, comment or display by a person that:

(i) is directed at a worker;

(ii) is made on the basis of race, creed, colour . . . sex, sexual orientation, marital status, family status, disability, physical size or weight, age, nationality, ancestry, place of origin; and

iii) constitutes a threat to the health or safety of the worker.

In addition, harassment means any objectionable or offensive behaviour that is known or reasonably ought to be known to be unwelcome based upon one or more of the prohibited grounds in The Saskatchewan Human Rights Code or The Occupational Health and Safety Act or any additional grounds listed in the current collective bargaining agreements with SGEU and CUPE [Canadian Union of Public Employees] in circumstances relating to in-scope employees and the respective bargaining units.

And then it goes on to provide examples.

Ms. Draude: — Thank you. So can you now tell me what your anti-harassment policy was before 1994, before the changes?

Mr. McKillop: — 1994? The only reference to harassment prior to 1994 . . . no, there was a 1987 policy, I'm sorry. Before 1987 the only reference to harassment was a commitment in the collective agreement that harassment issues would be jointly investigated between the parties. In 1987 we introduced the first policy, and that policy dealt with sexual harassment only. And it was a two-page document.

Ms. Draude: — Can I get a copy of it?

Mr. McKillop: — You sure can.

Ms. Draude: — Thank you very much.

Hon. Ms. Atkinson: — Sexual harassment was contained within the Saskatchewan Government Employees' Union collective agreement. And the first provisions were made, I believe, in 1983. And they were negotiated. And it had to do with sexual, I believe, sexual harassment. And at that time, this is when people first started thinking about sexual harassment and Saskatchewan Government Employees' Union negotiated that particular provision. And I know of this because I was involved with the Saskatchewan Government Employees' Union.

Ms. Draude: — Thank you. So tell me what the policy was when the government started looking at it in 1994.

Mr. McKillop: — The policy was the '87 policy and changed next in 1994. It was broadened at that time to include racial, ethnic, and gender harassment from its base which had been just sexual harassment.

Ms. Draude: — So what was your anti-harassment policy? How did your government describe how it was going to deal with harassment?

Mr. McKillop: — It defined harassment only on those criteria first of all. So it expanded the definition from just sexual harassment now to include harassment based on ethnic, race, and gender. And it said employees have the right to be treated with respect, treated fairly, and treated without harassment. Employees are entitled to work in an environment free of racial, ethnic, and gender harassment.

As such the employer will not condone unwanted, unwelcome attention, or behaviour that's sexual, ethnic, or racial in nature. It's the employer's responsibility to provide a workplace free of racial, ethnic, and gender harassment.

Ms. Draude: — Thank you. I guess maybe I'm not clear enough. What did your government do if someone reported harassment? Like what was your anti-harassment policy? What did you do if somebody, what did this government do if someone reported it?

Mr. McKillop: — Okay, and it broke the complaint process down into two separate processes — an informal complaint process and a formal complaint process. The formal complaint process would generate a formal investigation. If it was just an informal complaint that was raised, we would deal with some of the other softer methods that I'd described before: individual problem solving and mediation activities. But it wouldn't involve a formal investigation.

Hon. Ms. Atkinson: — Just to be clear, a formal complaint has to come from the person who believes that they are being harassed. So when you launch a formal complaint, it's a written complaint. The informal complaint is where you try and address it either through, if I could just see this for a moment. There were some options that you would try. Speak to your supervisor.

Let's get this. I've read all of this. In the informal complaint, you could bring it to management's attention but which is not written and does not result in an investigation. If there is an informal complaint, the respondent is to be informed and an opportunity for the respondent to respond. And I think all of this has been tabled with you. I think this has been provided. All of the policy documents have been provided through the written questions.

Ms. Draude: — So there were no actual changes in that policy then until the year 2002. Is that correct?

Mr. McKillop: — That was the 1997 policy. That changed again . . . or '94 policy. That changed again in 2000. The changes in 2000 were really driven by change in the occupational health and safety legislation where the prohibited grounds against which harassment was prohibited were expanded significantly beyond what we had as prohibited

grounds which were race, ethnicity, and gender. And that change happened in 1996.

We undertook to work jointly with the SGEU in developing the policy response to that legislation. That process bogged down horribly in terms of our capacity to agree with the union exactly on process and procedure. And finally in 2000 we implemented a stand-alone employer policy that met our legal obligation and had to leave the SGEU behind on that question because we simply couldn't reach agreement with them in a way that met our obligations.

Ms. Draude: — I'm reading a copy of the Public Service Commission anti-harassment policy, date issued 2000, and revision 2003. And it states in there that "It is misconduct for managers and supervisors who know of workplace harassment not to take immediate corrective action." Was that the case back in 1994?

Mr. McKillop: — It was never so clearly specified. That obligation on behalf of managers got more and more clear as the policies have evolved over the years.

Ms. Draude: — So managers before 1994 didn't feel, probably weren't clear in it because they probably weren't thinking about it a lot.

Mr. McKillop: — Our legal obligations really weren't changed a lot, but the policy statements became clearer with respect to management's obligations in that regard.

Ms. Draude: — So when did they become clearer?

Mr. McKillop: — In 2000 they were clarified and further again in 2003.

Ms. Draude: — So in 2000 and then again in 2003, if a supervisor or a manager ignored a harassment complaint, what happened?

Mr. McKillop: — If it was clear that a significant complaint had been brought to them and it was simply ignored, I think even in '94 it would have been treated as misconduct by the manager and that would have been dealt with.

Ms. Draude: — What do you mean, dealt with?

Mr. McKillop: — They would have been subject to disciplinary penalty I believe if they had, did not deal with the situation that had been brought to their attention. Now deal with was a different kind of process in those times. If it wasn't a formal complaint, and if the manager thought that all that was necessary was to speak to the harasser and to attempt to deal with it in that way, and if they thought that that actually resolved the situation, the manager would have at least an argument that they had in fact taken remedial action. It might not, may or may not have been sufficient.

Ms. Draude: — Was there any disciplinary action taken when former associate deputy minister Les Cooke ignored the several harassment complaints made by one of his direct, in his direct reports?

Mr. McKillop: — I'm not aware of the specifics of when or what complaints were brought to Mr. Cooke. And I don't know of any discipline that resulted for Mr. Cooke with respect to his handling of any complaints brought to him.

Ms. Draude: — Who hired Mr. Gillies in 2002 to conduct the investigation into the allegations against Murdoch Carriere?

Mr. McKillop: — Appointed by the Public Service Commission.

Ms. Draude: — And who received the copies of the report?

Mr. McKillop: — The report would have been filed with the deputy minister, the complainant and the respondents, and the Public Service Commission.

Ms. Draude: — In reviewing written questions, Murdoch Carriere went from resource patrolman all the way to director of forest fire operations. When was he given these promotions?

Mr. McKillop: — I think we did actually respond with some information with respect to Mr. Carriere's career assignments to the question in the House. I do know that whatever that information that we provided was the fullest extent that we were able to provide it under FOI [freedom of information] restrictions. I don't know that I have it here, but that information has been provided to you.

Ms. Draude: — Okay. Mr. Carriere's salary went from \$4,368 a month when he was manager of Aboriginal programs to \$7,503 a month as director of forest fire operations. Is that within the salary guidelines of each one of those departments?

Mr. McKillop: — Again the information that we provided to you I think showed their salary at a point in time and their assignment. I don't know that the salary would have been the immediate appointing salary on movement from one job to the other. That promotional formula is established under The Public Service Act, and his promotion from one level to the other would have been done in accordance with that formula set out in the Act.

So he wouldn't have received anything beyond what he was allowed under the law which is an 8 per cent promotional adjustment on immediately moving to that role. His salary over time then would have adjusted through economic adjustment and increment in his new role. And so the two salaries you have, I am sure, are reflective of salaries that he was paid in those different roles, but I don't have the dates nor the direct full salary history to be able to respond to that question.

Ms. Draude: — Can you tell me who the person was within the Public Service Commission who approved of the disciplinary action that was proposed by former deputy minister of Environment, Terry Scott, for Murdoch Carriere after the report came forward?

Mr. McKillop: — Actually there is no role for the Public Service Commission to approve the disciplinary penalty imposed by the deputy. It is the deputy minister's responsibility to determine appropriate discipline, up to dismissal or suspension. The Public Service Commission's only role is to

provide advice.

Ms. Draude: — So would the Public Service Commission been aware of the disciplinary action that was suggested by Terry Scott?

Mr. McKillop: — The Public Service Commission did provide Mr. Scott with advice with respect to the discipline decision that he was wrestling with.

Ms. Draude: — So then the advice given by the Public Service Commission is what was put forward by Deputy Minister Scott?

Mr. McKillop: — Advice put forward by the Public Service Commission in this file, as I am aware, was a range of reasonable penalty. It's as in all disciplinary cases. They turn very much on the detail and fact of the situation and the deputy had more information than any other player with respect to this file. The information that the Public Service Commission had allowed us to provide advice with respect to a range of reasonable penalty. The disciplinary decision imposed by Mr. Scott was at the bottom end of our reasonable range.

Ms. Draude: — Did the deputy minister at the time have all the information that was later on found in the Gillies report?

Mr. McKillop: — The deputy minister had all of the information in the Gillies report. There's absolutely no doubt about that. He had the Gillies report and had, as I understand it, subsequent conversations with Mr. Gillies with respect to the findings beyond just the receipt of the report. I understand the deputy consulted with others in addition to the Public Service Commission and the Department of Justice in making his decision.

