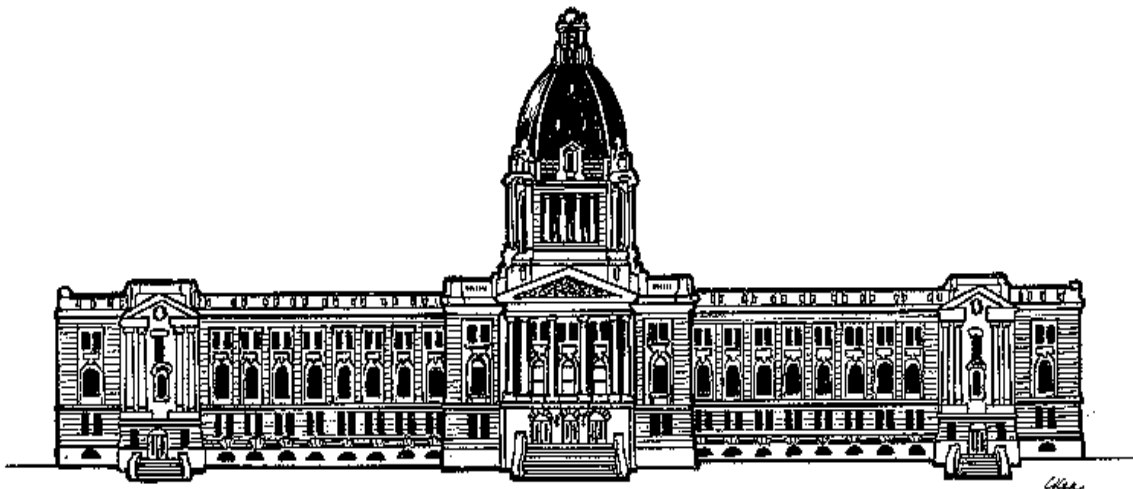




STANDING COMMITTEE ON HUMAN SERVICES

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STANDING COMMITTEE ON HUMAN SERVICES

Mr. Glen Hart, Chair
Last Mountain-Touchwood

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Saskatoon Eastview

Mr. Denis Allchurch
Rosthern-Shellbrook

Mr. Cam Broten
Saskatoon Massey Place

Ms. Doreen Eagles
Estevan

Mr. Serge LeClerc
Saskatoon Northwest

Mr. Greg Ottenbreit
Yorkton

[The committee met at 15:00.]

The Chair: — Good afternoon everyone, welcome to the Human Services Committee meeting. We have a busy agenda before us today. Before I get into the agenda though, I would like to make committee members aware that we have two substitutions. Mr. Iwanchuk is substituting for Mr. Broten, and Mr. Forbes is substituting for Ms. Junor.

**General Revenue Fund
Advanced Education, Employment and Labour
Vote 37**

Subvote (AE01)

The Chair: — The agenda today, this afternoon until 5 o'clock we will be considering the estimates of the Ministry of Advanced Education, Employment and Labour. This is the first appearance before the committee of this ministry. As I have explained in past weeks — and I will just for those people who perhaps are tuning in to our deliberations for the first time — what we are doing here this afternoon is examining the spending estimates of the Ministry of Advanced Education, Employment and Labour. The committee is mandated by the House to review the spending estimates and then return its recommendations to the House.

We have with us this afternoon the minister and a number of his officials. And I would ask the minister at this time to introduce his officials, and if he has a brief opening statement, he certainly should proceed with that after the introduction. Also I would ask the minister, if it's required that other officials join him at the table, that he would identify those officials for Hansard. So, Mr. Minister, welcome.

Hon. Mr. Norris: — Thank you, Mr. Chair. Mr. Chair, members of the committee, I'm pleased to be here today to participate in the discussion, debate regarding the '09-10 budget. I'd like to introduce, as you've suggested, Mr. Chair, the officials joining me today from the Ministry of Advanced Education, Employment and Labour as well as from the WCB [Workers' Compensation Board]. Here we have Wynne Young, our deputy minister, as well as Mike Carr, associate deputy minister, labour, employee and labour services division.

We have Karen Allen, executive director, corporate services; Linda Smith, executive director, policy and planning; Glennis Bihun, executive director, occupational health and safety; Laverne Moskal, executive director, labour standards; Jan Morgan, executive director, Can-Sask career and employment services; as well as Pat Faulconbridge, executive director, Status of Women.

Also observing today, we have Scott Giroux. We have Michael Berry. We have Gwen Mowbray and Rhiannon Stromberg as well. And as I've suggested already, we have representatives from the Workers' Compensation Board: Mr. Fred Bayer, board registrar — sorry — of the LRB [Labour Relations Board] and Mr. Peter Federko. I stand corrected. Peter is here on behalf of the Saskatchewan Workers' Compensation Board. Thank you very much, Mr. Chair.

I will take this opportunity to make an opening statement to share how the ministry I have the honour of serving, how this budget will contribute to the government's overall goal of a strong and steady province. I'm very proud of our government's work and the accomplishments and successes within the ministry over the last fiscal year. We have made contributions to Saskatchewan that continues to stand out as a place of economic strength. While we know we're not immune from what's going on around us, people across the country are talking about our Premier and our fine province.

For the Ministry of Advanced Education, Employment and Labour, 2009-10, within the budget, the budget provides an overall lift of \$79 million or 10.4 per cent for a total budget of \$840 million. Addressing our talent challenge is the cornerstone of our ministry's measured and balanced approach to a strong and steady Saskatchewan. I'd like to take some time to discuss the approach we are taking to achieve this goal through our labour employee and employer services division.

I'd like to begin with occupational health and safety. The budget for '09-10 includes 7.5 million in funding to occupational health and safety. I'll begin by saying that Saskatchewan's workplace injury record, quite simply, is not acceptable. Over 40,000 workers were injured and 31 workers lost their lives, sadly, in 2008. There is no doubt that more must be done to reduce workplace injuries, and we must act quickly.

Several key initiatives are under way: refocusing of resources within the occupational health and safety area to best address injury prevention which will result in an increase in the number of inspections and investigations and — where appropriate — prosecutions in '09-10, engaging occupational health committee Co-Chair persons and key stakeholders in research to inform service provisions of the workplace responsibility system or the WRS. And we will operationalize the WorkSafe Saskatchewan memorandum of understanding between the occupational health and safety area and the Workers' Compensation Board to create a culture of health and safety which helps to prevent injuries.

I'd like to take this opportunity to share our preliminary health and safety statistics for 2009. Refocusing our resources is paying off. It has been a record-breaking year for making full use of enforcement tools. In '08-09 occupational health officers conducted 3,851 on-site inspections, and officers issued 5,735 notices of contravention — an increase of 22 per cent from '06-07. Officers quadrupled the number of times they stopped work to correct unsafe conditions from 210 in '06-07 to 942 in '08-09.

OH & S [occupational health and safety] continues to dedicate resources. Occupational health committees, more than 92 per cent of workers are now covered by committees. We're further expanding the ready for work program in Saskatchewan schools with a new core resource for students in grades 6 to 9. I'm proud of this work and look forward to our continued progress, but we know there's more that needs to be done.

The '09-10 budget also contains nearly \$2.5 million in funding for the labour standards branch. While the bulk of the branch's activities relate to ensuring compliance, it does provide a full range of services to make Saskatchewan an attractive place to

both live and work. This includes operating an inquiry line, engaging in educational activities, helping employees to collect lawfully entitled unpaid wages, and targeted enforcement activities.

In '08-09 labour standards handled nearly 60,000 employment standards telephone inquiries. Labour standards officers received and reviewed over 2,200 complaints from Saskatchewan workers. With regard to investigations of unpaid wages, the branch was successful in collecting almost 1.25 million of total wage assessments for Saskatchewan employees, almost the full amount. The branch also coordinated 20 adjudication hearings last year.

The career and employment services budget for '09-10 is \$41.6 million. This budget includes operational support of \$11.2 million, workforce development of \$23.6 million which includes Aboriginal workforce development of 5.9 million, a realignment of existing resources, and we all know just how vitally important that is. Importantly over the last six months, we've seen important and impressive numbers regarding increasing numbers of First Nation and Métis peoples participating in our workforce. Youth employment of \$978,000 of which 80 per cent is for First Nation and Métis students and 20 per cent is for students with disabilities; employment programs of 2.68 million, and client and community support of about \$1.3 million.

To support these initiatives this budget includes funding for over \$8.6 million for skills training and benefits, and \$2 million for the provincial training allowance. The ministry provides career and employment services to Saskatchewan people in need of information on career and job opportunities, as well as training and education options that enable participation in the provincial labour market. That is, services are available for both transition and for training. These services help to match the skills of Saskatchewan workers with the needs of employers. This year 18,000 individuals accessed services including employment counselling, job searching, and development of employment action plans.

The saskjobs.ca, provincial job order system has recorded over 2 million visits in the first three months of '09, as well as the 4 million visits that were registered in 2008. Over 50,000 job orders were posted to this site alone in '08-09. Our fall mission to the Greater Toronto Area yielded immediate results, with more than 100 Ontario residents known to have accepted positions in Saskatchewan. Three weeks ago, we returned to the Greater Toronto Area to build on that momentum. We look forward to welcoming new residents and their families to our province, and we will explore improvements and enhancement to the SaskJobs initiative in the coming year.

When we begin to focus on helping to meet the talent challenge that we face, we focus first and foremost on the people of this province, with special reference to First Nation and Métis peoples. We focus as well on inviting our expat community back home, and obviously we want to welcome newcomers. With some success, I'm happy to say that we've seen over 15,000 people either come back to Saskatchewan or come to our fine province for the first time.

In '09-10, the budget for labour relations and mediation is just

under \$700,000. The branch will continue to provide information, training, mediation, and bargaining assistance to Saskatchewan's unionized workplaces. Labour relations and mediation will also provide two workshops. Interest-based negotiations is the focus of the first one, and resolving workplace conflict and joint problem solving, the focus of the second.

Regarding the labour environment, our government continues to review Saskatchewan labour legislation. We recently tabled amendments to *The Construction Industry Labour Relations Act*. This type of review, the updating of legislation, is meant to help ensure that our construction industry, among others, operates under fair, flexible, and effective labour laws. As well last year we lowered the minimum age of employment in five sectors: hotels, restaurants, educational institutions, hospitals, and nursing homes as a pilot to be reviewed in 2009. We are currently engaging the public and stakeholders through a consultation process to help inform that review.

What I would like to do is shift the focus just slightly, and it's an important shift, and it relates to the Status of Women office. Part of ensuring that Saskatchewan is an attractive place to live and work is ensuring that all people share in the benefits of this province, and that's one of the goals of our government. The '09-10 budget includes \$432,000 for the Status of Women office. Priorities include completing consultations with First Nation and Métis women and key provincial stakeholder groups; as well drafting a strategic policy framework for government to advance the status of women, increase gender equality and equity in Saskatchewan; and conducting new research to close knowledge gaps, support stakeholders, and establish a baseline for greater accountability and action. Through the work of the Status of Women office, the ministry will continue to work to advance the status of women as well as gender equality right across our province.

[15:15]

I would like to conclude my remarks, Mr. Chair, and I'm happy to discuss the remainder of the ministry's budget in today's session as well as over the course of a number of sessions. With a balanced and prudent approach in our budget for labour, employee and employer services, as well as for the status of women, this will be a year of solid investments and initiatives within our ministry. We look forward to continue serving the province and to ensure that the benefits of a strong, steady Saskatchewan reach the people of this province.

Thank you, Mr. Chair, and committee members. Happy to engage the dialogue and answer the questions that I know will be forthcoming. Thank you.

The Chair: — Thank you, Minister Norris. I would then ask if there are committee members that have questions for the minister. Mr. Iwanchuk.

Mr. Iwanchuk: — Yes, thank you very much, Mr. Chair, and welcome to the minister and his staff and thank him for the opening remarks he has made. I have a number of issues that I would like to raise. The minister has touched on some of those issues, and we look forward to our questions being answered.

I would like to just start on the WCB, Workers' Compensation Board front. There was a news release on March 20 of this year regarding a service review of the Workers' Compensation Board. In that release, it talked about a request for proposals to seek a qualified research industry to do that review, and I was wondering where that was at. Have you hired someone, or where are we in that process?

Hon. Mr. Norris: — Yes, happy to provide an update. This was one of our campaign promises, and happy to say another promise made and another promise kept. The request for proposals did come out in March, and that selection process is still under way.

Mr. Iwanchuk: — But in terms of the procedure for determining . . . Could you just talk about that a bit in terms of how you went out and who you requested to make proposals to you, as to how would you be determining which agency.

Hon. Mr. Norris: — Sure, happy to do that. I think, Mr. Chair, if I may, and fellow committee member, I think what I'll do is I'll invite Mr. Federko, the CEO [chief executive officer] of the WCB, to come up. There we are. I think committee members will be familiar with Mr. Peter Federko, CEO of the WCB. And congratulations on the successful launch of the annual report today.

I think, given the formal and necessary relationship between the ministry and the WCB, Mr. Federko, what I'll do is I'll ask you to speak specifically about the process that the board is undertaking in this matter.

Mr. Federko: — Certainly. Thank you, Minister. As indicated earlier, the board let an RFP [request for proposal] which was advertised publicly in Saskatchewan. In addition to that, eight specific organizations were invited to submit proposals relative to the RFP. As a result of the letting of the RFP, there were 13 organizations that contacted the board and asked for access to the full RFP document. That was granted. The board then, through a predetermined set of selection criteria, narrowed down the RFPs that were received, the responses to the RFPs that were received and are currently in the process of conducting interviews of the three firms that have been selected.

Hon. Mr. Norris: — So essentially, if I may, Mr. Chair, the process began with an open invitation. Thirteen entities responded. The board went then to a short-list process, and those interviews are under way.

Mr. Iwanchuk: — Will the final report be made public?

Mr. Federko: — My understanding is yes, it will. The report will be shared with the minister and then, through some agreed-upon process, made public.

Hon. Mr. Norris: — Yes.

Mr. Iwanchuk: — When do you see the consultations, when do you see them beginning?

Mr. Federko: — The engagement is to begin the first week in May and the final report delivered to the selection committee by September 30.

Mr. Iwanchuk: — Will there be public consultations, presentations?