Ms. Draude: — So then he was aware that there were complaints against Mr. Carriere as far as back as 1994?

Mr. McKillop: — I actually can't comment. I just don't know whether he was aware of that.

Ms. Draude: — There was an awareness that there was complaints; from our understanding there was awareness. Wouldn't the Public Service Commission have been concerned? When there were harassment complaints brought forward, why wouldn't they take them seriously?

Mr. McKillop: — It's my understanding that the Public Service Commission wasn't aware that there were complaints that went back to 1994. What the deputy minister was aware of, I simply don't know.

Ms. Draude: — Could he have been fired before 2002 when people knew about these complaints of sexual, of harassment? Like wasn't that something that would have been on the table?

Mr. McKillop: — There were no active complaints of sexual harassment that the Public Service Commission was aware of prior to the 2002 formal complaints being brought to our attention.

Ms. Draude: — There were no complaints then brought forward then before 2002?

Mr. McKillop: — Not to the Public Service Commission. No, there were not.

Ms. Draude: — Okay. Within the Department of the Environment, did the deputy minister . . . Maybe you don't know what he knew, but would he have been aware of anything that would have been brought forward even if it didn't go to the Public Service Commission?

Mr. McKillop: — May well have been. I don't know.

Ms. Draude: — You had indicated the Public Service Commission had spoken to the deputy minister and discussed everything. When the deputy minister was aware of it, he would have brought it up to the Public Service Commission, would you have thought?

Hon. Ms. Atkinson: — I think it's very difficult to speculate. As Mr. McKillop said earlier, when there is a formal complaint launched then obviously we become aware of that as the Public Service Commission, particularly if there is an investigation, if I understand the process.

So the formal complaint is launched. It's a written complaint. It's not an informal complaint. It's a written complaint. And then we are aware of that. And we appoint the person to do the investigation. That's our job as a Public Service Commission.

I guess the point I'm trying to make is that it's one of those things that we don't become aware of these things until there is a formal complaint launched by a complainant against an alleged harasser.

Ms. Draude: — The Public Service Commission minister told us that the nine women that did come forward were checked with before Carriere was given his payoff, and yet we know they weren't.

Hon. Ms. Atkinson: — If you read my *Hansard*, I say I was advised by the Department of Justice that the women were checked with. Now what I was advised is that the Department of Justice, I believe the year earlier, had gone to speak to the complainants. This is what I was advised.

I was also advised that the women were advised that a settlement was going to be announced, and I said that in response to the Leader of the Opposition when he said, did you check with the women? And I said I was advised by the Department of Justice that the women were — and I used his words — checked with. Not consulted, checked with.

Ms. Draude: — Madam Minister, were there formal complaints brought to the deputy minister before they were brought to the Public Service Commission?

Hon. Ms. Atkinson: — I don't know if there were formal complaints brought to the deputy minister before they were brought to the Public Service Commission. My assumption is that when . . . I mean at a formal complaint, once a formal complaint is launched, we become aware of it because we appoint the investigator. So when I say I don't know, I don't believe there were formal complaints launched because the process is if there is a formal complaint, Public Service

Commission is advised.

Ms. Draude: — So that was the policy from 1994 on; is that correct? That if there was a formal complaint, a formal complaint would have meant that somebody would have had to . . . it would have had to have been looked at? It would have been considered misconduct if they wouldn't have looked into it?

Hon. Ms. Atkinson: — A formal complaint is when you put your complaint in writing. Okay, just so we understand. A formal complaint is you put it in writing.

Now you have said that there were complaints going back to 1994. We have not been advised of any formal complaint, i.e., a written complaint by the complainants. We are not aware of that because formal complaints come to our attention. And as Mr. McKillop said earlier, we have no evidence of any formal complaints until 2002 when a formal complaint was launched, I believe, in early September 2002.

Ms. Draude: — I'm trying to put myself in the place of these women who have been trying and I . . . whether you knew, whoever knew it, there was problems back as far back as 1994, and there were people who were trying to get attention. And we know from the documents and from speaking to the women that they were trying to get people's attention back as far as 1994.

I firmly believe that the Public Service Commission is trying to look after or to deal with these issues. Isn't there any way that, unless somebody has this in writing, to deal with someone who is absolutely distraught and whose workplace is hazardous to their health because of the way they're treated? Is it a piece of paper the most important thing that you have when it comes to dealing with the way people feel safe in their workplace? Isn't any of the testimony that was given to people who are supervisors or ministers or deputy ministers, wouldn't that be taken seriously enough to say well it's not in writing, so I can't look at it?

Hon. Ms. Atkinson: — Well I guess my question to you, Madam Member, is the 1994 policy, which you have a copy of, and in the policy there is a reference to formal complaints and a formal complaint process where you are to name the complainant — I mean obviously who's yourself — the phone number, your work phone number, your location, the nature of your complaint, the alleged harasser's name, the details of the complaint, objections made known — because you're to object to this harassing, and then obviously a consent to authorize the release of your information about the complaint to the respondent who would be the alleged harasser.

That was the process in 1994. As well there was another process. It was called the informal complaints. And that's where the complaint is brought to management's attention. It's not in writing. It doesn't result in an investigation. If a respondent is named in an informal complaint, the respondent will be informed of the concern and provided an opportunity to respond to the concern raised.

So the informal complaint where a respondent is named could result in discussions between the supervisor and the complainant and the supervisor and the respondent; a facilitated

meeting between the complainant; an informal complaint where the alleged harasser is not named may result in workshops on the prevention of racial, ethnic, and gender harassment; and information being provided to all employees at the work site regarding the employer's and the union's position to such behaviour.

So this was through the, you know, collective bargaining process as I understand it. So I'm not aware that there was ever a grievance filed in 1994, which under the collective bargaining agreement if — and my assumption is that the complainants were in-scope employees — I'm not aware that they filed a grievance under the collective bargaining agreement. Maybe you have other information, but we're not aware that that occurred.

Ms. Draude: — Madam Minister, we know or I'm sure that anybody who is a manager or a supervisor . . . and I've lived there, I mean, for 30 years in the private sector. I know what it's like to have somebody come into your office and say that there is an issue there, whether there is a piece of paper. And somebody who is in that position, they're going to say, okay to make it work, we have to fill out a paper. Wouldn't that supervisor — from your own anti-harassment document says it is misconduct for them not to do it — wouldn't they have helped somebody fill out that paper? Wasn't there a signal sent that this is so serious that whether this person who is capable, may be mentally capable because of what they're under in their workplace, wasn't there any thing, any kind of signal sent by government that, whether it's written in paper or not, maybe you better help him fill it out? Like what kind of . . . like where is that sent?

Hon. Ms. Atkinson: — Well if you go back to the first time in 1983 where sexual harassment was put into the collective agreement, I mean there were people who underwent sexual harassment in the '60s, in the '50s, in the '40s, in the '70s, up until 1983, and there was no protection. So in 1983 the Saskatchewan Government Employees' Union and the employer, the Public Service Commission negotiated a provision in the collective agreement where people could provide a grievance based on sexual harassment.

Then in 1993, the government of the day introduced, for the first time in North America, a provision under the occupational health and safety legislation that would provide protection for people when it came to harassment on the basis of those grounds found in the Human Rights Code. That was 1993.

In 1994 if you look at the human resource manual, there were issues around racial, ethnic, and gender harassment, and the government attempted to negotiate with the Saskatchewan Government Employees' Union the new definition. They weren't able to do that, and finally they decided to take it from the employers' point of view and implement an employer policy.

So to be clear, harassment has always been complaint driven; grounds under the Human Rights Commission, complaint driven; occupational health and safety legislation, complaint driven. You have to be able to complain, and you can do that informally or through formal processes. And in this case, they had the benefit of the Saskatchewan Government Employees'

Union where they could file a grievance.

Ms. Draude: — Some of these women working under the person who actually was harassing them would have had to go to the actual harasser to fill out the complaint.

Hon. Ms. Atkinson: — No.

Ms. Draude: — Would there have been a time when they felt that's where they had to go? Like you can have all the processes in the world, but if you are not in the mental state to be able to either figure out how to do it or feel like you have somebody there to help you, that's not going to work. So there is . . . A process is fine if somebody actually is capable of filling it, of doing it. Would there have been a chance that somebody actually did ask for a complaint form from the person who was a harasser and it didn't go any further?

Mr. McKillop: — I can't speculate whether that may or may not have happened. What I do know is a formal complaint was never filed.

Ms. Draude: — Okay.

The Chair: — Mr. Elhard.

Mr. Elhard: — I think what we need to understand as a result . . . I've been listening very carefully to this exchange. And when the minister read sort of the list of things that had to be done or the grounds on which harassment accusations could be maintained . . . made and the formal complaint process undertaken, what's not clear to me as a result of the minister's response is, was that a process under the Public Service Commission or was that a process that applied within departments?

Mr. McKillop: — The process is applied to all departments in government. It's a public service policy developed and issued by the Public Service Commission and applicable to all employment in the public service.

Mr. Elhard: — Well I think that might explain some of the confusion here because there might have been a possibility that someone undertook a complaint — maybe even wrote it out — but it was dealt with internally within the department without it ever being forwarded to the Public Service Commission. I mean, I don't know if the rules were so complete and thorough, the processes were so clearly delineated then, that any manager who was given a handwritten notice of complaint would have felt obligated to forward it to the Public Service Commission.

Mr. McKillop: — The very first step set out in the process for dealing with a formal complaint after the part that the minister read you, in terms of what information should be found in the complaint, says that within five days from the time the complaint has been received by a department, the permanent head or designate will provide a copy to the Public Service Commission and the union, provide the respondent with a copy of the written complaint, and inform the respondent and its union.

Mr. Elhard: — That outlines the process. It doesn't assure compliance.

Mr. McKillop: — You're right.

Mr. Elhard: — And I think that's where this whole process is bogged down tonight. It doesn't assure compliance. Any manager in a department may have accepted a written complaint from an employee over a harassment charge but may not have seen fit to forward it to the Public Service Commission or may not have felt that it was incumbent on him or her to do so or thought the risk of being punished for not doing so was so minimal that they could take that gamble.

Hon. Ms. Atkinson: — Do you have any documentation that there was a written complaint in 1994?

Mr. Elhard: — Madam Minister, I don't have that now, but I guess the reason we're following this line of questioning is that it seems completely plausible that there may be. And we need to know, we need to know precisely, what the process was and what the obligations were and what the likelihood of compliance were in the early days of this whole, whole thing, this whole type of harassment . . .

Hon. Ms. Atkinson: — Right. You see I would be very interested because we're talking about a plausible, but I guess we tend to try and deal with the facts if we can get to the facts, and so I'd be very interested. If the women made a written complaint and if they have documentation in 1994, I'd like to see it because we have no evidence of that at the Public Service Commission. And under the policy the women could go to the Public Service Commission. They could go to the deputy minister. They could go, if it was their supervisor, they could go to someone else. They had many . . . and their union.

And we have no evidence that they went to their union and filed a grievance, and we have no evidence that they filed a written complaint. Now if they did, I'd be very interested in that.

Mr. Elhard: — We I think want to determine if the rules were clear enough and whether they were enforced with some consistency to be sure that if we find that evidence, that we know that there was some malfeasance at some early stage. We aren't in a position to make an accusation because we don't have the written complaint, but there seems to be some insinuation, some indication that there was more deliberate and determined effort to bring harassment to the attention of supervisors which at this point at least has not been corroborated with written evidence. But that doesn't mean it didn't exist.

Hon. Ms. Atkinson: — I just want to say and put in on the public record that this policy of 1994 was provided — and I have the written documentation to all of the permanent heads which would be all the deputy ministers — by Shiela Bailey, who was the Chair of the Public Service Commission at that time.

And she indicated very clearly that they needed to — this is the permanent heads — distribute and communicate:

. . . this policy to employees in your departments. I feel strongly that we must actively work towards creating a work environment free of racial, ethnic and gender harassment.

So this policy was communicated to the permanent heads by Ms. Bailey.

The Chair: — Ms. Draude.

Ms. Draude: — Thank you, Madam Minister. Two things. It may have been communicated to the heads, but it may not have been communicated to the people. But I do want to tell you that, to the employees, I mean.

You've indicated a number of times that we have documents that we've been given and I've just checked with some of our staff and there's a number of them that we never did receive. There may have been things in written questions but they've . . . I have just been advised that the harassment policy before 1994, that type of thing, we do not have. So I can make a list of . . .

Hon. Ms. Atkinson: — You have the harassment policy of 1994. And I think you were asking for, under the written question, the policy from 1991 on. And I believe we gave you the '94 policy, the 2000 policy, and the 2003 policy.

Ms. Draude: — I will do some checking. If we don't, then I'll ask them.

Hon. Ms. Atkinson: — My apologies but I think I tabled that in the House.

The Chair: — Ms. Heppner.

Ms. Heppner: — Thank you, Madam Chair. I was just thinking as I was listening to this discussion, if I were in a situation where I were being harassed by somebody in a position of authority over me, I'd probably be a little bit distraught. And I would imagine that one of the places I'd go is the Public Service Commission website. And on there — and I stated this in the House the other day during my speech — that there was a information sheet for employees and it has a series of myths and facts listed. And one of the facts say:

Managers who are aware of harassment are responsible for stopping the harassment and preventing it in the future. Supervisors who knowingly tolerate harassment may be subject to disciplinary measures.

And I'm thinking if I read that, I'd probably go, great; I'll go talk to my supervisor because it's his job to stop this. And it seems to me that the only responsibility, from what I've heard so far this evening, is that there's a responsibility if a formal complaint is issued. So if I were one of these women and I went to my manager and said, hey, this is happening to me, but I don't write it on a piece of paper, is the manager no longer responsible for stopping it?

Hon. Ms. Atkinson: — The manager is absolutely responsible for stopping it. And as we said earlier — and I don't think you were in the House then — there is the informal process and formal process. And if you look at the policy now, it's clear that there are a number of options that you can use in order to launch a complaint against a person that you believe is harassing you. And you can do it informally or you can issue a written complaint. If you're not satisfied that your manager has dealt with it, obviously you issue a written complaint.

Ms. Heppner: — So it's quite likely then that there is no paper trail from 1994 because that would have been the first incident of one of these women coming forward to her supervisor. And obviously the result was not satisfactory because Murdoch Carriere stayed in his workplace and continued to harass people.

And I'm just wondering why — if a paper trail wasn't necessary and informal complaints were okay and even if I as an employee went to my manager with a verbal complaint, it's still his responsibility to stop this harassment — why it didn't stop in 1994 and why nothing happened to Murdoch Carriere in 1994 if a verbal complaint was satisfactory.

Mr. McKillop: — A verbal complaint would be satisfactory to generate the informal processes and it was the responsibility of the manager to provide in as early as 1994. If the employee wanted to ensure that an investigation, a formal investigation, was launched, it would be the obligation to provide a formal complaint. And we have many examples where this isn't just the employee choosing to do it, where managers are counselling employees to file formal complaints in order that a formal investigation can in fact be conducted.

The obligations of the managers that you read on our website today we described earlier as having become clearer and clearer with the passage of time. And while we acknowledge the legal obligations set out in the occupational health Act going back to 1993 to provide a harassment-free workplace, our policy has evolved over time and has become more clear with respect to that obligation. And that statement of fact that you found on our website is a statement that was put there as a result of the 2000 policy review that was directed by the minister in charge of the Public Service Commission arising out of the Carriere case in the first instance.

Ms. Heppner: — So if I were an employee and I went to talk to my supervisor and it was just a verbal conversation in his office and I said, you know this is what this guy's doing to me, is that . . . that's not considered an informal complaint. I'm just trying to get the timeline or the process line.

Hon. Ms. Atkinson: — Which year are you talking about? Are you talking about 1994?

Ms. Heppner: — 1994.

Hon. Ms. Atkinson: — Okay. Let's talk about so we're clear because the policy has evolved. There's the '94 policy, the 2000 policy, and the 2003. When you're referring to the website you're talking about the policy review that took place as a result of Carriere — that's the 2003 policy. Now in terms of your question, we'll put your question in the context of the 1994 policy.

Ms. Heppner: — I guess my question is, I'm just trying to understand what qualifies as an informal complaint. If I walked into my supervisor's office and said, this is what happened to me today, does that — in 1994 terms — does that constitute an informal complaint?

Mr. McKillop: — I believe that it would, given the read of the 1994 policy. It says informal complaints are complaints brought

to management's attention but which are not written and do not result in an investigation.

Ms. Heppner: — And then just for my own information, does the manager . . . And I'm not sure; I missed the first hour of this and I apologize if I'm re-asking questions. At that point if I were the employee, walked into my supervisor's office and said, this is what's happening to me, was there at the time any obligation or any direction in any of the rules, guidelines, regulations for supervisors? I'm not sure that counsel is the right word, but to indicate at that time what an employee's rights, obligations are if he, just on hearing the allegations, if the supervisor thought it was a serious enough complaint, was there any obligation for that supervisor then to tell the employee, I think you should file a formal complaint? I think we should write this down and then get it investigated.

Mr. McKillop: — I'm not sure it was that clearly spelled out. I know of many cases over the years that that has happened, certainly prior to our most recent update. I personally can't comment in 1994 whether that was common practice but certainly we had many cases of that happening. I would have to read the policy in more detail than I maybe can in this moment to actually draw that part of the policy statement out if it is in fact there.

Ms. Draude: — To the minister, the question that I had asked was actually written in returns. It was asked five days ago, so they should have been received today and they weren't received. The questions were from the anti-harassment policy as existed in the fiscal year '91-92 right up to this year, and we didn't receive them.

Hon. Ms. Atkinson: — They were to be returned today. Okay. We'll get them. We have provided them to the group that puts them into the House, so we will get those to you.

Ms. Draude: — Thank you very much.

The Chair: — Mr. Krawetz.

Mr. Krawetz: — Thank you, Madam Chair, Madam Minister. I want to spend a few minutes clarifying the response that you gave me regarding pension obligations and responsibilities for both Mr. Scott and Mr. Carriere. And I know Mr. McKillop will have a knowledge of pensions — just a little inside comment there. Mr. Scott received \$184,000 as, I guess I would call it, a severance. Is that correct?

Hon. Ms. Atkinson: — That's correct.

Mr. Krawetz: — Was the severance package treated as income for any given number of years?

Hon. Ms. Atkinson: — As I understand it, that was . . . I believe the Department of Justice was involved in negotiating the settlement. So I'm not in a position to answer your question.

Mr. Krawetz: — Okay. Would the Public Service Commission be aware of what pension plan Mr. Scott would have qualified for?