Mr. Federko: — The RFP asked the vendors to include both a file review process as well as external consultation process. Whether it's through a survey or focus groups is left to the vendor to determine what would be most representative.

Mr. Iwanchuk: — Could we, in terms of some of the, for 2008, and these are sort of just some figures, if I could get . . . I maybe need go through them so you get sort of the flavour of what I'm after here. What I would like to know is the number of appeals received, the appeals decided, sort of the percentage of accepted overall, and hearings held, you know, percentage of hearings accepted, worker advocate appeals accepted there, repeat appeals received and the percentages. And I'm not sure if those are in the proposals this morning, but if those kind of figures were available, I could go over it slower, but I just thought perhaps . . .

Hon. Mr. Norris: — Sure.

Mr. Iwanchuk: — . . . basically the numbers of appeals and appeals decided in favour.

Hon. Mr. Norris: — Sure. And you made reference, this morning; that's to the annual report?

Mr. Iwanchuk: — Okay.

Hon. Mr. Norris: — Okay, good. We can make sure that any material that isn't covered . . .

Mr. Iwanchuk: — Okay. If we can just receive that, sure, that would be helpful.

Hon. Mr. Norris: — In addition to the report that has now been made public, there will be by end of day an additional stakeholder report, and some of the information will be posted on the WCB website by the end of the day. So between the information that's provided within the annual report and this additional report that will be up on the website, we'll make sure that any outstanding data that you need on those questions, we're happy to get to you and the other members of the committee.

Mr. Iwanchuk: — Thank you very much. Also in terms of just some numbers, how many return-to-work applicants or how many return-to-work situation do you have under WCB?

Hon. Mr. Norris: — The annual report highlights — if a percentage is acceptable, Mr. Chair — 93 per cent.

Mr. Iwanchuk: — Ninety-three per cent of . . .

Hon. Mr. Norris: — Ninety-three per cent of workers with a time-loss injury return to work.

Mr. Iwanchuk: — Are returning. Now in terms of the return to work, probably my question is more specific than that. How many are now into Return to Work programs? So that's 93 per cent of all applicants. Do it as an overall. I was just wondering if you have that now as actually people involved now and their

return to work, and do you have that broken down by sectors in terms of health or manufacturing?

Hon. Mr. Norris: — There would have to be a file-by-file endeavour which I'm assuming the member isn't intending. They're broken down into an aggregate. And then from there, and we can get you some additional information, but it's not based on sector by sector.

Mr. Iwanchuk: — So what you do know is that over 93 per cent of all applicants then enter into some form of return-to-work arrangement.

Hon. Mr. Norris: — No, have returned to work successfully.

Mr. Iwanchuk: — Okay, so my question is, is into a return to work . . . [inaudible] . . . so that they have not returned to work but are on some sort of return to work . . .

Hon. Mr. Norris: — Program.

Mr. Iwanchuk: — Program, right. Yes.

Hon. Mr. Norris: — Mr. Chair, I appreciate the question. The answer is there is — and these are the same practices that the previous government used — there is no statistical analysis at that level. This again, it would be file by file.

Mr. Iwanchuk: — What I was getting to is, a number of concerns have been raised on people on Return to Work programs, and they range from . . . And so I was just wondering if you had, you know, the numbers because the issue of medication has come up, and this is probably very specific, but in terms of, to those people who are being returned or on Return to Work programs — and of course they have the right to appeal, but we haven't entered into that yet — but issues that, you know, when they come back with the types of Return to Work programs that they have, issues of medication have come up. And I was just wondering if you've had any appeals regarding where people have come back and talked about having to work while on medication.

Hon. Mr. Norris: — I'll ask Mr. Federko to respond directly because you are asking about specific references.

Mr. Federko: — I'm aware that there have been a few, two or three appeals where the issue of the impairing effects of the medication have come into play. I couldn't tell you on what the outcome of those appeals are. It's really not in my jurisdiction.

However I can say, just to elaborate, that prior to confirming an individual's ability to return to work safely, the treating physician is asked to provide us — provide the Workers' Compensation Board, that is — with a progress report that identifies the individual's physical abilities or limitations. And specifically on the physician's form, we ask whether there are any restrictions relative to the medications that an individual might also be taking. So we rely heavily on the advice of the treating physician, the prescribing physician, in terms of the impairments of any medications that the injured worker might be taking.

Mr. Iwanchuk: — I'll probably come back to that question.

Just in terms of that, what portion in the Return to Work programs, not in returning to work, are the costs picked up by the board and how much is picked up by the employer?

Mr. Federko: — If there continues to be wage loss during a return to work, the board continues to bear the responsibility for the lost wages. So if, by way of example, a worker is earning \$20 pre-injury and through a modified Return to Work program is now earning \$15 through the employer, the board would continue to be responsible for the \$5 loss in pre-injury wage.

Mr. Iwanchuk: — Okay. Just to the board, just so I'm clear, how many people actually sit on the board or board members sit on the appeals?

[15:30]

Mr. Federko: — There are three board members. Two at a time would have to rule on a decision. In some cases, all three will sit on it.

Mr. Iwanchuk: — Two could also sit on an appeal?

Mr. Federko: — Yes. So a majority is two-thirds which is . . .

Mr. Iwanchuk: — Then it would be helpful to have three. It was just at times appeals have two people sitting on them, and I was wondering how you do make a decision when there are two people sitting on a board.

Hon. Mr. Norris: — The question, if I can frame it, is twofold. First what is quorum and quorum is two, two out of the three, and the decision-making process is based on consensus.

Mr. Iwanchuk: — Okay, but if there was no consensus and I think the issue was exactly if, you know, two-thirds would have to do that if the third party isn't there. And you're sitting with two members and you don't reach consensus, the obvious question . . . I mean we'd always like to reach consensus. But if you don't, what happens there because a third person has not heard the case. I mean with only . . .

Hon. Mr. Norris: — There are a couple of elements here. Obviously the significant role of a board Chair and to help give some shape and substance to that consensus, but as far on an individual basis, obviously the board's decision . . . that's one of the reasons that the board is independent. You know if you're asking about the individual case-by-case dynamic, that's the purview of the board.

Mr. Iwanchuk: — Now in terms of that, would you be considering any changes in the review to the appeals procedure?

Hon. Mr. Norris: — At this point the focus is on the administration.

Mr. Iwanchuk: — Now I don't know. Because of the way you've answered some of those others, do you have any idea of how many the actual Return to Work programs are successful? Or how long, do you have an average of how long they run or the cost of them because you were talking the board is picking up some costs in there, depending on where the wages are, so just sort of as an overall analysis of the Return to Work

programs and what their cost is and the length. I would think that it would be important for the board to know that.

Hon. Mr. Norris: — You're asking the question, as I understand, it relates to the efficacy of the Return to Work program. Again it would likely be case by case. If you're looking for an indicator, and that is of the 93 per cent that return to the workplace, only 2 per cent come back. So essentially we're talking about 91 per cent of those that are there. Mr. Federko, any elaboration on that?

Mr. Federko: — We simply view the recurrence factor as an indicator of the success of the return to work.

In terms of your question around the costs, we would have certain expense codes that would flag partial wage loss, for example, paid. The problem is, is that some of the partial wage loss is not necessarily associated with return to work. There are many instances for which partial wage loss could be paid. So to try and isolate individually what the total return-to-work efforts of our organization are would be very difficult, except to say that the majority of our efforts are focused on injury prevention and return to work. So you could literally say that the costs associated with managing or administering the Workers' Compensation Board are very much focused on injury prevention and return to work.

I couldn't tell you what apportionment would relate to that. And in terms of claims costs, we know what the short-term wage loss total payments are, what the long-term wage loss are. It would be more difficult to try and associate that with cases that are specific to return to work.

Mr. Iwanchuk: — Even if we were able, be able to get those numbers, that would be some idea. The other question I have is, how many medical experts do you have, and are they paid on salary or are they on a contract basis?

Mr. Federko: — We have a chief medical officer and four medical officers that provide consultative advice to the case managers and the appeal functions, and they are paid staff of ours.

Mr. Iwanchuk: — What is the total number of staff that is employed by the WCB?

Hon. Mr. Norris: — 430.

Mr. Iwanchuk: — And do you cost out the adjudications, the adjudication process? Is there a way of knowing how much the appeals themselves cost?

Mr. Federko: — I'm sorry. Do you mean the administration of the appeals process?

Mr. Iwanchuk: — Well whatever you would deem to be of any . . . When a person, you know, does an appeal, there's obviously a hearing, so there's costs around that.

Mr. Federko: — We would, within the board services cost centre in our organization which houses the appeal function, we would have separate budget for that cost centre and could report the costs for that sector accordingly.

Mr. Iwanchuk: — And that's in the report, is it?

Mr. Federko: — It is not separate in that we would have to provide you with that detail.

Mr. Iwanchuk: — Could we get . . .

Mr. Federko: — Sure.

Mr. Iwanchuk: — That would be possible. Okay. Has there been any thoughts to setting up an independent tribunal to deal with workers' complaints, outside of the board?

Hon. Mr. Norris: — I appreciate the question. I'm sure the member knows, under the previous government in 2000 and 2002, these issues were examined and were not moved on, the key questions being great concern over increased costs with no rationale or expectation of increased productivity.

Mr. Iwanchuk: — Okay, there's a section in the regulations, section 22.1(2) which talks about the board reporting on any "matters requested by the minister," and this is a question, sort of, of mandate and your ability to become involved with the board. And the question would be whether you feel under that, that you have any authority to investigate complaints when individuals are not satisfied with the handling of their claims or they feel they've not been handled in a fair and reasonable manner?

Hon. Mr. Norris: — The thing is, as committee members know, the Government of Saskatchewan respects the autonomy of the board. And what I'll do is, I'll have first Mr. Carr respond, and then we'll go to Mr. Federko, just to make sure that this point is highlighted. I think Mr. Carr, you're going to go to the intention of 22.1(2).

Mr. Carr: — Thank you, Minister. The intention of the particular regulation is to facilitate an annual review by the board where it is reviewing and reporting to the minister. It also creates an opportunity for the minister to make inquiries, but those inquiries are not intended to be based on individual claims because the process that we have established by statute is to create an independent body to make decisions about the merit of individual claims. That particular decision-making authority is vested under the legislation with the board, and they are carrying out their duty and the officials of the Workers' Compensation Board carry out their duty in terms of claims administration.

The minister would be required, I would think, to restrain those types of inquiries by simply referring them to the board directly. So if there's an inquiry that comes to the minister, he would simply forward it to the board for resolution.

Hon. Mr. Norris: — Mr. Federko, I'll get you to comment on our current practice.

Mr. Federko: — Certainly. And I can confirm that that's in fact what happens. The minister's office gets various inquiries from different stakeholders on different matters. And I can confirm that all of those referrals are made directly to our office so that decisions can be made with respect to individual claims by whatever level of authority is appropriate as delegated by the

board.

So the board, as Mr. Carr indicated, by the legislation, is granted exclusive jurisdiction to hear all matters underneath *The Workers' Compensation Act*. They have in turn delegated certain responsibilities to myself, and I to some of our staff. So depending on the level of the inquiry, it's dealt with at the appropriate level but directly by the Workers' Compensation Board staff.

Mr. Iwanchuk: — Okay. Thank you. My next question is sort of related to that. And perhaps in issues of privacy, if there was disclosure of information of files, how might that be dealt with? Could the minister get involved?

Hon. Mr. Norris: — I think it's probably again appropriate that we turn this over to Mr. Federko.

Mr. Federko: — With respect to access and release of information, there are specific provisions within *The Workers' Compensation Act* that dictate under what circumstances claim information can be given out to any individual, including the injured worker him or herself. So the first authority over the release of information relative to privacy matters is *The Workers' Compensation Act* itself.

We have, from the legislation, developed a specific policy that deals with how we proceed with releasing that information and what we do in circumstances where there's an alleged breach in an individual's privacy. Of course the freedom of information Act applies to the Workers' Compensation Board as well, and we respect the work of the Privacy Commissioner's office.

[15:45]

So when an inquiry relative to a breach of privacy comes into the organization or into the minister's office, it is referred into our organization. Our own internal privacy officer looks into the matter and provides his opinion relative to whether there has been a breach of privacy and the appropriate action is taken — an apology or follow-up or whatever resolution to the particular issue that is made.

Of course the individual also always has the opportunity to go to the Privacy Commissioner's office, launch a formal complaint, and we would follow the process outlined within that commissioner's office — again respecting the authority of our own legislation which governs the release of claim information.

Mr. Iwanchuk: — Two other issues in terms of that, and one is in terms of whether it's an appeal and then a worker providing new information which, in most cases, would be medical, new medical information to do that. And then section 25(1) and probably more, "(2) Where the evidence in support of the opposite sides of an issue is approximately equal, the board shall resolve the issue in favour of the worker."

Issues often come up where there is new medical . . . from specialists, and then we have a dispute. We still end up in a dispute. I'm wondering, just in your opinion, section 25(2) and how that plays out and what sort of independent medical information you're looking for.

Hon. Mr. Norris: — If I could just ask for clarification. If I'm not mistaken, the committee member has said that this happens — and if I'm not mistaken, I think the term was — many times. And I'm just wondering, do you have any empirical data to support this hypothesis?

Mr. Iwanchuk: — Not with me here, no.

Hon. Mr. Norris: — I think it frames the question, the question as it's being posed. Right now it's my understanding this is a hypothetical question. And there's no problem with that; we're happy to answer it. I want to make reference if you have additional . . . When you use the term "many," I just want to make sure that we're dealing with all the information possible as we begin to respond. So this is a generic case.

Mr. Iwanchuk: — I think what I'm after is what it would take to . . . in terms of additional medical support, in terms of where the legislation talks about in support of the opposite sides have an issue of approximately equal, so it's definition in terms of what would be perceived as equal. I mean obviously the person appealing has their own interpretation of what would be equal.

I'm just wondering just as a general statement how you view that, and also in terms of what the board has sort of done in terms of where you have two specialists and obviously just even in the reading, even with a layperson reading that, you can obviously tell there's some difficulty because they're coming up with different considerations. And yet you have legislation that also sort of — in and around that — where it's approximately equal now.