Hon. Ms. Atkinson: — I understand — because I've had this

discussion before — one needs to be very careful in terms of releasing personal information. And as I indicated in the Carriere situation, we got into specifics there.

But in terms of Mr. Scott, we have been able to provide you with the detail regarding his severance package plus I think there was some 4,000-some-odd dollars for creating a new occupation for himself. But in terms of the pension I cannot tell you whether he is in the old or the new. I think if you were to look at when he started his employment with the Government of Saskatchewan that might give you some indication which pension plan he was in.

Mr. Krawetz: — Thank you, Madam Minister. Madam Minister, what would be the norm for deputy ministers who would have that kind of service within the Public Service Commission.

Hon. Ms. Atkinson: — I think that I believe it was in 1979 or '78 that we went from a defined benefit plan to a money purchase plan. I believe that people had the opportunity to make a decision in the public service whether or not they wanted to stay in the old plan or go to the new plan. And so given Mr. Scott's years of service, which I believe were 25 years of service, I can't say with any kind of precision whether he was in the old plan or the new plan.

Mr. Krawetz: — Thank you, Madam Minister. There is some degree of interest of course by the people of the province because if Mr. Scott is in the defined benefit plan, and the award of \$184,290 contributes to additional years of service, then the pension calculation will be determined by that number of years under the defined benefit plan. And therefore, for a specific, you know, for whatever length of time the pension is collected, there will be a responsibility by the General Revenue Fund to ensure that that pension is in fact met. Is that correct?

Hon. Ms. Atkinson: — Well if he was in the old defined benefit plan he would be eligible for I believe the number of years of service times his best five years times 2 per cent. If he was in that plan. But I'm not in a position to tell you which plan he was in because people have the right to have their personal information protected. And I have taken a look at this and I have some obligations as a minister of the Crown, and so I'm not in a position to tell you and release his private information on the floor of the legislature.

Mr. Krawetz: — I understand that, Madam Minister. Madam Minister, though, the study that would be done by an actuary regarding the pension liability would in fact be public information, and whether or not any employee is recorded in the current plan, as I see it. By the year 2006 it indicated that there were 1,450 active members in the PSSP [public service superannuation plan]. So that would be, that would make it clear as to whether or not the person is in the defined benefit plan or in the defined contribution plan. Is that correct?

Hon. Ms. Atkinson: — You cannot . . . we cannot say with any . . . I'm not prepared to tell you whether Mr. Scott was in the defined benefit plan or the money purchase plan.

Mr. Krawetz: — Thank you, Madam Minister. Madam Minister, you also indicated in your letter to me that Mr.

Carriere, that in fact the government was not matching contributions to Mr. Carriere. So that would suggest then that the change for Mr. Carriere . . . as I understand it, he had — up to the time of his dismissal — he had 32 years of service and was credited with 35 years of service. Could you indicate what that would mean for a pension plan.

Hon. Ms. Atkinson: — That would mean that he would be able to obtain from the pension plan 35 years times two, so 70 per cent of his best five years versus 64 per cent of his best five years.

Mr. Krawetz: — So, Madam Minister, by that answer are you telling me that Mr. Carriere was in the defined benefit plan?

Hon. Ms. Atkinson: — Well I think that's what I told you in the letter.

Mr. Krawetz: — Okay. So if we're clear now that Mr. Carriere is in the defined benefit plan, and he received . . . Who made the decision? Is it Public Service Commission or is it Justice or was it the Department of the Environment to credit Mr. Carriere with an additional three years of service for pensionable earnings purposes?

Hon. Ms. Atkinson: — Department of Justice was involved in the negotiation of the settlement with Mr. Carriere. As I have explained in the legislature, there were a number of issues around Mr. Carriere, not only his dismissal but also there were a number of causes of action against the province as a result of his personnel file in a sense ending up in the front page of the newspaper of which *The StarPhoenix* settled a substantive amount of money as well as defamation of character.

So there was a settlement with Mr. Carriere, and there was a negotiation around the provisions of that settlement, how that settlement would be structured. And that was done by the Department of Justice.

Mr. Krawetz: — Madam Minister, then in Mr. Carriere's case when you have indicated that the government did not make matching contributions, but in fact Mr. Carriere was allowed to make contributions to the plan that would fulfill the 35 years of pensionable earnings, that would then have placed a salary that would have been used for calculation purposes for determining what was the contribution. You've indicated also that Mr. Carriere was paid \$31,826 for the period October 9, 2002 to February 11, 2003. Would those additional monies have been used by Mr. Carriere to determine a new salary, by which then he would now then qualify under the defined benefits plan for the average of the best five years?

Hon. Ms. Atkinson: — Right. I think you'll recall that I have indicated in the legislature that Mr. Carriere was suspended with pay while the investigation was conducted. This is quite typical. If you look at — I notice regularly — police officers that get into difficulty, the employer might suspend them with pay until they're dealt with. Teachers that get into difficulty, they're suspended with pay until they're dealt with.

So Mr. Carriere was suspended with pay until February 11 and then on February 12 the punishment that was meted out to him by Mr. Scott was demotion of three levels, suspension without

pay for three months, and the transfer to Regina and red-circled. So he was in a position where his salary was not going to go up. So as I understand it — I don't have the exact amount of salary that he was collecting for that final year, I believe, of 2002 — but his best five years times the number of years of service would be based upon his best five years of salary, so his last five years of salary. And as you know, he was red circled.

Mr. Krawetz: — Thank you, Madam Minister. Could you clarify then, the salary was listed in the public accounts document. So it's there. The ability then for Mr. Carriere to include three more years of pensionable earnings to give him 35 times 2, which would then be 70 per cent, which is full pension, would he have been able to use then the final salary that he obtained for the year that he actually worked versus the next three years where he then was allowed to make contributions to the pension plan?

What would the five best years be? Would they be the additional three . . . In other words I guess the question would be, would there be four years of salary that would be identical because they would be the last year worked plus the additional three years that he used to make a contribution to the pension plan, and then that would be the year that would be counted? For clarification purposes.

Hon. Ms. Atkinson: — I'd like to answer your question, but I can't answer your question. I think what we need to do is . . . The Department of Justice officials were involved in negotiating this along. I think they would have taken some advice from the pension benefits agency or the Public Employees Benefit Agency.

But just recall this, that his punishment, his discipline was that he was red circled. He was red circled, so that was going to be his punishment into the future. But we were not involved with the negotiation of the settlement. And I don't have the answer to which were his best five years.

Mr. Krawetz: — Thank you, Madam Minister. So the situation then with Mr. Carriere is that he is awarded a pension, a full pension based on 70 per cent of the average of his best five years, whatever those five years are. And you're indicating that Justice would have been involved in determining this. Does the Public Service Commission, has it been made aware of an actuarial study that would have been done on that pension now to determine what the additional costs would be for the additional three years versus a 32-year pension — in other words, 64 per cent of the average and 70 per cent of the average? Is there any calculation of that amount?

Hon. Ms. Atkinson: — Well we don't have that. But that, that is something that you would take up with the Department of Finance through the Public Employees Benefit Agency. Mr. Brian Smith, he knows all about pensions, and he would be able to tell you that.

But I think what one needs to be mindful of — and I know that this is very difficult for the opposition to understand — you cannot punish a person twice for the same set of circumstances. It's called double jeopardy. And people who have been punished and then fired have gotten their jobs back. Punished and fired for the same event, they have gotten their jobs back.

And so under The Public Service Act, there is a set of commissioners that hear appeals from public servants. And as I have said so often in this legislature — and I know this is difficult for the opposition to understand — he was not dismissed appropriately. And we were advised that if we took this to court, we were going to lose, and so we settled. And I know that's difficult for the opposition to understand. But he was asking for a lot more than \$275,000.

Mr. Krawetz: — Thank you, Madam Minister. My questions haven't been around whether or not, you know, the 275,000 was paid correctly or incorrectly. My questions have been around determining what the people of Saskatchewan will pick up as additional costs because of the decision, the recommendation made by Justice officials to the Public Service Commission that 32 years should become 35.

Hon. Ms. Atkinson: — Justice didn't make that recommendation to the Public Service Commission. The Department of Justice advised the government that we should settle. It's not the Public Service Commission.

Mr. Krawetz: — Madam Minister, then could you clarify then who made the recommendation that the pension that Mr. Carriere was seeking should in fact be enhanced by three additional years?

Hon. Ms. Atkinson: — Mr. Carriere had a lawyer and the Department of Justice are the lawyers that act on behalf of the province, okay. Mr. Carriere's lawyer had a cause of action on behalf of Mr. Carriere against the government for improper dismissal, abuse of power, defamation of character, releasing personnel files. Because you know as the policy is clear, Mr. Gillies's harassment report should not have turned up in the front page of the newspaper. This is confidential information. And as you know *The Star Phoenix* settled for a significant, significant amount of money in terms of defamation of character because they published information that was found not to be accurate.

So we were in a position where the Department of Justice negotiated with Mr. Carriere's lawyer and they reached a settlement agreement. And the settlement agreement was negotiated in terms of its structure.

Mr. Krawetz: — Madam Minister, in terms of agreements that include enhancement of years of service that were negotiated between the lawyers, are you aware of any other situations that employees who are leaving the employ of government for whatever reasons that recommendations are made that their pensionable years of pension service be enhanced?

Hon. Ms. Atkinson: — I do know this, that when you have people that are under the old plan, there are a number of issues surrounding their pension if you want to terminate them because of their years of service and the type of pensions that they have. And that's quite clear from my experience having been a minister for a number of years.

So when you have people in the old plan — I believe there's 1,000 left of them — when they are to be terminated or laid off or whatever, there are some very significant issues that we have to deal with around pensions. It's not like a money purchase

plan. Their pension determines not upon the return in the marketplace, but it depends upon their years of service. And when you're dealing with people who are in their late 50s with a significant number of years of service, this has an impact on the types of agreements that are arrived at in terms of settlement.

Mr. Krawetz: — Madam Minister, then when the decision was made to settle on a negotiated settlement to enhance it to 35 years — and you've indicated that you haven't made those calculations — clearly from the public accounts document we understand that Mr. Carriere's salary near the last year or maybe the last four years was in excess of \$80,000. And as a result of that, 2 per cent for the 33rd year and 2 per cent for the 34th and 2 per cent for the 35th, there's at least a 6 per cent enhancement of an average of a salary that was about \$80,000, or you take 70 per cent of that.

So it's pretty clear that the annual increase or enhancement would be in excess of \$5,000. Would you agree with that?

Hon. Ms. Atkinson: — Well I don't have my calculator here. It sounds like it might be around, yes, \$5,000 a year. That's possible. That's possible.

Mr. Krawetz: — Madam Minister, then when we look at pension liabilities — and the Public Accounts Committee deals with that on a regular basis — there's always a fear about additional requirements of government. And obviously this is one. This is a requirement that came to government when the decision was made by Justice and the lawyers to settle on an additional three years. And now that is going to be there for the duration of the pension paid to Mr. Carriere.

I don't know what his age is; I don't know how many years he's going to collect. But clearly it will be based on the number of years times at least \$5,000 more. So there must have been, you know, some . . . Someone would have indicated that the costs of the Carriere settlement are: Mr. Scott's salary, Mr. Carriere's additional 31,000, the pension top-up. Those kinds of things would have been calculated; would they not have been?

Hon. Ms. Atkinson: — Just so we're clear, Mr. Carriere's 31,000 was for the amount that he was paid while he was suspended with pay — which I know, Mr. Member, that you will know about this, having been a school trustee, that when teachers are suspended with pay, they continue to receive their salary. Now I know the case that you're trying to make, but the other possibility is that the person is reinstated with all of their back pay, and they can continue to work for the public service. That's the other alternative if you don't settle.

Mr. Krawetz: — Of course there are always options and . . .

Hon. Ms. Atkinson: — No, there are . . . It's not an option. It was a reality — a reality, okay?

Mr. Krawetz: — Okay. Madam Minister then . . .

Hon. Ms. Atkinson: — So just so we understand, just so we understand . . . and I know this is very difficult for the opposition to understand, but you might want to check with your critic, who is a lawyer. It's called double jeopardy.

A Member: — No I'm not.

Hon. Ms. Atkinson: — No, not you . . . your critic, your Justice critic. It's called double jeopardy. You cannot punish the person for the same set of circumstances twice. You can't do it.

Mr. Krawetz: — Madam Minister, I wasn't for one moment suggesting that we were into that discussion about the 275,000. My discussion has been around the pension plan. You've indicated that there was a negotiation that took place between Justice officials and Mr. Carriere's legal team, and I'm sure when I used the word options, that there must have been options that were discussed at that level. I wasn't referring to options at your level. I was referring to the options at the negotiation table between officials from Justice and the legal team of Mr. Carriere.

So my question then would be is in lieu of . . . Do you know whether or not the three years of pensionable earnings enhancement was responsible for producing a settlement of 275,000 versus 400,000 if that had not gone the way of adding three more years of pensionable earnings? Do you know if those kinds of options were on the table?

Hon. Ms. Atkinson: — Well I know this: that the request for settlement was in excess of . . . well it was several times more than what we eventually settled for. So when you are negotiating settlements, obviously all of those matters are taken into consideration as you arrive at a number. You know, if you put it in, if you don't put it in, is the number higher? But I think what you would need to do is to . . . And Justice will have an opportunity to appear before the committee. And I think Justice should be able to provide you with some sense of the issues around the settlement.

Mr. Krawetz: — Yes, thank you, Madam Minister. And yes we will pose these questions to Justice as well for their thoughts.

But, Madam Minister, and I have been involved in negotiations of dismissal and negotiations of contract terminations, and there are options and there are financial analysis that are done for all options that are on the table. And you will take it from zero to the sky's the limit. And as you indicated, it seemed that the first offer or the first request was sky's the limit and you narrowed it down.

My question is whether or not Justice or someone responsible for the public pension plan did an assessment of the cost of adding three more years versus a flat out payment of \$50,000 additional. That kind of calculations could have been done. Whether or not a \$275,000 settlement was the best offer, or maybe it was \$325,000 with no change to the pension plan. Those are discussions that would have taken place.

And maybe you're not aware of all of those discussions but someone would have had to been putting all of this together to say, you know — and I know you've used these words in the House — you've said this was financially the best for the people of Saskatchewan. So you would have been comparing it to something. And that question still is, you know, what is the anticipated, based on studies that are done at the pension plans in terms of years of average pension collection after retirement,

what is the expected cost to the people of the province of Saskatchewan for a negotiated additional three years of salary on the average best five years for Mr. Carriere?

Hon. Ms. Atkinson: — And I think I do not have the officials that can provide me with the advice to answer your question accurately. And may I suggest that there will be an opportunity for you when the Minister of Finance appears before this committee, along with Brian Smith from the public employee pension benefit agency, and the Minister of Justice. And they have the appropriate lawyers that can answer your questions.

You're asking me details around the negotiations that I can't answer with any kind of precision.

Mr. Krawetz: — Thank you, Madam Minister. And I understand the detail you may not have. Madam Minister, I would like you to assure me that if I do not get the responses from the Finance minister . . . And that has happened before where we've had a minister tell this committee that the best place to pose those questions is to this minister, and then we get to that minister and that minister says, oh no, you should have asked the previous minister — in other words, you. So if that happens and I don't get the answers, will you assure this House that your officials will in fact be able to glean that information from the appropriate department who has not shared that with us?

Hon. Ms. Atkinson: — We'll try our best.

Mr. Krawetz: — Thank you, Madam Minister. And Madam Chair, that'll be all that I will ask.

The Chair: — Ms. Draude.

Ms. Draude: — Thank you, Madam Chair. I have a couple of questions. Minister, we've got off on to another realm of this issue, and in the meantime we have at least nine women that I know are watching this. And we talk about double jeopardy. The minister has talked about double jeopardy, but I believe that the women were punished twice. I believe that they were punished when they were harassed and I believe they were punished again with the way they were treated.

The government decided they wouldn't fight for women in court as they promised they were going to do in 2003. We understand now the reason they didn't do that was because financially it wouldn't have been good for the province. And for the women that meant, for them that meant that they were let down, that the government that they worked for, that the people who . . . They were trying to make their living within government and they supposedly were having some protection from government. They were harassed in the workplace and they were let down by the government.

The only thing that may help these women at all is if they could see what kind of legal opinions were saying, this is why we're doing it. I think the women have a right to see it, not just the women that were harassed but probably a lot of people want to know why, what the government learned that made them think that they couldn't go any further.

There was a precedent set with Channel Lake, and we were

dealing with potatoes then. Now we're dealing with people. I would like you to explain to me and to the women that are involved in this issue why your government refuses to release the secret, like legal opinions.

Hon. Ms. Atkinson: — Just so we're clear, and I know that the opposition has raised the issue of Channel Lake. You'll recall that all of the . . . There was a special committee that was struck to deal with Channel Lake And if I understand it, there was basically a request of the committee that legal opinions be shared. And legal opinions were shared.

It has not been the practice of the Government of Saskatchewan to release its legal opinions from the Department of Justice. It's not our practice because they are there, particularly in the various branches of the Department of Justice, they are there to provide legal advice to the government.

I think I have tried to say publicly the issues that we were confronted with as a result of the way that Mr. Carriere was terminated. I've tried to indicate that. I've tried to indicate that Mr. Carriere's matter, the investigator's report was contained on the front page of *The StarPhoenix*.

Mr. Carriere was entitled to have this matter maintained as confidential. He's entitled to that under the policy and under the law. As well, there were certain statements made about Mr. Carriere that were inaccurate, and so that had cause for defamation of character.

So there were a number of issues that the government had to contend with in terms of this matter. And as a result of that, we settled with Mr. Carriere because we were advised to do so.

Defamation of character is a pretty significant action against a government. When a person's personnel file ends up on the front page of the newspaper, that's a pretty significant action because the investigator's report was shared. It was shared with the various people who had launched the complaint, and with Mr. Carriere obviously. Mr. Carriere had disagreement with some of the comments contained in the Gillies report, as I understand it. That's certainly what I've seen reported in the newspapers.

So I can certainly understand how these, you know the nine complainants — some of whom still work for the government — feel as though that they were victimized twice. They were victimized in the workplace and then they were victimized when the government settled with Mr. Carriere. But as I said, we were advised to settle because the alternative was a significantly bigger amount of money.

Ms. Draude: — Madam Minister, the women . . . We talked about what Mr. Carriere could get. And he had the wherewithal to go to court and to fight and to pay for lawyers. These women don't.

And having their name splattered on the front page is . . . Defamation of character is bad, but so is harassment. And so is what happened to them in the workplace. And so is what happened to them when it looked like they were being left out in the cold. So was it when they were herded into a room and signed a paper. So was it when they are still feeling intimidated.