So it's a general question on the issue of people coming forward . . . [inaudible] . . . I think it's quite easy to say "many" because everybody could have their own interpretation that their medical opinion is right. The issue that I'm asking about is, that's one point. The second one is, it's just if there's a sort of a rule that's applied, a general rule, what does that actually mean in practice?

Hon. Mr. Norris: — Thank you very much for the clarification.

Because of the significant work that is undertaken on a case-by-case basis, I think what we'll do is again we'll ask Mr. Federko first and then Mr. Carr second to respond to the question. It's a pretty significant question. Thank you.

Mr. Federko: — Under the legislation, decisions relative to claims are to be determined on the merits and justice of each case. And the board in particular, being the final level of appeal who is also not bound by precedent nor by existing policy or procedure, really applies merits and justice to each individual claim. So to answer specifically how much medical would be necessary in order to tip the scales, if you will, is a very difficult question because it's very, very claim specific and would depend on that individual claim circumstances.

I can tell you that the board does exercise the benefit-of-doubt provisions within the legislation to provide benefits to workers where the evidence, in their opinion, is approximately equal. If it comes down to a medical question, the board is free to solicit additional medical opinions from specialists or other individuals

to help them clarify, as well as our own internal medical officers, to help them clarify the medical evidence that has been provided.

There is the ultimate final level of appeal, I guess. Within the provisions of our legislation is something referred to as the medical review panel. So if the board were to deny a claim at the final level of appeal and the injured worker felt strongly that there was an underlying medical question that needed to be dealt with, upon providing a medical certificate from a qualified medical practitioner in the province to the board, the board may grant the establishment of a medical review panel to deal specifically with the medical question that needs to be answered. The ruling of the medical review panel, however, is final and binding on all parties. So the board must accept the review panel's decision, as does the injured worker.

Hon. Mr. Norris: — Great. Anything to add?

Mr. Carr: — Nothing to add, Minister.

Hon. Mr. Norris: — Great. Thank you.

Mr. Iwanchuk: — Okay. I just want to . . . some issues around occupational health and safety. The new smoking regulations, when do you see them coming into effect? Will there be a phase-in period?

Hon. Mr. Norris: — Yes, the date's going to be May 31.

Mr. Iwanchuk: — It'll just simply be May 31, and June 1 the regulations are in effect. Have there been discussions with stakeholders and how you intend to enforce them?

Hon. Mr. Norris: — I'll have Mr. Carr add a little bit, but essentially your question had a few pieces to it. Consultations have occurred. Education and outreach endeavours have been under way and will continue to be under way. And certainly it's my understanding that when it comes into effect, essentially there will be a level of awareness that we're comfortable with and confident in, and so actions will be prepared to be taken. Mr. Carr.

Mr. Carr: — Thank you, Minister. Again the consultations which the minister has referenced were very detailed. In addition to those consultations, once the regulation was approved, notifications were sent out to OH & S committees across the province. There has been some continuing education being done through the branch and reaching out and communicating with workplaces. There's also an intention that, prior to May 31, we will be communicating fairly broadly with the public as to the effective date of the regulation and the impact of that regulation.

It is our intention to use, through the branch, the normal contingencies for resolving disputes and that we would ask that OH & S committees and safety officers engage in investigating complaints and resolving them. Where they're not successful, certainly our officers will be available and will become engaged in conducting investigations. And where there is a flagrant and ongoing violation, there will be contraventions issued.

Mr. Iwanchuk: — Okay, thank you. Oh, go ahead.

Hon. Mr. Norris: — If I may, Mr. Chair, I think one of the important elements here — and certainly implied by Mr. Carr's remarks — it's a complaint-driven process, and it allows parties to give voice to their concerns. I'll just add that.

Mr. Iwanchuk: — Thank you. I'm sure there will be all sorts of issues that come up. I was thinking about home care and an issue like that . . . [inaudible] . . . In terms of that, are you contemplating any review of the occupational health and safety legislation or regulations?

Hon. Mr. Norris: — I think it's prudent and incumbent upon government within the parliamentary system to ensure that that's part of an ongoing process, so specifically certainly I wouldn't rule that out in the future.

Mr. Iwanchuk: — How many prosecutions have there been in the past year?

Hon. Mr. Norris: — The most immediate number, 24 files have been sent over to Justice. I don't know if that drills down far enough but that's essentially when the hand-off occurs.

Mr. Iwanchuk: — Do you know the outcomes of those files?

Hon. Mr. Norris: — We have 12 cases in which charges were laid, and there are 11 pending. There are, I guess in reference, we have in '06-07, 31 files were sent to Justice. Charges were laid in 18 there. And '07-08, 18 sent to Justice, and 13 had charges laid. So again those numbers are, they're variable, but — what I would say — there's a level of consistency there over the last three or four years.

[16:00]

Mr. Iwanchuk: — Thank you very much for those. And the successful prosecution, sort of the next step, because when you say charges laid, then that was charges were laid. But how many were successfully prosecuted, I guess?

Hon. Mr. Norris: — We can get those for the committee, sure.

Mr. Iwanchuk: — Perhaps I should've asked this question when Mr. Federko was there and I apologize. My question is, how many deaths were there in Saskatchewan in 2008? But the question that I'm asking is not how many files were completed. But what I'm actually asking is the actual. Between January 1, 2008 to December 31, how many people actually died at work or were killed at work?

Hon. Mr. Norris: — I'll just say that number, I think, will be forthcoming. It was actually held until the report was made public. But some comparative numbers: 2002, 16; 24 in 2003; 19 in 2004; 20 in 2005; 22 in 2006; 21 in 2007; and as I say, the number will be forthcoming. Obviously each and every one of these is, you know, a source of sorrow and reflection and reinvigorates our commitment to Mission: Zero. And I know we all share in that.

Mr. Iwanchuk: — Minister, do you have a breakdown as to the . . . as well if you could provide the causes of the deaths.

Hon. Mr. Norris: — I think we have . . . Sorry, costs or

causes?

Mr. Iwanchuk: — Causes. And do you have any ability to compare this on a country-wide basis with that?

Hon. Mr. Norris: — Sure. We can get that data . . . [inaudible interjection] . . . Certainly. If we can return to about a couple questions back regarding prosecutions, I do have the data. So for the cases for 2008 that have been sent to Justice, there have been three prosecutions. Four are before the courts currently and five are still being prepared. So that's a bit of a breakdown. It's a work in progress.

Mr. Iwanchuk: — Thank you. Because the letter was written to you and I received a copy from the Saskatchewan Federation of Labour, April 14, talking about Bill C-45 and the change to the code, the Criminal Code, and the federation is calling on you and your government to establish a special prosecutor to investigate workplace deaths and serious injuries, I was just wondering if you have replied or if you've had any thoughts on this issue.

Hon. Mr. Norris: — This is where the significance of inter-ministerial co-operation . . . And absolutely delighted to say that Minister Morgan and his colleagues have worked very well with our ministry, and there is a special prosecutor. It's in the Ministry of Justice and it has been in place since 2004.

Mr. Iwanchuk: — I think what the question was if there would be a prosecutor especially trained in causing serious injury or death in the workplace. In my reading of the letter . . . I could provide . . .

Hon. Mr. Norris: — My colleagues are reinforcing that. Building up that capacity in Justice is part of the work that's under way, and so certainly you know, we'll be responding to that minister. As you say, it's just been, I think it was April 14, yes. And the response will be forthcoming, highlighting some of the efforts that are already under way to ensure that we do have that capacity. As I say, it's part of the inter-ministerial co-operation that we have and that I certainly want to speak highly to when it comes to the Ministry of Justice.

Mr. Iwanchuk: — Just a few questions on the harassment unit, how many positions are now within this area?

Hon. Mr. Norris: — There are four positions.

Mr. Iwanchuk: — Could you outline those positions.

Hon. Mr. Norris: — One manager with three officers, and we can drill down if you want some detail around those.

Mr. Iwanchuk: — Now can I just take you back because we've asked questions around this, written questions, and at one point you answered that funding was provided in July 2007 for five full-time officer positions within the unit. And then on a number of occasions . . . You did answer that on March 3, 2008, that it was fully operational. I'm wondering why we don't have five positions.

Hon. Mr. Norris: — When we say it's fully operational, we're looking at the work that's under way, and we'll get you some

information here on that. It's impressive work and it's important work. And the significance when we say it's up and operational, we're monitoring the work that's under way.

And so if the former government anticipated that there would be X number of positions within any given unit, you can be assured that we're going to have a look, and we're going to make sure that we're maximizing public dollars and at the same time ensuring that we're fulfilling the mandate expected from any given organization or entity.

So, happy to report and Mr. Carr will be able to highlight in some level of detail and with some specificity the actual work that is under way. Mr. Carr.

Mr. Carr: — Thank you, Minister. Again we have three officers and one manager dedicated to the harassment prevention unit. In the last fiscal year just ended, they dealt with 114 cases of harassment, and they responded to 326 harassment inquiries during that period as well. In total our harassment unit fielded 767 calls last year. And that's the detail that I have for you.

Mr. Iwanchuk: — Okay. Now out of those, the number of cases that are presently under investigation — I mean you certainly gave me an overview of what they are — but how many would be cases that are now actually ongoing?

Hon. Mr. Norris: — It's broken down a little differently, but it gives you a sense. So 326 is the number of, I guess you'd call them cases.

Mr. Carr: — Inquiries.

Hon. Mr. Norris: — Inquiries, sure. And that's resulted in actions being taken in 114, so about a third. I mean it's not quite scientific but ballpark.

Mr. Iwanchuk: — I guess the next step is how many are being adjudicated and how many are successful versus . . .

Hon. Mr. Norris: — Absolutely delighted to talk about the appointment of Anne Wallace, delighted that she has taken on the duties of special adjudicator as of last October. And out of those, two have gone forward.

Mr. Iwanchuk: — Then the rest have been internally resolved or successfully resolved, and some are ongoing. Do you have any idea what the success rate might be prior to adjudication?

Hon. Mr. Norris: — Sorry, we're just looking for some clarification on the question. We think, and if I've got this correct, the question that you're asking is actually how were the other cases — not on an individual basis, but an aggregate — how were they resolved. Is that . . .

Mr. Iwanchuk: — I think so. Just some idea of how the department's functioning — if they're resolving everything, people are going away . . .

Hon. Mr. Norris: — Sure. So of the 114, as we've said, two have gone forward to adjudication. That's 112, and there would be a range, but I think the category that we would frame the

action under, assistance has been provided to varying degrees over those 112 cases.

[16:15]

Mr. Iwanchuk: — Just now switch to minimum wage, I guess a number of questions on minimum wage, we're coming up to the last increase as proposed by our government. What are your intentions regarding minimum wage increases, and what are your plans for indexing minimum wage?

Hon. Mr. Norris: — I appreciate the question. We made a commitment. And again promise made, promise kept. This is the third increase in minimum wage since we've come into office. We had two in 2008, and we're moving forward on May 1. The minimum wage will be going to 9.25, as you know, and that will put it among the highest in the country.

I guess the broader context . . . and it's important to keep this in mind. This government has taken very specific steps. Eighty thousand people have been taken off the tax rolls, and I'm sure the committee members — not a partisan statement — would agree that giving that kind of relief to those in need of additional support is an important step. So we're absolutely delighted with the leadership under the Premier that we have — remarkable man, Premier Brad Wall — saying 80,000 people.

We've taken a number of other steps as well, and many of these have been highlighted both in the Assembly and I'm sure in committee and a number of public venues under the leadership of the Hon. Donna Harpauer. So the context, whether we're talking about additional support for students and student loan supports that weren't touched since 1994, whether we're talking about support for seniors, whether we're talking about support for low-income families, and a number of other key and vitally important members of our community, we've seen that kind of support. So minimum wage is going up — one of the highest in the country. And in addition to that, a number of other steps that have been taken to help ensure that the benefits that Saskatchewan economically are experiencing are shared with the people of this province.

The second phase of that question regarding the potential for indexing or any number of other options, I will just simply say at this stage they remain under review and on a go-forward basis will be examined very closely and carefully and with a reference to comparative steps that are being taken in other jurisdictions.

So appreciate the question. This is a key priority for our government — making sure that the people of this province are sharing in the benefits of the economic growth that's under way. We know we're not immune from what's going on around us. But on a relative scale, there are about 12,000 people in Saskatchewan that draw minimum wage, and we certainly think the steps that we've taken both on the minimum wage question directly and within the broader context — I've named but a few — are going to help to enhance the quality of life and opportunities that these individuals and families have.

Mr. Iwanchuk: — Thank you. I hope the minister isn't feeling somewhat insecure in your position to take the political sort of rhetoric that . . . [inaudible] . . . some cheering from the crowd

there.

Hon. Mr. Norris: — I give you every reassurance the minister's not insecure.

Mr. Iwanchuk: — Well I was just wondering, the speech to the Premier who might be listening, in terms of that, there has been great premiers throughout the history of this province. I don't want to debate that here.

Hon. Mr. Norris: — No indeed. I agree with you. I think we can go back with the Walter Scott vision for the province. I think we can look at Premier Romanow. I mean, he confronted some obvious challenges, worked through, and so I think it's fair to say of all stripes there have been significant leaders that have helped steward the province. And I would hold Brad Wall among the highest of those.

Mr. LeClerc: — Absolutely.

Hon. Mr. Norris: — I have some agreement around the table . . .

Mr. Iwanchuk: — Just shifting. Thank you very much for that answer. I would take it then that it be an ongoing sort of review of minimum wage. Would that be the way I'd characterize this? Sorry. There are no specific dates for consultations or reviews or submissions or . . .

Hon. Mr. Norris: — I would be in general agreement, with one caveat. And that is, the Minimum Wage Board will report — and it's a statutory requirement — during this year.

Mr. Iwanchuk: — There will be a report by the Minimum Wage Board?

Hon. Mr. Norris: — They'll offer a recommendation.

Mr. Iwanchuk: — Okay. If I could shift just to Bill 80 and just some questions around when will the public hearings for Bill 80 be held?

Hon. Mr. Norris: — You know, delighted to say that in fact probably those best positioned to address that question are all present. And it'll be through the good work and good offices of the committee Chair that that work will commence. And I anticipate — and again it's only broadly speaking — but I anticipate that that work will go on during a portion of or all of the forthcoming summer months.

Mr. Iwanchuk: — I guess my question would be, when do you foresee the committee starting or having its first meeting to . . . If what I understand you're saying is, is that that'll be the decision of the committee. When do you see then the Chair or any directions or . . .

Hon. Mr. Norris: — I think what I should do is I should cede any comments to the Chair because my sense is there is quite properly a sense of proprietorship and, I think, a sense of direction that the Chair has.

The Chair: — Mr. Iwanchuk, for your information, it is my hope as Chair of this committee to have a meeting of the

steering committee of the Human Services Committee, which is made up of the Chair, the Deputy Chair, and the Clerk. And we were hoping to have that meeting this week to set up a schedule and answer those questions. It's my hope that we can have those meetings early in the summer or late spring. And we would like to get that information out as soon as possible so that interest groups will have as much advance time as possible to express an interest in participating in the public hearings. I hope that answers your question.

Hon. Mr. Norris: — Just to complete that in terms of . . . a smaller committee would decide when the committee would meet because there would be a number of questions as to the time of the hearings. Obviously you talked about presenters, deciding who those would be. We have only 10 hours to do that. And would that be the entire committee making those decisions, or would you see that a few people would make those decisions?

The Chair: — There is a process that the committee will follow that's outlined, and it would be participation by representation from both government members and opposition members. It's a process that's outlined in the committee structure, and we'll be following that. So Ms. Junor, who is part of the steering committee, will certainly — it would be my hope — that she would keep all members of her caucus apprised as to what's going to happen with regards to Bill 80.

Hon. Mr. Norris: — If I may, in addition to the good work that will be undertaken and important work undertaken by the committee, the ministry is going to be sending out letters to various stakeholders inviting feedback. And we'll make sure that there's a process to allow any information — and we've already received some — we'll make sure that the committee members have access to that information that the ministry is also receiving. Just to offer reassurance that we'll be fully co-operative.

Mr. Iwanchuk: — Okay. My next question, there is five hours of questioning of the minister, and when do you see that occurring?

Hon. Mr. Norris: — Well I don't know. It's a slow night. I think we used to do that in one shot, didn't we?

Mr. Iwanchuk: — Yes, we did.

Hon. Mr. Norris: — No, all kidding aside, you know, I'm available and will ensure that I'm available at the request of the Chair and the members of this committee. And my sense, as it was envisioned, was that the committee would undertake its work and continue to undertake that outreach and engagement, hear from stakeholders, and then we would come in and discuss. But again this is in the hands of the Chair and the committee, and I can only offer my sincere reassurance. I will be here at the invitation of the committee for the time allotted and as your schedule dictates.

Mr. Iwanchuk: — Now following that, would there be a report of the minister as well, or would they just simply . . . What would happen? Could you sort of take us through some of the steps that you foresee after all the committee work is completed?

Hon. Mr. Norris: — And again certainly not my intention to, you know, affect the committee, the committee will do its independent and important good work. But my sense is that the committee will likely provide — and I don't know the appropriate term — some kind of report or summary or summation of stakeholder views. Certainly we within the ministry and specifically myself would welcome receiving that kind of report. I use that with a small "r." And then from there would be in a position to respond to the committee's report. And I envision, again I would envision that at least a portion of the five hours that have been allocated could go towards a dialogue in and around that iterative process. But again we're here to help facilitate this process, and we'll take direction from the committee on this.

Mr. Iwanchuk: — But the Bill would be put forward in the fall sitting of the legislature.

[16:30]

Hon. Mr. Norris: — Well if I may, Mr. Chair, I think this is relevant, and I don't want to unduly take up the time of the committee, but there has been an agreement between House Leaders, and it's probably worth for the record going through.

On March 11 this is addressed to — and again I'm just reading the letter, not to refer to names — it's referred to the MLA for The Battlefords, Mr. Len Taylor. It's from our Government House Leader, our Minister of Finance, the Hon. Rod Gantfoer. Public hearings on Bill 80, *The Construction Industry Labour Relations Amendment Act, 2009*:

Dear Mr. Taylor:

As suggested during the technical briefing on Tuesday, March 10, 2009, it is the government's desire to proceed with public consultations on Bill 80 through the Legislature's Policy Field Committee on Health and Human Services.

To this end, we propose that we provide [that is, the government provide] Opposition Members with 5 hours of time in Adjourned Debates during the spring sitting with the agreement to move it to committee prior to May 14 [that is, prior to the end of this session that's under way]. Further, we are agreeable to a total of 10 hours of committee work inter-sessionally, divided equally among proponents and opponents of the legislation . . .

Again the intent here, and my editorial, the intent here is to canvass a broad spectrum of views from across the province. And I'll resume:

. . . to enable public consultations to take place. An additional 5 hours for consideration by the Human Services Committee would provide a total of 20 hours on the bill.

As members of this committee are familiar, that's kind of a minimum requirement as I understand it. I'll quote again:

It is our hope that once the 20 hours have been fulfilled, that the Opposition would agree to have the bill come to a

vote in the 2009 fall sitting of the legislature.

Thank you for your consideration of this matter. I look forward to your response.

And I won't read in detail, unless asked specifically to, that there has been a response, and it's my understanding that that was agreed upon, that it has indeed been agreed upon that it will be during the fall sitting of the legislature 2009 that this matter will be voted upon. And that's been an agreement put in place, it's my understanding, between our respective House leaders.

Mr. Iwanchuk: — I guess I was wondering if the committee was giving direction to withdraw the Bill.

Hon. Mr. Norris: — Well I would obviously . . . One voice does not a committee make, and you know, certainly I'd be a little surprised.

Mr. Iwanchuk: — Well we're all here to listen to the public, and at the end of the day, anything's possible I guess.

Hon. Mr. Norris: — But you know I'm glad you asked about that because it provides me an opportunity to highlight the response by Canada's largest union. The CEP [Communications, Energy and Paperworkers Union of Canada] has turned and, if I have the quote correct from the news release, suggested this is a giant step forward for the province of Saskatchewan in modernizing *The Construction Industry Labour Relations Act*. So again there will be a full range, and I'm sure extensive opportunity to hear that range of views by this committee. I'm not in any way going to prejudge what will be heard or what won't be heard. All I'm going to say is certainly we've heard from a broad range already and happy to report that has been well received in various quarters.

Mr. Iwanchuk: — Okay, thank you very much. I'd just like to move to the Labour Relations Board. I have a few questions there, and here my question is how many certification applications are before the board? But really what I would be trying to get to is how many certs under the new legislation and how many votes have been held to date under the new legislation.

Hon. Mr. Norris: — I'll give specific reference to . . . just for context, it's fiscal year '08-09. And there have been 33 applications, and we can walk through. I mean I think 18 certifications were granted and 6 were dismissed, and of those, 12 out of the 18 have been votes. Mike, I'll tell you what; just why don't you run through the numbers.

Mr. Carr: — Sure.

Hon. Mr. Norris: — And that way we're crystal clear on where we are.

Mr. Carr: — Thank you, Minister. In response to your question, there were 33 applications for certification addressed by the Labour Relations Board in the last fiscal year. Eighteen of those certifications resulted . . . in six, the application was dismissed; and in six, the application was withdrawn; and in the final three, they were adjourned by consent of the parties. So of those 33 applications, 12 matters were resolved by votes.

Mr. Iwanchuk: — So the breakdown then, how many were successful out of those 12?

Mr. Carr: — I'm advised that 9 of those votes were successful.

Mr. Iwanchuk: — Do you have any idea how long the process takes now between the application for certification until a vote is held and/or until the final certification is granted?

Hon. Mr. Norris: — While we're getting some of the specific information, ballpark is about 30 to 35 days on average. But happy to report, as currently constituted, the LRB is doing its work with a steadiness and consistency that was a long time coming. We'll get you the specific breakdown. It's somewhere 30, 35, 40 days.

Mr. Iwanchuk: — Now do you have a breakdown of the number of cases and the type of cases that are before the board?

Hon. Mr. Norris: — We'll get some clarification here. Do you mean currently before the board or that have been processed over the course of the last year?

Mr. Iwanchuk: — Sure. Over the course of the last year is good. I think I wanted to also get more specific because there are obviously some cases that have been solved and then the breakdown is just to the type of case.

Hon. Mr. Norris: — Sure. Two hundred and six for '08-09, and we'll just, Mike, I'll tell you what. Why don't you just read through? What I will say is, these are preliminary. As you know, one of the requirements now is an annual report of the Labour Relations Board; I'm pleased with that. And so the final numbers are actually going to come out in that annual report. But we have some, if I can categorize them, we have some interim numbers.

Mr. Carr: — Thank you, Minister. Of the 206 applications received in '08-09, 33, as I mentioned earlier, were certification applications. Forty-nine were unfair labour practice applications. Nine were reinstatement applications. Eleven were monetary loss applications. Five were interim applications. Thirteen were applications to amend a certification. Nine were applications for rescission. Two were for an exclusion or a removal on religious grounds from a bargaining unit. Eight were applications for reconsideration. One was a reference of dispute application. Thirty-nine DFR [duty of fair representation] applications were filed in the past fiscal year. One first collective agreement application was filed. Twelve transfer of obligation or sale of business applications were heard. One related employer application was brought forward, and 91 transfer of bargaining rights applications were brought forward as well.

Now in terms of the dispensation, there are four categories the board is tracking. One is the application is granted. Second is the application is dismissed. Third is the application is withdrawn, and the final is, it is adjourned with consent of the parties *sine die*.

In terms of the certifications, 18 of those applications were granted. Six were dismissed, and six were withdrawn. Three were adjourned by consent of the parties. Forty-nine unfair

labour practice applications, of those eight were granted. Eleven were dismissed. Twenty were withdrawn, and 10 were adjourned *sine die*. Reinstatement applications, nine were heard. Six were granted. Two were dismissed. One was withdrawn. Monetary loss applications, six were granted. Two were dismissed. Two were withdrawn, and one was adjourned.

In terms of the interim application, there were five applications. Four were granted. One was dismissed. Applications around amendments of certification order, here were 13 applied for. Nine were granted. One was dismissed, and three were adjourned. Applications for rescission, nine applications were made. Four were granted. Four were dismissed, and one was adjourned *sine die*.

Exclusions from the bargaining unit, there were two applications — one was granted and one was withdrawn. Reconsideration applications, as I said, eight were filed. One was granted. Six were dismissed, and one was withdrawn by the party. Reference of dispute, there was one application and it was granted. Duty of fair representation applications, 39 were made. One was granted. Twenty-nine were dismissed. Six were withdrawn, and three were adjourned *sine die*.

One application for first collective agreement was made, and it was adjourned. Transfer of obligations, there were 12 applications. Eight were granted. Two were dismissed. One was withdrawn, and one was adjourned. The related employer application, there was one application made and it was dismissed. There was a transfer of bargaining rights application made in 91 cases, and in 91 cases they were granted.

Hon. Mr. Norris: — If I could, Mr. Chair, I would just like to put a small addendum. The 206 that stands, those are applications that the LRB received in fiscal '08-09. I guess without putting too fine a point on it, there were some outstanding.

Mr. Carr: — That's correct.

Hon. Mr. Norris: — And so the actual decisions are 289, but with reference to '08-09 new cases — and I think that was the spirit of the question — that gives you a bit of a breakdown.

Mr. Iwanchuk: — Thank you. Now what has been the budget increase since the new board was put in over that time period?

Hon. Mr. Norris: — The budget allocation was for '08-09 just under \$1 million, 964,000. Now it's just up over \$1 million, and percentage increase at 3.8 — 32,000 negotiated salary increases and 5,000 funding to support attendance regarding related conferences. So I would say a modest increase.

[16:45]

Mr. Iwanchuk: — But also including the first year, there were some additional costs for the Chair, I understood, in the first year of operation of the board. This was 3.8 for this last year. My question was since the date of the new board.

Hon. Mr. Norris: — Okay, sure. And again we'll have to come back to this: '07-08, \$879,000; for '08-09, \$964,000; and now it's just up over \$1 million. Are we capturing . . .

Mr. Iwanchuk: — And then just a couple of quick questions, and then Mr. Forbes would like to ask a few. The number of sitting days in this last fiscal year of the board?

Hon. Mr. Norris: — We'll get you that. I think the breakdown, that'll be helpful. It's reflected in the numbers that we've just given you. If I'm not mistaken, 206 new, '08-09. That will probably be helpful. And then we'll make special reference to those that were carried forward and that way you can see the new cases and as well as those.

Mr. Iwanchuk: — Okay. If there's any way to get a cost per day of sitting, I'm not sure if you're able to do that.

Hon. Mr. Norris: — Well I think that's where the relevance, frankly, of the cases that were carried forward is going to be very helpful.

The Chair: — Mr. Forbes.

Mr. Forbes: — Thank you, Mr. Chair. And just a couple of quick questions. But one related to the LRB, and that's the record-keeping system, the archaic system. How's it going? We talked about this last year. Is this getting updated?

Hon. Mr. Norris: — We'll get you an update on that here on the work in progress. No, you're right. And I appreciate the question because it is — I think we can just euphemistically say — it's outdated; I think closer to being antiquated. But, Mike, can you give us an update on where we are in moving forward on that?

Mr. Carr: — Certainly, Minister. We have, through the board, tested a system supplied by a vendor. That work is ongoing even as we speak. There are some concerns about what was delivered off the shelf as to whether it would meet the unique requirements of the Labour Relations Board, so that has resulted in some discussions. But we are quite optimistic, Minister, that this year we will come to a decision point and move forward on automating that system.

Mr. Forbes: — What's the estimate of it? What would be the general ballpark figure you're thinking this might cost?

Hon. Mr. Norris: — My sense — and I hope the members of the committee will give me some latitude on this one — ballpark right now, somewhere between 75,000 and 250,000 somewhere.

Mr. Forbes: — Okay.

Hon. Mr. Norris: — So I think it's even more reasonable than we had first anticipated. I guess it depends if it needs to be customized a little bit or not. But my sense is the investment will be, on a relative scale — I mean we all know that \$75,000 is a lot of money — but on a relative scale, to update this, I think a range between 75,000 and \$200,000 would be deemed probably reasonable if we can get that done for that.