They don't have the ability to get more money. They don't have the ability to get anybody's attention. They don't even have the ability to start healing.

And I heard this, somebody mentioned about that earlier, oh I can't sort of have closure because they're still in a room and they're scared. They can't have a camera on them. They are intimidated. And the reason why some women are harassed and some women aren't is because of their natures. They're not the kind of woman that's going to scream and kick and holler. They're the kind of women that take it because that's who they are. And they are again being mistreated.

And to hide behind something saying, and the minister said, we released their opinions on Channel Lake because there was a committee. Well that's what we wanted. That's what we've been asking for now for a number of weeks. Have the committee. Bring it open so that we can have an all-party committee in the legislature. Look at this scandal and find answers so we can make sure it doesn't happen again.

Then we can get this over with, and maybe then a whole lot of people can move on. And this to me would be the act that would be showing that there was some heart here. We talked about finances, and we've been spending a lot of time about it. And that's what government is supposed to be about on one side, but the other side is there for the people.

Why won't your government hold an all-party legislative committee to look into a scandal to find out what happened so we can be sure it never happens again?

Hon. Ms. Atkinson: — Yesterday in the legislature you read the letter from one of the complainants, and you indicated that she . . . well she said in her letter that she thought there should be a special committee to look at this, but that they didn't want to testify, that they didn't think that they'd have to be called before the committee.

When you have an inquiry, everything comes before the committee, member. It's not just part of an inquiry. It's the full inquiry, and people are called before the committee as witnesses.

There's been some comment about being herded into a room. My understanding is no one from the government ever herded the women into a room and told them they had to settle. My understanding is it was their lawyer, Mr. Popescul, who's now a judge, that recommended to the Department of Justice that the women were prepared to settle for \$135,000.

It's my understanding that this was to settle the human rights case where the maximum amount of money that one can receive under harassment is \$10,000 — the maximum amount under those grounds is \$10,000. So my understanding is that the \$135,000 was to meet the \$10,000 from the Human Rights Commission, you know, which was the maximum, as well as some legal fees.

You have indicated, Madam Member, that we provided them with a lawyer. That's not true. They got their own lawyer, Mr. Popescul. So I think, you know, in fairness, in terms of this discussion, we need to describe the events accurately. The

Government of Saskatchewan did not herd them into a room and say, this is what you have to take. Their lawyer, if I understand it, talked to them about the \$135,000. It was their lawyer, Mr. Popescul, who put the figure of 135,000.

And I could be wrong, but my understanding is it was in the context of the maximum amount of money that comes from the Human Rights Commission when a person goes to the Human Rights Commission. The maximum you can receive is \$10,000 from an employer. And this 135,000 was \$15,000 for each of the women. And my understanding was that was to deal with their legal fees and the maximum amount under the human rights commission act.

Ms. Draude: — Madam Minister, we're going around in a circle. We're again talking about money. We're making all kinds of assumptions, and your understanding and my understanding . . . That's what we've been asking for. Let's set up some kind of a system, let's do something so we can find out the whole story because until we do that, there's going to be blanks in the pages. And I really believe that this is what has to be done.

And I guess, before I hand it over to my colleague from Martensville, I have to ask why, if this issue was finally seen as something that's so important and we have to make changes, then why wasn't bullying added to the anti-harassment policy back in 2004 when we brought forward the case from the Regina Health District in 2004 and again today? If that was something that was important, and if you're talking about changing it, and you're talking about updating it, that was another opportunity then. That's not very far away. That's just over a year ago. You could have made changes then. Why didn't it happen then?

Hon. Ms. Atkinson: — You're talking about our anti-harassment policy. The government's anti-harassment policy applies to the public service; the legislation applies to all employers. I've had an opportunity to become very familiar with anti-harassment legislation across the country, in North America, and in Europe and in Australia. What I can say to you is this, that with the exception of Quebec, the only jurisdiction in Canada that has legislation that deals with what I would call psychological harassment or bullying is Quebec, and they've had it in place for some time now. It was the first jurisdiction in North America to change their or enhance their definition.

The Government of Canada has been reviewing this notion, as has . . . There have been some private members' bills introduced in the Ontario legislature and in the Manitoba legislature. There are some jurisdictions in the United States that are looking at this, extending the definition of harassment. And in the case of the European Union, I believe there is three countries that have psychological harassment as a protection under their occupational health and safety legislation and the EU is now looking at it, as is Australia.

Now what I can say in terms of our policy, if you look at it on page, it's the fourth page, I believe, we say that:

Examples of behaviour which would constitute harassment when based upon the prohibited grounds, as set out above, include, but are not limited to, the following:

unwelcome remarks, jokes, innuendoes or taunts causing embarrassment or offence; displaying objectionable [objects or] materials, graffiti or pictures; insulting gestures, jokes, disparaging written materials; unwelcome sexual advances, propositions or inquiries and/or comments about a person's sex life; unwanted contact or attention (may be one time only or persistent); inappropriate touching; shunning and ostracizing; threats, bullying, coercion, isolation; actual or threatened physical assault; verbal assault; malicious gestures or actions; stalking.

So it also says that:

It is recognized that there may be incidents of objectionable conduct in the workplace that are not based on the grounds prohibited by *The Occupational Health and Safety Act*, [the] relevant Collective . . . Agreements and *The Human Rights Code* which therefore fall outside of the parameters of this policy. Should complaints arise regarding incidents of this nature, it will be up to management to determine how they are to be handled. All parties are encouraged to work collaboratively . . .

So that is our policy but that is for the Government of Saskatchewan. It does not deal with policies that, because the health regions are separate employers, it does not deal with the policies of other employers. And that's why I have taken a look at the existing legislation to see if we can strengthen the definition to deal with issues such as psychological harassment, bullying, abuse of authority, that are not along the grounds of race, creed, religion, colour, sex, sexual orientation, marital status, family status, disability, physical size, weight, age, nationality, ancestry, place of origin.

The Chair: — Ms. Draude. My apologies, Ms. Heppner.

Ms. Heppner: — That's all right. Thank you, Madam Chair. You talk about strengthening legislation to include bullying and abuse of power. I have a very simple question. I think it can probably be answered with a yes or a no. If the legislation that you're proposing today were in place in 2002, would the outcome of the Murdoch Carriere affair have been any different for these women?

Hon. Ms. Atkinson: — The issue around sexual harassment or what we would call assault under this policy, that is contained within the policy. But the issue of . . . which I think is something you might have raised yesterday. You've raised many questions about abuse of authority. I think that that is abuse of authority where you use intimidation tactics. That would not be along the grounds that are contained in the Human Rights Code and in the occupational health and safety legislation because it's not based on sex or gender.

Ms. Heppner: — I'm not sure that you answered my question. What I'm . . .

Hon. Ms. Atkinson: — I think I did.

Ms. Heppner: — Well so what you're saying is if this legislation were in place in 2002, the outcome for these nine women would have been no different than what it was that we saw?

Hon. Ms. Atkinson: — There were a number of issues around, I guess, sexual harassment and assault, but then the issue that you raised — and you've raised it in the past — around the intimidation tactics, abuse of authority, that would not be covered off by the existing legislation.

Ms. Heppner: — No, that doesn't really answer my question because what I'm asking is your government solution to this seems to be that the legislation wasn't good enough for these women.

Hon. Ms. Atkinson: — Oh no, that's not the government solution. Just so we're clear, we now have a policy in place. We amended the policy after the 2000 policy where there is zero tolerance towards any harassment in the workplace and that when there are serious cases of harassment, the ultimate punishment to be meted out is firing. So there were a number of issues that were raised by the nine complainants, including which they went to the RCMP [Royal Canadian Mounted Police]. There were a number of complaints. There were two convictions on the basis of common assault. And I read the judge's ruling and it was on, as he said it, on the lower end of common assault. But as you have also described in this Legislative Assembly, there were other issues in terms of intimidation tactics, abuse of authority, and that is not covered off in the legislation.

Ms. Heppner: — But my question goes back to you. In your opinion, if bullying, abuse of power legislation were in place in 2002 would Murdoch Carriere would have been fired from the get-go? Like would these women have faced a different situation then if the bullying legislation was in place when Terry Scott was making decisions? Would Murdoch Carriere — in light of this legislation that you're talking about today; had that been in place when Terry Scott was making his decision — would Murdoch Carriere, would he have been demoted and transferred? Or would he have been fired if this legislation were in place and that's what Terry Scott was looking at?

Hon. Ms. Atkinson: — We have a new policy.

Ms. Heppner: — What I'm asking is it seems to me that when we've been asking questions in the House on this, your answer is we want the opposition to support our legislation. We haven't seen it. We can't say whether we're going to or not because you haven't proposed anything. But it seems to me when we ask the questions on Murdoch Carriere, the response from the government side is, support our new legislation. It's bullying, it's abuse of power legislation.

So my question remains, because this seems to be the solution for the government on this particular case, my question remains, if this legislation that you're proposing, which we haven't seen, were in place when Terry Scott was making his disciplinary decisions, would his decisions had been different because he was basing them on bullying legislation? Or would he still have transferred Murdoch Carriere instead of firing him?

Hon. Ms. Atkinson: — Well I can't, I mean I cannot speak for Terry Scott and what he may or may not have done in 2003. He obviously decided, based on the information that he had, that Mr. Carriere should be suspended without pay for three months, demoted, red circled three levels, and sent to Regina. That was the punishment that he meted out based on the investigator's report.