Mr. Forbes: — I would just encourage you. That's a pretty reasonable amount; I was prepared to hear \$1 million. And so I think that in terms of efficiency and accuracy, it's a huge thing and it's important. So I think that's a critical piece.

The other question I have is around the Status of Women office. And as the critic . . . Well, two things. One, as the critic for CBOs [community-based organization] but also the nature of my own riding in the core communities of Saskatoon, I had the good fortune of meeting with the Elizabeth Fry folks. And of course they were concerned around issues that may seem more appropriate with the other ministries, particularly around foster care and around corrections. But as we were having a good discussion, and it's something that I've learned an awful lot of how important the work that that group does, that we realize that they really connect with a lot of other different ministries, you know, whether Employment, Corrections, Justice, Social Services.

And so I didn't realize — and this is something that is, I think, as MLAs [Member of the Legislative Assembly] we all get to know this area more — but they pointed out a fact that women, if charged with the same offence as men, are more likely to go to jail and for a longer period of time. And so there's really issues here. And of course the impact on our communities is huge, particularly around the strength of the family.

And they did want to say, and I don't know if they do actually get a grant from the Status of Women for International Women's Day, but they need support throughout the year, and they look forward to working with the Status of Women. And I don't know where your office has made any contact with them or if there's services that would be appropriate for them to contact your office. If the official would comment on that, I'd sure appreciate it.

Hon. Mr. Norris: — What I'll do is — and I won't take long on this — I would just like to introduce Pat Faulconbridge. Pat is doing very impressive work and important work with a focus across government but also with external stakeholders.

The editorial comments, and I'll keep these very brief. I'm conscious of the time, and it's worthy of a lot more time. Just last week, I was the honour of representing Saskatchewan during the national federal-provincial meetings regarding the Status of Women. And, Pat, you were there.

You know, the point you raise — absolutely valid. I've had the opportunity myself in some of my previous work to work on gender equity issues regarding Canadian foreign assistance. And that provides a lens, again, that is once both local and global.

A reference point that I often use is the work of Professor Eric Howe. The University of Saskatchewan has done some work where statistically, and it is very troubling statistically when we think about a First Nation or a Métis woman who may not have the opportunity to graduate from grade 12, and statistically that person would make less than \$100,000 in her life. And I think it goes to your point.

Pat, I won't, again not for lack of interest . . . Actually I hope we revisit this in some of our future meetings because it's really worthy of time. But, Pat, why don't we give you a few minutes to respond.

Ms. Faulconbridge: — I missed the name of the group of women that you were meeting with.

Mr. Forbes: — Elizabeth Fry.

Ms. Faulconbridge: — We are just in the process of a round of consultations. We've been doing consultations in different venues, individual, meeting with different groups, and now we're bringing a group of regional consultations together — one in Saskatoon on May 1 and one in Regina on May 5. And Elizabeth Fry is one of our stakeholder groups that's been invited to the round of consultations.

Mr. Forbes: — That's great to hear. Because I mean I think that sometimes . . . And I don't understand, you know, there's so . . . You know, as the minister's pointed out, 800 CBOs doing good work in the communities, and so to keep track of the roles. But it's what keeps our fabric strong.

But there's some issues. And one, you know, that I know that they've talked about and the Minister of Justice has talked about — the remand issue. Yet the services in that remand period of time are so important in terms of making the most of the time that you have access to services. It's an opportunity.

So with that, I see that the time, Mr. Iwanchuk, I think I'm pretty much at the end. Those were my two points.

The Chair: — Mr. Iwanchuk.

Mr. Iwanchuk: — Just a couple questions that I skipped over; I didn't know how much time I would have. Is there any intention of creating a student minimum wage or any intention of decreasing the existing minimum wage?

Hon. Mr. Norris: — You know, it's a fair question. We've had a couple of stakeholders talk about . . . or a training wage. Sometimes reference is made to that. And I wouldn't want to be categorical, but I would say, you know, certainly unlikely is how I would term it. But certainly that review is ongoing. As I say, the Minimum Wage Board will be forthcoming later in the year with some recommendations. And you know, certainly we'll see what recommendations those look like.

Mr. Iwanchuk: — Just one final question. In terms of the WorkSafe Saskatchewan, the type of programs that they're embarking on, who they're targeting, are they going into schools?

Hon. Mr. Norris: — Sure. I'm a little bit conscious of the time. Mr. Chair, if we can take a few minutes extra, it's actually worth . . . Pat, thanks very much. We'll have Mike Carr come back.

As a quick preamble, I joined my colleague from Saskatoon on Saturday evening, and we were both present at an event for the Saskatchewan Brain Injury Association. And you know, I was there wearing a couple of hats, and one on behalf of my colleague, Ken Cheveldayoff — does great work with our Crowns and SaskTel was one of the specific sponsors — but tucked on the back page is reference to his support as well of WorkSafe. And so it's that kind of community engagement as well as some of the specific initiatives that are under way that I think really help to reinforce the partnership that WorkSafe represents between the WCB and the work that's under way within the ministry.

Again on that, I'll keep my comments quite brief. Mr. Carr, why don't you just highlight briefly some of the key elements.

Mr. Carr: — Certainly within the MOU [memorandum of understanding] with the Workers' Compensation Board we're quite excited about opportunities to develop a single provincial strategy on accident and harm reduction within the workplace. One of the upsides of that is recognizing that we need to work to ensure that youth are ready for work. And so there's a lot of work being done around ensuring that when a young person enters the world of work, they have an understanding of not only their requirements on the job but also their rights as well as their obligations when they take on employment.

So there's a variety of pieces that are going to come together around focusing on a single provincial strategy to reduce our injury experience. And the work that we contemplate operationalizing with the MOU, in concert with the Workers' Compensation Board, is going to see us engaging in a variety of identified workplaces, asking to provide good information in that workplace around how work gets carried out, talking to employees and the employer around what assistance can be provided to ensure that they have a good functioning safety program in that workplace. And so there's that piece of that as well.

But I think the important aspect to highlight goes back to work readiness and this idea again of trying to ensure that when we look at people who are challenged in terms of barriers to gaining employment, that we are able to ensure that they have an understanding of what the world of work brings and an appreciation for what expectations employers will have of them. And at the same time, work with employers so there's an assurance that those individuals are well trained and well able to undertake the work safely in the workplace where they've become employed.

Hon. Mr. Norris: — You know, I look forward to spending more time on it. It's an important subject.

The Chair: — Seeing that it is now 5 o'clock, before the committee recesses, I would like to thank the minister and his officials for appearing before the committee, and this committee will recess until 7 o'clock.

Hon. Mr. Norris: — Thank you, Mr. Chair, and committee members, thank you for the opportunity, and especially for the support staff as well. Thank you.

[The committee recessed for a period of time.]

[19:00]

The Chair: — Good evening. I'll call the Human Services Standing Committee back to order. This evening we have a full agenda. We will be considering the 2009-10 spending estimates for the Ministry of Education, vote 5.

**General Revenue Fund
Education
Vote 5**

Subvote (ED01)

The Chair: — We have the minister and his officials here with us. We will do that; we'll look at the estimates from 7 till 9 p.m., at which time we will take a short recess, and then we will continue with consideration of Bill No. 67, *The Education Amendment Act, 2008 (No. 2)*. Upon completion of Bill No. 67, we will then proceed to considering Bill No. 79, *The Education Amendment Act, 2009 (No. 2)*. So that is our agenda for this evening.

Before I proceed any further, I should just note that Minister Krawetz has provided some follow-up information with regards to some of the questions that were asked in our meeting of April 6. I believe all committee members have copies of the information provided, and I'd like to thank the minister for that additional information.

I would also note that we have at least one substitution, and I'm guessing probably a second one: Mr. Wotherspoon is substituting for Ms. Junor and I believe Mr. McCall will be substituting for Mr. Broten. Am I correct?

A Member: — Indeed.

The Chair: — So with that, this is, I believe, the third appearance by the minister and his officials before the committee in consideration of the spending estimates of his ministry.

Minister, I would ask if you have anything that you would like to add. I know you made an opening statement when we first looked at the estimates. If not, I would then just ask you to introduce your officials, and then we will open up the meeting for questions from committee members.

Hon. Mr. Krawetz: — Absolutely. Thank you very much, Mr. Chair. No, there's no need for any additional comments. We want to spend as much time as is allotted on questions. But I do want to introduce the officials that are with me this evening.

On my right of course is Audrey Roadhouse, deputy minister, and on my left is Helen Horsman, assistant deputy minister. Seated behind me is Dave Tulloch, with finance; Rhonda Smysniuk, Lois Zelmer, and Clint Repski. And then in the next row behind them, in no particular order, is Rosanne Glass, Doug Volk, Maureen Johns Simpson, Angela Chobanik. And then I think in the next row, hopefully they're all there, Margaret Ball, Sue Amundrud, Joylene Campbell, Terry Myers, Darryl Hunter, Elaine Caswell, and Gwen Mowbray from Public Service Commission as well. So those are the officials that will assist in providing answers to you and to committee members, Mr. Chair.

The Chair: — Thank you, Minister. I would now open the meeting for questions from committee members. Mr. Wotherspoon.

Mr. Wotherspoon: — Thank you, Mr. Chair. I thank the minister and all the officials on what is a beautiful evening in Regina here tonight. I guess I'll remind everyone who's seated here that it's certainly the minister who booked this time here tonight.

I would also like to thank the minister and officials for

providing the follow-up to the questions with regard to the Reiter report and the consultation that is helpful and appreciated.

And I think tonight we might start off with some comment and question around child care spaces. Certainly we know that child care spaces are in ever-increasing demand in our province, and that not filling those spaces or not providing those spaces has huge implications for both our economy and the well-being of our communities and individuals who are trying to access education and the workforce. And so I preface it that way, just noting the importance of continuing to move on this file.

Certainly we do see some movement in the budget, but I'm interested in some specific pieces here tonight. Last year 500 spaces were announced in the budget. I know that it has taken some time to get those up and operational, for some of those anyway. If the minister could provide to this committee, out of those 500 new spaces that were announced in last year's budget, how many are online at this point?

Hon. Mr. Krawetz: — Thank you, Mr. Wotherspoon, and to you, Mr. Chair. There's a lot of information to be provided here. And I'm going to try to summarize where we are with spaces because you have to remember that we also had some additional spaces that we are allocating from the previous announcement of the additional 500 spaces that we received money from the federal government.

So our goal of course is 10,400 spaces, and I can tell you that we have in operation or very close to being in operation about 9,738.

Now we have a list of 213 spaces that we anticipate will open any day — in the spring of '09, I guess, is the best way of describing that. And I can tell you that there are, very quickly, 45 spaces in Fairhaven School in Saskatoon, 50 in Lester B. Pearson in Saskatoon, 50 in Yorkton at the Community Connections Inc.— and I think the grand opening there is any day now — 25 spaces in Frontier, 28 spaces in Foam Lake, and 15 at Hope's Home in Regina. That's the total of 213 that will open this spring.

We're anticipating that by the fall of 2009 there will be a further 174 spaces that will open, and those will be over the course of the summer and the fall. They are: 15 spaces in Montmartre, 30 in Gravelbourg, 30 in Kipling, 41 in Birch Hills, 28 in Esterhazy, and 30 in McLean. And I think many people were able to see the article in the newspaper on the daycare in McLean.

Beyond that there are another 186 spaces that are delayed. And they're delayed due to, most instances, school construction — and I did make some comment on these before — and those spaces are: 50 for Mount Royal in Saskatoon, 50 for St. Michael's School also in Saskatoon, 50 for the Saskatoon Open Door Society in the Queen Elizabeth School, and 36 spaces allocated to Nipawin, pending renovations to the Comprehensive.

Now that means also, on top of that, there are 30 spaces in Vanscoy. Now the difficulty there is nothing to do with the daycare; it's the town project which is water and sewer repairs

that are necessary before that building can begin. And the other one of course is the Buffalo Narrows project in the North now with the co-operative project with the federal government. There's 21 spaces there. So that makes for a total of 10,362 that we anticipate will be up and running.

Now, Mr. Chair, the numbers change because we have licensed homes also that are in and out. We have had, over the course of the winter, we have had some homes that have withdrawn from provision of daycare. And then we're trying to find new ones to take up the spaces that become available, and that has meant that we have had some loss. And I can tell you that we had 35 new homes licensed in the province in '08-09, and there were 43 licensed homes that closed. The end result was we lost about 199 spaces in total. And we're working with the different communities to try to find different people to take on those responsibilities and move us back as close as possible to 10,400.

Mr. Wotherspoon: — Thank you, Minister. Just looking at these numbers then, the 1,000 that were announced in this budget year, are those in addition to the 10,400 then? Is the number automatically or the goal then becoming 11,400?

Hon. Mr. Krawetz: — Yes, good question. Mr. Chair, the announcement in this year's budget is to add an additional 1,000 spaces. So Mr. Wotherspoon is correct in saying that our goal of course is 11,400, and we have that process under way right now. There are communities that are contacting our officials. They can go on the website. They can submit requests through the regional office. And we hope that there is an uptake of the 1,000 spaces.

We do know that of course, with the allocation of capital dollars as well as training dollars, one of the difficulties that we're hearing about in most parts of Saskatchewan is to be assured that there are trained people to provide those services.

So that is a process that is begun already, and we hope that we will see the fruits of that very quickly as we have heard from many people about the desire to have additional spaces, whether they be here in Regina or in Saskatoon or in other communities, bedroom communities near the cities. We know that we have to address that. And we have 1,000 spaces to allocate, and we hope that there will be great interest.

Mr. Wotherspoon: — It's concerning to note that, as we sat in this committee this time last year or thereabouts, that the goal was 10,400 spaces to have online, and that was what was to have been achieved with the 500 new spaces that were being announced in last year's budget. We've gone through an economy that's both needing of labour but straining on individuals and families with the cost of living — an entire year — in a year that quite frankly has provided provincial treasuries with an unequalled opportunity to address significant issues.

And I know there's some challenges in bringing these spaces online; I recognize that. But I also know there's challenges for the many, many, many families that are waiting for child care spaces and that act as a complete barrier for their quality of life to be enhanced through accessing that education or the labour force. I know there's hundreds of students right now in limbo — the University of Saskatchewan for example — that are on

wait-lists waiting for child care spaces. That's concerning. And I know if we — each of us in every one of our ridings, both sides of the House — did a little bit of a check-in with our daycare, child care providers, as I'm sure we have, there's huge wait-lists.

So it's concerning that last year there was a commitment to have 10,400 spaces — a trumpeted announcement of 500, an unequalled opportunity — and in the end we're short 662 spaces from that goal that was committed to at this table last year. So to be talking about new spaces, these 1,000 which I certainly have some more questions about, is one thing, but it's concerning about how do we actually address this issue in getting spaces online. Does the minister have any comment to this?

Hon. Mr. Krawetz: — Well I guess my comment, Mr. Chair, would be, you know, we can't control existing homes that closed. And I did, in my comments that talked about why we're not seeing as great an uptake, when I indicated that 43 licensed homes had closed, I can tell you that of that 43, 10 were in the city of Regina and 22 were in the city of Saskatoon.

Now there's various reasons for closure — you know, family reasons, sometimes the people decide to work in a different school, sometimes they themselves decide to go to school. We've had in fact some instances where there's been non-compliance with regulations. There's been retirement. There's been illness. There's been death. There have been decisions to convert to unlicensed homes. So those are decisions that are made by the people that are providing child care.

Now in terms of why we haven't seen a far greater interest, there are various factors. And I've identified some of those in certain communities — as I indicated in my comments, the article in the newspaper about the community of McLean, very near to Regina. They're very excited about the potential and they're using volunteer labour. They're doing construction things at the site so that they can have their daycare as soon as possible. And for them probably yesterday was the goal, but that's just not happening.

So there are various, you know, contributing factors to why we don't have all, each and every one allocated. I mean we have to remember that we've tried to allocate a lot of spaces in the last little while. Now I think there's a growing trend in communities that they feel that they can provide a day care, and there are entrepreneurs out there who are looking at these challenges and are looking at the potential of providing a day care service. As indicated, they can apply through the regional office. They can put forward their proposal and we're starting to see that in many areas.

[19:15]

I can also add, Mr. Chair, that the response thus far . . . And these are at various stages of development, these are still requests that haven't even, you know, reached stage one where we have already some requests that are at the point of having their facility analysed and assessed. I'm told by my officials that we have about 2,000 requests. So our temporary shortage to get to 10,400 plus our additional 1,000, I would hope that if our

projects go well — and I'm now talking about renovations at schools and construction at schools and all of the requirements necessary to ensure that the capital requirements are met — if all of those things proceed on target, I'm sure that we will be short spaces very quickly.

Mr. Wotherspoon: — I just note the concern that we sat here last year, had a commitment of increasing 500 spaces to 10,400 and as we sit here today, we actually have a shortfall in meeting that goal of 662. And I know there's lots of external factors here, but part of the role for government is to respond to the many pressures and dynamic changes within our place whether that's our economy or otherwise. But if I look specifically at one item or one piece of funding here — and that's funding for new spaces and the infrastructure piece or the capital aspect there — can the minister clarify if that is still at a maximum of about \$3,000 or has that been increased per space?

Hon. Mr. Krawetz: — Mr. Chair, I can indicate to committee members that the former number of \$3,000 was increased by adding an additional 12 per cent to that number. So we are currently, for those new entries into the pool as they make their submissions for the new child care spots across the province, those thousand, they will receive \$3,360. That's the 12 per cent on top of the 3,000. So that's the monies that will be allocated for capital. And if there are situations where the project is within a school setting and the school setting needs some renovations to accommodate a day care, we have within the facilities portion, we have a range of 300,000 to \$500,000 that can be provided to the school division to assist in the renovations and capital requirements at that school setting, and that's beyond that number of \$3,360 per space.

Mr. Wotherspoon: — Thank you, Minister. When I look at that number of 3,000 and then the increase of 12 per cent, it still seems that — wanting to look at this from a constructive aspect of what's part of the challenge here and getting these new spaces online and addressing the needs that exist there — \$3,360 for the capital needs of a new space seems rather nominal.

And if you think of — again, and I think I'm on record about this time last year using almost a similar comparison — but if you're looking to open up a new facility with, well you just used the number of 50 spaces for example. You're accessing about 150 or in this case maybe \$165,000. Well 50 spaces requires a pretty significant facility, and I know if we're trying to do that in most parts of this province and not just our cities, Regina and Saskatoon, but our small urbans and towns, there's a big cost to bring forward the kind of facility that would be required for a 50-space child care facility. So the number seems, quite frankly, extremely low to really address the real need. And these are costs that are borne one time to have those doors opened to facilities, and I think it would be really worthwhile to consider addressing that pressure.

Looking at sort of the laundry list of stated challenges that the minister provided of why last year, when we were supposed to be bringing 500 more spaces online, that we actually went backwards, I look to, in talking about some of the numbers where we had maybe 10 providers close down in Regina and 20, I believe 20-some in Saskatoon — I wonder if the minister or if his staff has identified sort of a dominant trend that is

causing providers to step out of providing child care, if there's been a bit of an analysis on why individuals and why providers are leaving. Is it a funding challenge, and in what way?

I know, chatting with folks up at the Argyle Park daycares and in Regina here where two daycare centres went down, in just on a very surface level piece, it seemed that it came down to the provider not having comfort with the financial circumstance through rates that they were being provided, but it was a very nominal amount of money that ended up severely affecting many, many families' lives. So I guess the question, have you done any sort of analysis and have you been able to pick up on any trends?

Hon. Mr. Krawetz: — Yes we have, Mr. Chair. I can tell you that the 43 closures can be attributed to a variety of reasons, including family reasons, eight; to work in a different field or attend school, ten; non-compliance with regulations, five; retirement/illness/death, five; to convert to unlicensed, five; and relocation meaning moving away, three. So there isn't one particular reason why a daycare decides to close.

Usually when — you know, across the country — when economic conditions improve, care providers look for different economic opportunities. And in many instances some will choose to do something different than providing daycare, you know, which is a difficult task and financially there are concerns all the time. I think the member pointed out some concerns in a few of the daycares where there were things like arrears that had been not collected. Those become part of running the daycare and ensuring there is a positive situations.

But we didn't have a request from the Argyle centres that the member mentions for additional funding. Their decision was that they wanted to move to something different and chose to do so. So that's why the allocation of the 60 spaces that became free were done to still provide those spaces. Plus we allocated, I believe, 15 more. So we allocated a total of 75 spaces that had become available as a result of those changes.

Now some of the other comments, the initial comments, were made about the amount of money that is provided for capital, you know, \$3,000 per space. You know, if we use 33 bed space, I mean you're getting \$100,000 for that many day care spots. I do want to inform the members that this number of 3,000 was \$1,000 two years ago. And it was changed from 1,000 to 3,000. So we recognize that there's always a need to provide capital dollars. And if you check with any community, they will tell you that they want more dollars for capital.

And there have been some very creative decisions at all communities. I had the opportunity to be at the official opening of the Strasbourg day care centre just a couple of months ago. And I was in awe of the facility, number one. Number two, sort of the summary given by the board of directors' chairperson — and in fact the mayor of the community of Strasbourg — on how the community came together . . . and they put in, you know, literally thousands of additional dollars gratis, in lieu of because they didn't charge for labour. They didn't charge for, you know, plumbers didn't charge to do the plumbing work in the building and so on. So there are many communities that understand that they want to have a day care centre, and there are volunteers that get together to ensure that that happens.

As I said, we've increased the amount to 3,000 just a couple of years ago, and today now in this budget we've added an additional 12 per cent. So we are providing over \$3.36 million to capital projects that will be able to ensure that those thousand spaces are created.

We also provide start-up grants, one time start-up grants. And for this budget, we've allocated \$861,000 for start-up grants, and that will assist all of those new homes to help them in purchasing equipment and ensuring that their supplies are there ready to go.

Mr. Wotherspoon: — The minister identified some creative work within communities, and certainly there's no shortage of that within our province, and certainly it's desirable to engage community to see how we can address the real important challenge before us that quite frankly hasn't seen progress despite much mention and much fanfare. And I think we could go back and see the number of announcements that were made through the last calendar year. But in the end, we had a net loss not a net gain, despite a 500-child care-space announcement last budget, and I think that's shameful.

And so we can talk about how creative communities can be — and certainly I believe that, and I know that of Saskatchewan communities — but I also think there's a role for extreme leadership and important leadership from the Ministry of Education or Minister of Education on this file.

Looking at the Argyle Park closures more specifically, I'm wondering what the role for the minister's office or the ministry was in providing those families the support they needed to transition in a very short order to spaces. I wonder if a hand was reached out and if families were supported, because I know there was lots of stress and crisis for many families facing that challenge.

Hon. Mr. Krawetz: — Thank you for that question, Mr. Wotherspoon. I'm going to ask Lois Zelmer to respond because I personally was not in discussion. And I know that ministry officials were, and she can give you an up-to-date as far as discussions that were held with different parents.

But I do want to get back to this notion that one year ago we were sitting there ready to implement 500 spaces, that all of the spaces were allocated. I can tell you that year ending March 31, '07 — okay, so that's about seven months before the last election — there were 8,850 spaces that were being considered or were in operation; 8,850. So when we look at the total amount of spaces from 8,850 to get to 10,400, I think the members on the committee can clearly see that, you know, that's a pretty big gap. That's a pretty big gap that we were trying to look at, to get into place.

And when I became minister in November '07 — I guess it is November '07 — we were still looking at literally nearly thousands of spaces. We were well over 1,000 spaces that were not assigned. So it was a tough task. And I daresay I don't have the number exactly with me as to the number of spaces that were fully operational a year ago today or a year ago whenever we had estimates, Mr. Chair, but I can tell you they were far less than the 500 that we allocated to get us to 10,400 — far less. There have always been, there have always been a backlog

of trying to find spaces, trying to find communities, trying to ensure that we move forward.

[19:30]

So I hope I've clarified that for the member because his suggestion is that, you know, we were sitting on 9,900 spaces a year ago at this time and we were ready to move the 500 into place. And I've identified many different communities that are either hopefully going to open in the next couple of months or maybe this fall. But we clearly have had far greater numbers that were not assigned, that were not in place a year ago.

And I'll ask Lois to comment on the contact with parents from the Argyle centre.

Ms. Zelmer: — Well there were the two centres that the community clinic chose to close. And through the regional staff, the parents of children in those two centres were made aware of the new openings at the Y [Young Men's Christian Association], and they were invited in fact to a parent night at the Y and given a priority for taking a space there, should they choose to do so.

Some of the parents were primarily interested in before- and after-school care, and again the regional consultant worked with the local schools and with those parents, and there were also some contacts made with respect to family homes. There was a family home with spaces across the street from one of those centres, or from the school, rather, the centre was serving and the parents were lined up with an opportunity to use those spaces.

Mr. Wotherspoon: — Thank you. That was certainly my impression. I know that the minister, I believe, had made comment that the ministry was working with families to make sure that there was no shortage.

I guess I'll highlight a circumstance though. Two weeks prior to the actual closure of Argyle Park daycare, I was contacted by a constituent with a nine-year-old son with Asperger's who was in a desperate need to find child care placement, hadn't been successful in the transition that had gone forward, and was sort of at wit's end as to being able to retain her employment and in planning in very short order for what could be a very significant change in her life or their life and certainly her son's life.

I know immediately receiving this contact and meeting with the constituent, we put forward a letter just simply requesting to the Minister of Education, simply requesting the minister to work with this young lady and her son. And unfortunately there was no contact until two days prior the actual closure of those child care facilities, with follow-up contact from myself as MLA a week later to see if there was any progress. Luckily this individual was resourceful and found an in-the-community support that could take her son, and thus far it's working out just fine. But I'm just looking, I guess, to the minister if he has any comment on this particular case and a bit of a disconnect with what's been shared.

Hon. Mr. Krawetz: — Mr. Chair, I don't want to get into the specifics of an individual case. That is just not a practice that we follow: discussing the circumstance of an individual. I can

tell the member that the contact was made by an official from my ministry. The contact was continued. The degree of need by the individual determined the availability of space, as to whether or not that child could fit. So there was constant discussion. And the member is correct. Through resourcefulness of the individual, with also some assistance from the ministry, they were able to find the space that could deal with the needs of that particular individual.

Mr. Wotherspoon: — Thank you, Minister. Looking at the thousand new spaces that have been announced and recognizing the number of other ones that need to still come online, I'm I guess concerned. And I guess I have the question of why there hasn't been an increase to the subsidy that comes from the Ministry of Social Services as it pertains to child care spaces. My concern would be, well I guess it's two, and I guess I ask the minister to clarify it. Is it that the new spaces that have come online aren't subsidized spaces, or is it that the minister has no intent of having the spaces online prior to the end of the calendar year?

Hon. Mr. Krawetz: — As I indicated, Mr. Chair, my official has indicated that we have about 2,000 requests right now at various stages. Spaces are all eligible for subsidy, and whether or not the Minister of Social Services decides to change the subsidy rate, that will be something that the Minister of Social Services will deal with.

But we clearly want to ensure that we can meet the needs of as many people as possible. That's why we've added 1,000 spaces to the system. And I look at the numbers again that we're working with, and we're not in the ballpark as far as our neighbouring provinces in terms of the number of spaces, but we also have, you know, a bit of a deficit here. When you start to look at, you know, March of 2007 and you have 8,850 spaces allocated for a province of over one million people, or not quite one million people at that time, that's just not nearly enough.

So now this government and our ministry has placed an emphasis on child care. We're trying to address the goals of many, and I think it's common knowledge that with a growing economy comes needs. And one of the needs of course is that for people, especially mothers in this case, to become active participants in the economy, they need to have day care spaces because it's not always easy to find a grandma or an uncle or an auntie to look after children. So we need to address that, and we're trying to do that with the addition of 1,000 spaces this year and 500 last year. That's a pretty significant change to the province from where we were a short 17 months ago.

Mr. Wotherspoon: — As it relates to the Social Services subsidy then, we're bringing these spaces online. There's been no increase in the dollars being spent through the Ministry of Social Services to support these spaces. I guess my question would be, last year in the calendar year '08-09, there must have been a surplus left in that account based from what was budgeted and what was actually spent for that subsidy. I'm interested what that amount is and what it was used for if it was still spent within the field of child care.