Now what has become clear to me — and I just want to make it clear to the opposition — what's become clear to me is that there are a number of issues that go beyond what I call the definition that is presently in the occupational health and safety legislation. And you raised it yesterday, the member raised it today in terms of bullying. If you look at the harassment definition in the occupational health and safety legislation, there's no protection against abuse of power or bullying. And I mean I need to be very careful here, but I suspect — I just get the sense — that there were other issues besides sexual harassment.

Ms. Heppner: — My question still remains. Let's forget Terry Scott. Let's say in a perfect world — and the supervisor that was in charge was making good decisions instead of apparently making a not-so-good decision — in a perfect world, if this legislation had been in place in 2002 when a disciplinary decision surrounding Murdoch Carriere were being made and the bullying, abuse of power legislation were in place, would his discipline have been different based on this? Would these women have been better off, would their situation have been any different if bullying legislation had been in place at the time?

Murdoch Carriere was fired for harassment and convicted of assault. He wasn't fired. He sexually assaulted these women. He groped them and he kissed them against their will — that's what he was fired for. And would this legislation have made any difference in the lives of those nine women?

Hon. Ms. Atkinson: — The opposition has raised the issue of women in the workplace that were trying to get this whole issue of harassment on someone's radar screen. And you know, I have no reason to challenge that statement — none. And that it wasn't until there was a formal complaint, that someone was brave enough to launch a formal complaint in September '02 that something actually happened.

It seems to me what we need to do in our workplace is look at people who abuse their position of power to intimidate people or maybe intimidate other managers or whatever. And it seems to me that we have an opportunity here. We can't rewrite what happened. I don't think we can. We can't change what happened. What happened, happened. But I do believe that we have an opportunity here to enhance the legislation so that people can't abuse their positions of power in the workplace. I believe that. And I believe . . .

You know, you say that there are people who are still afraid in the workplace. I mean, I think that is terrible that they're still afraid. Those women should be able to advocate for themselves, do what they need to do without being intimidated — without being intimidated. And so when you have people who are in the workplace that abuse their authority, abuse their power, I think that we need to have a definition of harassment that protects

people against that.

The Chair: — Ms. Draude.

Ms. Draude: — I still don't think that my colleague has gotten the answer. Maybe if we can just go back and say the legislation that you are proposing — that you've thought of but we haven't seen yet — if that was in place . . .

Hon. Ms. Atkinson: — My colleagues haven't seen it either.

Ms. Draude: — Okay, so somebody has, so that's good. And I understand and I believe I know what you're trying to get at and that's great. That's laudable. If what you're proposing had been in place in 1994 . . .

Hon. Ms. Atkinson: — 1997.

Ms. Draude: — Whenever, right before 2002. If that had been in place, would the circumstances been different? Would there have been no, would it have been black and white? There would have been no chance for Murdoch to get away with what he got away with.

Hon. Ms. Atkinson: — You know, I believe that based on what the letter that you certainly entered into the legislative record yesterday — you've posted it on your website — that there was this impression left that Mr. Carriere had friends in high places. That is, from my point of view, if that's the impression and this is what has been stated allegedly, then that is problematic. That's abuse of power if that's in fact what took place. It's abuse of authority. It's abuse of position. And people need to be protected against that.

Ms. Draude: — Yes or no. If your legislation was in place, would we be protected?

Hon. Ms. Atkinson: — If this legislation wasn't in place, I believe that people would have had certainly additional grounds to deal with harassment. And I believe that had this been in place that those women, in my view, would have been able to launch a complaint about abuse of authority, abuse of power, intimidation tactics, absolutely. And what they had to complain about was certainly issues around harassment. And as you know, Mr. Carriere was not convicted of sexual assault; he was convicted of common assault.

Ms. Draude: — Then just so it's clear on the record, you believe that if the new legislation that you're going to bring forward would have been in place at that time, we wouldn't be sitting here tonight talking about this issue?

Hon. Ms. Atkinson: — No, I'm not saying that. Don't put words in my mouth. What I am saying is that there obviously was allegedly, from based on what the women have said — and I need to be careful here — that there was allegedly some significant abuse of power in the workplace and intimidation tactics that went beyond gender discrimination.

The Chair: — Ms. Heppner.

Ms. Heppner: — What concerns me is, and I'm trying to glean from your answer, that were this legislation in place they would

have had a fighting chance to get something done. And I'm wondering why complaints of sexual harassment in the workplace weren't enough for these women to be heard. Why isn't that enough?

I have met with one of these women. And I don't know if you've spoken to them or met with them. But I met with one of these women, and I have got to tell you, it annoys me to no end that people say we're doing this for political points. And I think if you would meet with them, I think those accusations would stop.

It broke my heart to listen to her. The things that she went through and the things that these other women went through was absolutely vile. I can't even repeat most of it because it makes me sick to my stomach to actually have to think about what these women went through. It was disgusting, absolutely disgusting. And I can't imagine what I would do if that would have happened to my niece, to my sister, and to any other female that I knew personally. It was bad enough that I felt so ill listening to a woman who I had just met. I have no history with her. I wouldn't have been able to pick her out of a crowd before. The things they went through were disgusting.

And it bothers me to hear that those complaints of sexual harassment in the workplace were not enough to get something done, that it wasn't enough for anybody to listen to these women. These weren't sick jokes in a coffee room. This wasn't some cartoon that somebody took offence to. What these women went through was absolutely vile. And I don't know how else to say it to get people to understand how disgusting this man treated these women. It's disgusting.

And if they went to one person and said, this is what he did to me today, Murdoch Carriere should have been fired same day, with cause. And I don't know why extra legislation would have been necessary in 1994, 1997, considering what Murdoch Carriere was doing. Their story, on its very merit without bullying legislation, should have been enough for somebody to listen to them and to do something to stop this man. And I'm not sure why complaints of sexual harassment in the workplace standing on its own is not enough for anybody to have taken action for almost 10 years.

Hon. Ms. Atkinson: — Well as I have said to you, we have no record at the Public Service Commission of a formal complaint. As I have also said to you, I have read the transcript of the court case and the judge's decision. And as you probably know, the judge ruled, dismissed a number of charges or stayed one charge in particular, and found Mr. Carriere guilty on two charges of common assault. And he said that it was on the low end of common assault. And so this is the public record, what has been found in terms of what occurred in that workplace.

What I can say is that it appears to me that these women were certainly heard in 2002, because the Public Service Commission launched an investigation, an independent investigation with Mr. Gillies, and Mr. Gillies reported out on his investigation.

Now you say that they reported this to many other people. Why, if that is in fact the case — I have no reason to doubt that that is in fact the case — why the informal process did not lead to some action? I think, I guess, I get back to abuse of authority,

abuse of power, intimidation, all of those things. And I think that if people had had this protection in place, that certainly anyone who tries to abuse their position of authority and intimidate people by saying, I know people in high place, it's totally unacceptable. And they would have protection against that.

Now just so we're clear; this isn't the only thing that I'm looking at. Just so we're clear. It's not just amendments to the legislation. The member earlier talked about the policy and trying to manoeuvre your way through it. We're looking at streamlining the policy even further in terms of people not having to go all over the place to get action so that someone is ultimately accountable and responsible for that. If you look at the federal government, each department has a senior person that is responsible for harassment complaints, so you don't have this issue of, you know, people didn't hear me. There's one person, and they have to hear you, and they're accountable and they're responsible. Issues around making sure that policies are implemented . . . it's not enough just to have a policy if they're not being implemented, which you raised earlier. And then of course, looking at amendments to legislation.

The Chair: — Ms. Draude.

Ms. Draude: — I just have one more comment before my colleague from Cypress will ask some questions. I just don't know how anybody is going to feel, how any women are going to feel any better knowing that we have more policy in place, that after the most horrific . . . And I know the minister doesn't like to hear the word scandal, but it is when you're violated in your workplace especially . . . We're talking about a workplace that's government. It's a government workplace is what it is. And the people that are responsible in the end — . . . and I know that there was lots of statements made about how politicians can't get involved and all the rest of it, but that's who they look to. That's who . . . we're making laws to make them safe in there. At the end of the day, if we say, nine women . . . this is what's happened to nine women. The man that harassed them got 10, 20 times as much as the women. But we've got new legislation.

Most of the women that are working, if they're not in a job where they sit at a computer every day — and even if they do — a lot of them are out there doing some different works where the computer isn't their mainstay, where their life isn't revolved around administration or policy. They may have some frontline work that is . . . it means they go to work in the morning, do the job, and come home. And the administration policy part of it isn't part of their world. It just hope it's there for protection, like you and I hope our house is insured at the end of the day.

There's got to be something that makes this whole session and the whole ordeal that these women have gone through . . . and I daresay that the nine we're talking about . . . there are other women that we've talked to, that have gone through it. And you've indicated that there's something else that your department is working on now. It's not stopping.

There has to be something that this government is working on. And I'm hoping that, at the end of the day, if your government has decided that getting to the bottom of what the problem was here isn't going to fix anything for tomorrow . . . I don't

understand it, but you have the right to do that; you're government. You can decide I don't want to know the past; I don't want to have an all-party committee; we'll just go on; we'll solve the problem without understanding the past. I don't believe that can happen, but you're government. You can make that happen if you want to.

At the end of the day, we don't want to be sitting here saying that we should have done something different — in two years from now — if something similar goes on. So my colleagues and I are still hopeful that perhaps there can be something worked out that will give women some comfort that there has been not just another piece of paper put down that somebody has to fill out if there's a problem.

Hon. Ms. Atkinson: — If I could just respond to you, you know governments introduce legislation. They introduce policies. And the reality is that we live in a world with human beings. And human beings . . . I mean I can't say to you, Member, and neither could you say to me if you were sitting in this chair, no one in the public service will ever harass anybody again if we introduce legislation or change the policy.

But I can say this to you: It's called accountability. People need to be accountable as managers. If they don't implement the policy and if people don't listen to what people are saying in the workplace — that's the problem. Someone ultimately needs to be accountable and responsible. There needs to be one person in each department that if all these people up the line aren't listening to, I can go to them.

You said it yourself earlier, that you go all over the place to try and, you know, get your voice heard. You told me that these women spoke to many managers in the Department of the Environment and no one heard them . . . [inaudible interjection] . . . Right. So what we need to have — and I've looked at this policy — we need to have one person that's responsible, and they're accountable, and if they don't hear, they're also subject to discipline because that's what the policy says. You don't hear; you're subject to discipline.

Well you can look at each other, but I think in terms of how you administer public policy and the administration of human resources in the province, we need to have — in my view — accountability.

Now we didn't like the way Mr. Scott punished Mr. Carriere. He was fired. We didn't do that properly. Mr. Scott left the employ of the government. Those are facts.

And I think that we have an opportunity here to streamline the policy but also go beyond what we presently have in legislation to protect people. At least you have . . . I mean as I understand it, from what's happening across the country, is that there are fewer and fewer people coming forward with harassment based on these objectionable items — race, creed, religion, colour. And they're coming forward on abuse of power, personal harassment that's being meted out by, you know, supervisors, bullying and all of that. And they're psychologically harassed.

That's what's happening to people now, not just . . . I mean I'm talking about what's happening in the workplaces across the country and what occupational health and safety departments

are dealing with across the country.

It's moving just as harassment policy has moved since 1993. We were the first jurisdiction in Canada that brought this in under occupational health and safety. I think they all have it now. And now people are moving beyond this particular definition of harassment, and they're looking at either — at a better definition of harassment that includes psychological harassment which is bullying or abuse of power or abuse of authority.

And by the way, my sense is that managers can bully managers. Managers can intimidate managers. It's not just . . . Workers can intimidate and bully managers. It goes both ways.

The Chair: — Mr. Elhard.

Mr. Elhard: — Thank you, Madam Chair. Madam Minister, I think the last two and a half hours has been pretty thorough. And while there might be grounds for disagreement, I think this discussion was very important to have for a variety of reasons.

One of the things, one of the themes that has recurred here tonight is the need for new policy, new directions, new accountability, new levels of accountability. And I believe, as do my colleagues, that that is absolutely essential. But there was a certain expectation of accountability as far back as 1994, 1997, and it didn't produce the results that these complainants expected. And the question becomes, will new complainants, future complainants get the level of accountability they expect and deserve even though we have policies in place that should assure them of that accountability?

So the question I think becomes — for the minister, for the Public Service Commission, for the government — how will they undertake to inform the public service of the seriousness of this issue and the promise of accountability and the expectation of accountability? That's a rhetorical question; I don't expect a full answer tonight.

Hon. Ms. Atkinson: — Well I think if you look at the policy that was developed after the Murdoch Carriere case in 2003, released in December of 2003, this policy has been widely circulated in terms of managers within the public service. It's certainly posted on the Public Service Commission's website. Work has been done, and by the way work has been done at that forest fire centre since 2003, as I understand it, by the Department of the Environment to try and repair the damage in that workplace. As I understand it, these pamphlets are given to new employees. Am I correct in that . . . [inaudible interjection] . . . The expectation is that the pamphlets are given to all new employees so that they know about the policy and complaints are still coming forward. We still have harassment complaints that are formally lodged by people in the public service. We still have the harassment investigations, and we've used a panel of deputies on one occasion to deal with a serious case of harassment.

Now is it perfection yet? I would say it is not, and I will have something more to say about the policy in the days ahead. But I will say this. It is my intention to have someone responsible for harassment in each government department, and every worker in each government department will know who is responsible

for dealing with harassment. That's my intention. The federal government does this, and I believe it's time we did it.

Mr. Elhard: — Madam Minister, I have in my hand here the performance plan for the Public Service Commission as part of this year's budget. I was looking through it earlier today and under the goals that the PSC has for itself, goal no. 2 says that, "The Saskatchewan Public Service has a healthy, productive, and collaborative work environment."

One of the objectives under that goal is that, "The public service has effective leaders, managers, and supervisors" — emphasis mine on the word effective. And I think that's very important. But when you look at objective no. 2, "The public service has constructive and co-operative relations with employees and the unions that represent them." And then under key actions for 2007-2008, the Public Service Commission will "Research, develop, and implement effective mechanisms to resolve issues, concerns, and conflict at the appropriate level in the organization."

These are all important goals and objectives for the PSC, and I think they're laudable. What troubles me, Madam Minister, is that on the following page, page 23, when you measure the level of progress in that area, the percentage of employees who believe that mechanisms currently exist to deal with their concerns, the favourable rating among all government employees is at 47 per cent and has been there since 2003. It hasn't moved up.

I think what this measurement says is that the public service members are not convinced yet that there are mechanisms in place to deal with their very serious concerns. This evening tonight has been spent outlining the very serious concerns of nine women and I suspect the latent concerns, if not the active concerns, of many other women in the public service to date.

I notice also from the graphs of this particular document that at least half of the employees of the public service are female. So there is a large contingent of employees in the public service that are quite likely concerned about whether or not there's effective leadership among their managers and whether there is an effective mechanism to deal with their concerns.

I would urge the minister and her government and the Public Service Commission to move aggressively in this area to achieve that level of comfort that the female employees, particularly when it comes to sexual harassment or bullying, might feel. And that other employees, the male component of the workforce, have the same level of expectation and comfort.

So there's much work to be done in this area. And I appreciate it's a big challenge, but I guess the obligation is incumbent on the minister, her government, and the Public Service Commission to move aggressively in those areas.

Hon. Ms. Atkinson: — I just want to make one point which I think is really important to make to the public service tonight if they're listening and I suspect some of them are. I think what we need to understand is that there are many, many . . . the vast majority of people that work in the public service are professional. They don't engage in harassing behaviour, and so on.

I was at an event and I thanked my public servants. It was a private sector event, and the private sector was very appreciative of this, because what we're hearing is about, you know, one case in one workplace in the province. The vast majority of our workplaces, people are treated respectfully and there isn't harassment, and the public service does its job, and managers do their job, and they implement the policy, and they deal with . . . if there are issues around harassment, they deal with it. This is one workplace. So I just wanted to make that point.

Secondly I think we've had this discussion many times about the need to make sure that people who work in our workplaces understand the policies. And as you know the Public Service Commission is a central agency, but we have people out in various departments that deal with human resources, so the HR people for various departments. And one of the things that we are becoming more and more cognizant of is the need to have a more centralized approach to human resources. We've had a decentralized approach.

HR people are out in each department. Many of the departments, some departments are providing services for the smaller departments. And the Public Service Commission is charged with a number of activities but they rely upon each government department to implement those policies.

So there's no question we have some work to do. But I just wanted to make the point that the vast majority of public servants do their jobs. They do them well, and they engage in professional behaviour and activities. I think it's fair to say that they're feeling a bit beat up at the moment as I understand it, and I just wanted to put that on the public record that there are many, many public servants that do their job day in and day out.

The Chair: — Given that the hour is getting late, Mr. Elhard, I'll allow one more question perhaps and then we'll adjourn for the evening.

Mr. Elhard: — Thank you, Madam Chair. I don't have any more questions. We've asked all the questions we can muster tonight I think. But I guess we want to go on record as members of this committee, as the official opposition, in seconding what the minister has just said. I mean, one issue by itself does not represent the entire public service. But there are challenges obviously that the public service is going to have to deal with based on the results of their own survey and published in the budget performance. So I guess we as members of the official opposition would encourage the Public Service Commission to move forward in that area and to try and improve the response of the members of the public service in a similar survey in the future.

We want the members of the public service to have the assurance of a workable policy, a policy that will meet the needs of the public service in its entirety, and that they can count on the support of the elected officials who provide policy guidance to the public service. I think that's important for them to know as well, that we're supportive of initiatives of this nature.

So with that, Madam Chair, I'd like to thank the minister and her officials for the two and a half hours that they gave us

tonight. It was a good discussion. I appreciate the opportunity to raise this issue and relevant issues around the harassment matter. Thank you.

The Chair: — Thank you, Mr. Elhard. Minister Atkinson, I too, as the Chair of the Crown and Central Agencies Committee, would like to thank you for your diligence this evening in answering all the questions presented to you and your officials. And would you like to make any closing remarks?

Hon. Ms. Atkinson: — I'd just like to thank the officials for being here this evening, and I'd also like to thank the opposition for the questions that they put to us this evening. I think it was a good discussion, and hopefully we can make some progress on this matter for all people, both men and women, in our various workplaces across the province.

The Chair: — Thank you very much. I would now like to have a motion to adjourn potentially. Anybody want to go home? Mr. Elhard. Okay. All agreed? Carried. Thank you very much everyone and have a good evening. This committee stands adjourned.

[The committee adjourned at 21:40.]