Hon. Mr. Krawetz: — Mr. Chair, the Social Services fund, whatever the monies that the Social Services minister allocates to this particular need, is not in our control, so I couldn't answer

that question to say whether or not there was a fund there. There has been evidence that there has been under spending, but all the spaces are income based and people can apply. My official indicates that there is a working group now that is in place with Social Services and our ministry to ensure that we attain maximum usage. And we're going to work with Social Services to ensure that if spaces are available and if there are clients who have made application to Social Services and qualify, we're going to work to try to ensure that we utilize our spaces.

Mr. Wotherspoon: — As it relates to the 1,000 spaces and the criteria that will be used to assess, who in which communities and organizations will receive these spaces? Has the assessment changed from what's been used in the past? And if so, could the minister explain.

Hon. Mr. Krawetz: — Well I'll definitely ask my official to make comments on those matters, Ms. Zelmer please.

Ms. Zelmer: — Thank you. We still have the list of criteria that we've used in the past, and it's a fairly comprehensive list: school-linked serving the needs of immigrant families, northern development, rural development, non-standard hours of service, post-secondary linkage, and last year we introduced urban infant spaces. But overlaid on that for this year, we're looking particularly at competence of a board, readiness to develop — which often means having a facility in place — and the capacity of that organization to deliver quality care.

So we are changing our allocation process — keeping the same criteria in mind but moving to much more of a front end investment in how we get spaces out there, working with groups to ensure that they have a line on a facility. We have much more interest from school divisions than ever before in terms of housing, not governing, but housing or hosting. We also are looking to other previously publicly funded infrastructures such as community halls. There's Gravelbourg hospital that may have some room for child care.

So the school one is a bit of a mixed blessing. It's a strong preference by parents. It does tend to take longer to get those spaces up and running, but they're much appreciated when they are up and running. But we are changing the process in the sense that we're doing what we call a rolling allocation as soon as we are confident that the board can carry the development, has a facility in place, and we do have facility staff who can go out and give some assistance to boards in a ballpark cost estimate. Is this feasible or not? Is there black mould under the floorboards? You really don't want to put kids in here. Working with school divisions again, much more receptivity to possibility of having a site in a school, and then we'll be able to get the grant out very quickly once that's confirmed. So we're very hopeful that we'll see it move more quickly this year.

Mr. Wotherspoon: — Thank you for that answer. When we're looking at these 1,000 spaces and allocating these spaces, then specifically how does this string play out throughout the year? How does this roll out? As far as the timeline, when does the minister or the ministry expect to have these 1,000 spaces and their specific communities and organizations that will be funded to provide them? When do we expect that that will be in place?

Hon. Mr. Krawetz: — A couple of comments there, Mr. Chair.

What we're not going to be doing is waiting for the allocation of all 1,000 spaces. As Ms. Zelmer has indicated, it's going to be a rolling allocation. So we're hoping that by probably middle to the end of May, we're going to be able to make some allocations of those as has been pointed out. You know, is there a facility ready to go? Have the criteria that have been identified, has that criteria been met? And we're going to make some of those announcements in as early as May.

But with a rolling timetable, we're going to be continuing to do this throughout the year. And the member may be sitting here a year from now and may say, well you know, you promised 1,000 spaces and you're only at 700. What are the reasons? Well there are going to be again a number of reasons. As I pointed out in my list of spaces that, you know, are going to open sometimes into the future and as Ms. Zelmer pointed out, we're seeing parents, and we're seeing schools wanting to have daycares within that school setting, probably is a better way of wording that.

But already we've allocated 50 spaces to the Mount Royal project for Saskatoon, and we already know that that's not till September 2010. So those 50 spaces, I can assure the member that we'll be talking about them again a year from now because I can tell him right now that the 50 spaces are sitting there waiting for construction and renovation to Mount Royal school, and that's not expected until September 2010.

Mr. Wotherspoon: — Just quite sincerely to the minister, that this problem and strain on families is right across our province in every one of our constituencies, in every one of our communities, and meeting the need and having bold action to do so is so important. And I'm not incredibly interested in hearing justifications at this point about why we won't reach our goal next year.

I understand logistical challenges and whatnot but, boy, I just look at a resource-rich province like ourselves, as we're inviting new families to come, participate in our lifestyle and in our economy. Wow, if we can't be moving significantly on providing those child care spaces to our population, I believe it's a shame. So there's work being done; I think more work needs to be done.

[19:45]

And as I would certainly look long term, and I know as this side of the House and the opposition looks long term, this is a file that we have to see profound change in and be leaders within Canada. And there's a long way to go on that, but with a resource-rich province and a bright economic future before us, this is incredibly important to us.

Looking at the \$7.5 million transfer from the federal government, my question to the minister would simply be if he and/or his officials could provide — and maybe it might be easiest in a written hard-copy format — a breakdown of how these dollars were used in the last calendar year. And if there's any discussion around how those dollars are going to be used in this calendar year, would also appreciated.

Hon. Mr. Krawetz: — Mr. Chair, I'm not going to review the first 7.5 million of '08-09 because that's already been put in

place and we've talked about the pre-kindergarten programs. But for '09-10, the 7.5 million that was received, plus the 3 per cent escalator clause for a total of \$7.725 million, has been allocated in this way: 1.8 million for 500 new spaces; 1.2 million for 21 new kindergarten programs announced in the fall of '07; 1.1 million for 19 new pre-kindergarten spaces announced in the spring of 2008; 1.2 million in operating funds for 500 child care spaces announced in the spring of 2008; and 1.7 million to maintain the 4 per cent wage increase announced in the spring of '08. So those additional dollars were allocated to spaces for 2007 and 2008, both within the pre-kindergarten realm and within the child care realm. So we've completely allocated the monies that were sent to us.

And, you know, I'm sorry — to the member, Mr. Chair — I'm sorry if I made the comment that we're not being sincere about it. I totally agree with your comments about daycare spaces and that we need to move forward, but we've inherited a deficit too. And I know that maybe the member doesn't want to hear this but when I look at the allocation of spaces in the 2004-05 budget of 200 spaces; in '06-07, 250 spaces by the former government, these were just prior to inheriting the situation that we have right now where we want to add literally hundreds and hundreds and hundreds of spaces.

So it's not going to happen overnight. There are concerns about space. We have certain codes that must be respected. We have to ensure that the proper space is there and we're working with the communities. We're trying to ensure that, where there is a need, we're going to be able to address the space. And we are very sincere that I'd love to be able to tell the member by fall time — if we reconvene in the fall, this fall — that in fact we've allocated every one of the 1,000 spaces and that we're waiting, you know, to have the government allocate more spaces.

That would be a tremendous thing, but there are circumstances that we have to work with, and reality says that we may not achieve all of those spaces in the very, very short order; that we're going to have to roll it out over a period of time, to do our assessments to ensure that communities meet the challenges and then deliver the proper daycare with the qualified people in place to ensure that that instruction is adequate.

Mr. Wotherspoon: — Certainly the cost of not acting boldly and addressing the circumstances far outweighs the upfront cost of addressing it, and that's economically and socially. And so I fully support bold action going forward. I look forward to those 1,000 spaces coming online, but I really do believe this is an area we truly need to be looking at in creative ways from government as to what our role is and how we can ensure our community is fully supported.

Looking at another aspect of the budget here, being a specific program — that being the teacher recruitment and retention initiative that was cut in this budget — just to give a little bit of background, this program was originally designed to provide bursaries to teachers to pursue additional education in specific targeted areas of importance. And some of those would be to develop support systems in rural and northern Saskatchewan, teacher education in specified areas, school-based administrator education, funding bursaries for teacher education, Aboriginal teacher support in specific areas, and just a whole bunch of really important areas that were being supported, whether it be

through special needs or native studies, Aboriginal education. And just a comment from the executive director of the program here just notes, and I quote, "This is an enviable record of accomplishment." And certainly we believe that it is.

It's our understanding that this is now going to be provided through school divisions. My question to the minister would be, what budget did this program receive in the '08-09 calendar year? So how many dollars were spent, the actual budget? And how is he going to provide those dollars to school divisions?

Hon. Mr. Krawetz: — Mr. Chair, I can indicate that last year, for the fiscal year '08-09, the amount of dollars that were provided was about \$200,000. So it's not a huge expenditure. We did see that the take-up of that money, the principal amount of monies would be allocated to the northern school division, about 120,000 went to the North and then about 80,000 — and again these are approximations; they're not accurate in terms of exact dollars — about \$80,000 would've gone to rural Saskatchewan.

What we're finding out — and again with 29 school divisions now, as a result of amalgamation — the amalgamated school boards are able to, the larger boards are able to address the needs of their particular teachers within their area. There's even the locally negotiated contract that will indicate that there's additional services being provided. So it was a decision that the school division, which is responsible for attaining those particular needs or meeting the needs of their particular teachers, would be able to best address that through the local level. And that is why the program was discontinued.

Mr. Wotherspoon: — It's surprising to see a program like this cut in the same calendar year that the very ability of school boards to bring revenues to the table to address local needs has been taken away. So I wonder if this program was cut through budget decisions before that decision was made because certainly if we're talking about LINC [local implementation and negotiation committee] contracts, locally negotiated aspects, I'm still very uncertain and have questions.

And I think we'll speak more so on Bill 89, but how does a school board really in good faith come to the table to negotiate these aspects when they have no ability to bring the revenues to the table that are going to equal the commitments that they make? So it seems to me that this doesn't make any sense, that this program was probably cut before the other decision. And I'm wondering if here tonight if the Minister might address this.

Hon. Mr. Krawetz: — Two situations, I guess. If the monies were being provided by the ministry and the budget item of a particular school division included that expenditure, that item is within their budgets, so that is being recognized under the new system. We have our officials that are working with every one of the 29 boards of education to achieve the budgetary amount for the new fiscal year, so if there is a particular dollar figure that has been built into a school division's budget, it is being recognized and will be recognized to ensure that there is a continued meeting of that particular need.

So a board of education isn't suddenly seeing their dollars from within their budget cut out of their budget because if it was part of their budget, our officials are meeting with all school

divisions to recognize what that budget is, and it would be included.

Mr. Wotherspoon: — Looking beyond just the current place and time and looking a year or two down the road as locally negotiated contracts are being negotiated and signed, this is the concern I have as far as I guess the constraints placed on school boards to enter into that discussion, unless I'm hearing from the minister here tonight that simply whatever school boards — and we know they'll act in good faith and with due process and with due diligence — is the minister here suggesting that he's simply going to tack on the additional funding of future LINC agreements to each school division over and above of their program needs, other program needs?

Hon. Mr. Krawetz: — As we work through the next two years, Mr. Chair, to determine the funding system that will replace the old foundation operating grant, the initial system that we're working on this year is the budget of the board of education — as I've described before — for the '08-09 year. And we are adding to that the full cost of teachers' salaries, and then we're adding on top of that an additional 4 per cent for inflationary pressures on all of the other costs.

There are unique situations at every board level. My officials have met with all 29 boards of education, with the key individuals at every board, to determine what their needs are. And there will be the ability to address sudden changes, whether that be the addition of 300 new students that move from outside of the province of Saskatchewan into Saskatchewan, into a particular school division — we'd love to see that, and we'll make those adjustments.

But, you know, the negotiations at the local level will still be that they will be the responsibility of the local school board. And as the member indicated, I have tremendous faith in the boards of education in arriving at, you know, whether there be enhancements to locally negotiated contracts, that will be a decision that is going to be made by the local board of education. We will work with them to have a better understanding of the cost implications and how we can fund that.

But the new method versus the old method isn't any different. The money is going to come from the taxpayers of the province of Saskatchewan. It will either come from the combination of an enhancement to the operating grant that we allocate to them, or the board will decide, due to some other measures, where they have some savings that have occurred because a bus route has been eliminated with the declining enrolment, whatever. There are many things that boards of education are going to be incurring over the course of each and every year that they operate.

We're going to work with those boards of education to determine what is a necessary amount of dollars to allocate. And it's not going to be just, you know, add on every dollar that is requested. There will be things that will be negotiated with the ministry in new program, in new incentives, and we're going to work with them over the course of the next two years as we build a new structure to replace the old foundation operating grant.

Mr. Wotherspoon: — Thank you, Minister. We certainly are going to have much more opportunity to discuss concerns and implications around the new financing method and certainly hopefully offer some constructive thought to the process as well. But it sure seems like a large task that's before the ministry. I know I noted this before and certainly I note concern in being able to meet that need.

[20:00]

And the last thing we want to be doing is having a — well there's a whole host of issues that it raises, but if we're looking at the locally negotiated aspect itself — is to be not allowing boards to bargain in good faith and to know where their revenues are going to be and be committed to and for in the end; whoever's coming to the table to negotiate with the school board, to be basically pulling dollars from one pocket to another and unfortunately, those are programs and services. So it's an environment that will, you know, come to shape as we go forward.

But just to clarify, this ministry has cut in essence completely the \$200,000 fund that was put in place, the initiative to support very focused areas of professional developments for retention and recruitment of teachers and school-based administrators and in around Aboriginal education and special education within our province. Is that correct?

Hon. Mr. Krawetz: — Mr. Chair, the program called the teacher recruitment and retention initiative, which has been in place for eight years, and last year's budget of about \$200,000 has been discontinued. And the boards of education will be now providing, through the local areas, they will be determining what additional incentives they wish to offer to teachers for additional course work. The answer to the question is it has been eliminated.

Mr. Wotherspoon: — As note, that's very disconcerting to the opposition and to this caucus to realize that a program, as stated by the executive director in the letter informing divisions of this change that states, "This is an enviable record of accomplishment," as it pertains to the many important areas that we talked about, is a shame.

Because in many ways some of the programs that individuals accessing, or professionals accessing these programs were leading some innovative and progressive education in our province. At the same time, we now have school boards in a very uncertain environment from a revenue perspective, arguably a constrained environment, and my goodness I mean, at a time again where we have the opportunity to really move forward, it seems to be a step back. But I'll reserve my comments at that on that program.

When I look specifically at community schools for the calendar year, am I correct in looking at the budget to see that there's not a single community school added in this budget?

Hon. Mr. Krawetz: — Mr. Chair, I can indicate to the member that there were no additional schools recognized as community schools in this year's budget. We do have 98 designated community schools in urban, rural, and northern locations that existed in 2008-09. And they still exist, so the dollars that were

built into the budgets of those boards of education, whether they be the North or urban or rural, those are built into their budget, and we will continue to fund those 98 community schools.

Mr. Wotherspoon: — Will that funding be, I guess, focused from the ministry ensuring that those same schools that are funded as community schools will remain open and receiving the exact same amount, or will that funding envelope broaden and will there be latitude within that funding envelope?

Hon. Mr. Krawetz: — We're assuming that the boards of education are going to be accurate in applying the revenue that they receive from the combination of the grant plus the amount of money collected from the taxpayer, as set by the provincial government. If they had a budgetary item last year that included a community school, we would expect that it's going to be continued.

I think the simple answer to Mr. Wotherspoon, Mr. Chair, is that there isn't a line item in the budget like there was last year that says you can find \$13.08 million provided for community schools. The dollar figure is still in the budget — in fact we've enhanced the amount of dollars that have been allocated to school boards — but now it is going to be the board that's going to build the budget to provide the services for whatever community schools that they have within their division that were recognized last year. We are expecting those schools to be recognized and receive the funding that they require.

Mr. Wotherspoon: — Just within the financial constraints that have been placed on school divisions, school boards, I was interested in hearing the minister's commitment or expectation on these dollars. Somewhat concerned, I suppose, that we would see dollars in the end be used in a broader way for very important needs because boards have so many needs — and this gets to the constrained environment that they are operating in under this new regime — but just concern that those schools will receive the dollars that they have in the past and that they will into the future. And I guess that the broader goal be that more and more schools really have those needs, the diverse needs that community schools do need, and that there's far more schools that are going to need that funding.

But my question, to transition into another line here, would be pre-kindergarten. Last year there was some movement on some opening of pre-kindergartens, something that I think is important to our education system and to our communities. I'm wondering how many new pre-kindergartens have been funded through this year's budget.

Hon. Mr. Krawetz: — The answer is none. We indicated at the time of the budget that the 38 additional programs that we allocated last year to bring our total up to 193 pre-kindergarten programs, we're serving over 3,000 students now in that age range, three- and four-year-olds. We know that these 193 pre-kindergarten programs are located in 64 communities. So we're doing a bit of a year where we are going to ensure that the 193 programs are going to be fully operational.

There are always competing interests for dollars, and we wanted to ensure that in this year's budget, our ministry officials felt that for this year's budget, it was mandatory to focus on child care spaces. And that's why the large amount of dollars were

allocated to child care and that we were going to work with the 193 pre-kindergarten programs and, if the economics allow, next year's budget planning, no doubt.

I am a firm believer that the pre-kindergarten program is a great program. I've said this in the House, and I've said it in many of my comments around the province. I had the opportunity couple of weeks ago on a Friday when I was in my constituency in Canora, just a tremendous pre-kindergarten program that is operating in Canora. I actually took part in working with some of the little students and they did — I can honestly tell you — that they were able to make better Easter eggs out of Rice Krispie cake material than I was. But it's a great program: three- and four-year-olds, children there with cerebral palsy and working.

So we're seeing that — to the member — we're seeing that there is a tremendous need to deal with young children at an early age. The long-term and the short-term benefits are tremendous. And yes, it is my goal that we continue to increase the number of programs beyond the 38 that we added last year, but for this year's fiscal budget it did not happen, and we're still at the 193 programs that we added last year.

Mr. Wotherspoon: — It's good to hear the minister's commitment for next year, but when I look at a quick little summary of some of the pieces we've just discussed, we had child care spaces that were in a net loss position, as were celebrated by budget documents last year. Wherever the actual numbers were is, I think, another story, but it was celebrated we're going to be at 10,400. We've had a net loss of child care spaces.

We've had no increase — not a single school — of community schools. And when we look across our communities and our schools, the number is vast of communities and schools that could utilize those dollars in incredibly meaningful ways for our children, for their families, and for our social and economic benefits as we go forward — not benefits you realize in one term, might I say, Mr. Minister — but certainly a legacy that could be left many years down the road.

And then when I look to something such as pre-K, pre-kindergarten classes, that with all the research and evidence to prove their importance, and see no movement on, not a single classroom being opened in this year going forward, it's disconcerting. And we know that these are critical and needed investments. If as a province we are truly committed to reaching our social and economic potential, these are two areas that Saskatchewan — when you're looking at community schools and pre-kindergarten and some of the work there — have been leaders in more socially just ways than other jurisdictions. And we have work to do and we need to move the line on these items.

I hear the minister speaking about some level of commitment next year. I would advocate as sincerely and as much as I possibly could that this is needed so significantly, and I would ask him to take it back to certainly his cabinet, who certainly like to talk about the future of Saskatchewan — which we all should be talking about — and making sure they're very well aware, as the minister states, the importance of the investment into early education and into the whole needs of communities

that are provided through community schools.

My question goes to another initiative and wondering how it relates to the youth in custody initiatives that exist across our province and wondering if there's been any changes to those programs — what funding was for those programs last year and what it is for the '09-10 budget year.

Hon. Mr. Krawetz: — Well, Mr. Chair, before I get into the information regarding the youth custody, which my officials are looking at some of the information, you know, the member raises some concerns about the pre-kindergarten program and the fact that our government made a choice this year to enhance the number of child care spaces by 1,000 and not to increase the number of pre-kindergarten programs.

You know, Mr. Chair, I guess the people have to understand that in this year's budget to have the 193 pre-kindergarten spaces operational across the province, we are spending \$10.4 million. So we've increased that budget from 9.6 to 10.4. Also I think the public has to understand that in the year 1996-97, the total number of pre-kindergarten programs in the province of Saskatchewan was none — okay? It didn't even exist in '96-97.

And, you know, I look at the chart of when new programs were added by the former government and I look at the year 2003-04, 15 new pre-kindergartens, Mr. Chair. The following year, '04-05, none. The following year, '05-06, none. The following year, '06-07, 15. So in the space of four years, Mr. Chair, the former government in four years time implemented 30 spaces — 30 spaces.

This last year, we implemented 38. And I can provide the member with a long, long list of communities where we have the 193 spaces operating, but he'll be pleased to know that, being a member of the city of Regina, that in the city of Regina there are 37 such spaces. And in the city of Saskatoon, there are 40. And Prince Albert, I believe, probably ranks next at 18, and then down to smaller and smaller numbers where then in the case of, as I mentioned, the town of Canora, there is one, and the town of Wadena, there is one. And in Yorkton — member is sitting here on this committee from Yorkton — there are six pre-kindergarten programs.

[20:15]

So as I indicated to the member, we understand of the tremendous value of pre-kindergarten programs, and we're going to continue to grow this number. We're going to continue to work with the people involved in the pre-kindergarten programs. We're going to continue to work with schools to ensure that when we are able to receive additional dollars, that we're going to be able to allocate them to some new pre-kindergarten programs because there are needs. There are needs for those three- and four-year-olds.

But you know it's ironic, Mr. Chair, that the member opposite tells me, you know, why didn't you spend more? Why didn't you add 2,000 child care spaces? Why didn't you add another 38 pre-kindergarten spaces? Yet in the House I heard from the critic for the Minister of Finance suggest that the spending was out of control. So I can't have it both ways in the Ministry of Education, Mr. Chair. I can't ask for millions and millions and

millions of dollars more.

And we had a great discussion on capital, Mr. Chair, the last time and the time before that we were here, and I indicated to the people at that time of the province of Saskatchewan that we were very fortunate to indeed to add another \$61 million to capital spending this year. Now that's on top of the \$330 million that we allocated as a new government in the short time that we were in office.

So I'm not giving a lecture, Mr. Chair, but what I want the member to understand is that there are priorities. And this year, in discussion with ministry officials, it was determined that we wanted to focus on adding 1,000 new child care spaces, and that we wanted to ensure that the 193 pre-kindergarten spaces were fully operational and moving along well so that we could add more spaces in the future.

Mr. Wotherspoon: — I guess the minister highlights that it's about choices, and he's trying to explain to the opposition that it's about choices. Well, Mr. Chair, the member opposite was in opposition for an awfully long period of time, and I think he realizes that it's the government and it's the minister and it's the Cabinet that need to make those prioritized decisions. And I think it's shameful that when we have a huge need in child care spaces that needs to be addressed, and when we have big needs within our communities on the front of whether it be pre-kindergarten programs that needed expansion or community schools growth, that it's shameful that that's not being met with.

The minister likes to go back and talk about historical numbers and somehow, I don't know, use that as a justification of his lack of action. I'd ask him to recognize that he's the minister, and that as a minister, he's asked to govern and to respond to the current needs and pressures within our communities and based off the current fiscal circumstance.

As a newer member to this House, elected in the last election, I never entered office to see the status quo remain. There's certain areas that needed to see some significant movement towards as we go forward, and we're speaking about a couple of them here tonight. So I'm not interested in historical numbers. I'm more interested in this minister, where the buck stops and the responsibility lies with, to meet the current challenges and demands of our communities. But I think the question actually related to youth in custody initiatives.

Hon. Mr. Krawetz: — Thank you, Mr. Chair. Yes, you asked a two part or you made a two-part comment. So I have made the comment on the first part, and now I'll ask for an official to comment on your response to the youth in custody.

Ms. Caswell: — Thank you. The budget for youth in custody for 2008-2009 was \$763,895 that was allocated to the foundation operating grant for six programs. In 2009-2010, there was an 11.3 per cent increase that brought the total of that program up to \$850,062.

The Chair: — Minister, could you identify your official for Hansard, please. Thank you.

Hon. Mr. Krawetz: — I'm sorry. Elaine Caswell, who I

introduced at the beginning, that's who has joined me at the table now.

The Chair: — Thank you.

Mr. Wotherspoon: — Thank you, Elaine. And I know Elaine knows specifically the value of those programs in the community. And you know, those programs in many ways invest in ensuring that programs can be creative in responding to youth's needs and specifically high-risk youth coming out of custody, in addressing recidivism rates and educational attachment and done so in a very locally developed way, addressing the needs within the community. And I know when you look at some of the statistics with youth returning to custody in that high-risk portion, boy, is it well-spent dollars to ensure that those individuals' lives are bettered, that the harm that they might be bringing to themselves and to the community around them is reduced, and that their educational attachment is continued.

So I'm always interested in those projects. And I think there's some good stuff going on there, and I certainly would advocate to continue to work with those folks to see if there's broader ways those programs could be applied and grown and expanded. Because when we're talking about the kind of programs that we just have here, I really do think we're talking about the future of our province in meeting some of the real social pressures that are placed on it and some of the important opportunities before us.

My question will shift gears to the topic of schools of opportunity funding for the current budget year. I couldn't find a specific line item itemizing this amount. So I guess my question to the minister is, what's the budget for 2009-2010 for schools of opportunity?

Hon. Mr. Krawetz: — Thank you for that question. Mr. Chair, as indicated last year, the budget had included \$1 million of expenditure for last year, but based on the fiscal year, it was money that was not going to be spent because there were no boards of education that would have been able to be granted the status of a school of opportunity. This year within contingency funds we're looking at having \$1 million also available.

We know that for the date that would affect the fiscal year 2009-10, there were two schools that have taken the opportunity to make an application for a school of opportunity — two slightly different in that the board of education in one instance has made a previous decision that the school shall close; in the second instance, the board has not made that decision yet. The board of education has not made the decision in the second instance to in fact close the school.

So as per the guidelines, the ministry has until May 15 to respond to the two schools — and in this case they are in two separate school divisions — and we are in the process right now of assessing their applications and assessing the material that have been presented.

Both are significantly small in size, that if both in fact are granted, the amount of dollars will not be at 1 million because the maximum amount that any school of opportunity can receive is to a maximum of \$350,000. So that is the situation

that we will face as a ministry. But if one or two meet the criteria and are awarded, you know, the status of being a school of opportunity, funds will be available based on the formula that is in place.

Mr. Wotherspoon: — Thank you, Minister, for that information. I have a question. I know one of those communities. It's been specifically mentioned and shared that within Chaplin the costs to put together this application have been in excess of \$60,000, and this has been put together funded by residents and by the local municipalities and by business people to make this application to your ministry for this program. Not meaning to open a complete can of worms here, but this is a significant strain on the local community, not just financially, because there's also been a huge amount of vested time and interest into this specific application as well.

Does the ministry have any sort of a plan to support the costs that are being borne through applications such as Chaplin?

Hon. Mr. Krawetz: — The guidelines are very clear that if a community, in the same time frame as the board of education, is going through the review of that school — when it places that school under review prior to October 15 — the community has to determine whether or not it wants to pursue a school of opportunity. There is nothing within the guidelines that would suggest that the ministry is going to pick up any of the costs. There's no promise of any additional funding to any of the communities. This is a locally funded initiative that the community wants to pursue and that is where it's left.

And in each of these cases, I have no idea what the community of Chaplin or the community of Morse allocated for funds or where they received their funds to put together their proposals or what their costs are. But I know that there are two applications from each of those communities.

Mr. Wotherspoon: — Thank you, Minister. And certainly, I guess, a concern would be that through this investment, both financial and the human resource aspect of it, that with — and we can speak to it, I guess, tonight in one of our later Bills — but certainly there is a fixed period on economic growth. And we do have significant concerns with world capital markets that in many ways supply the kind of investment to projects that could really support many communities within our province.

So there's a big investment put in by local people, and we want to make sure that those, I guess, that the plan they put forward is supported, and that it's not simply extending something for a couple of years or a few years until a fate of closure. Because these are big dollars that have been brought to the table by communities. Can we reserve comments or discussion on this until when we talk about the extension of schools of opportunity, on that aspect?

Hon. Mr. Krawetz: — Certainly, Mr. Wotherspoon, but I just want to make the comment that, you know, both applications are being taken very seriously. Of course communities have put a lot of work into submitting an application.

The success of an application, as the member has commented, we have made a change to the legislation or are proposing a change to the legislation that will change the period of time

from two years to three years for a school of opportunity. But it will be the community that will determine whether or not, at the end of three years, it qualifies or not. And we've made this very clear, Mr. Chair, in our regulations, in our handbook that says . . . And in both instances, by the way, Mr. Chair, the two schools have applied for a K to 12 school of opportunity.

So it's very clear that their goal, their need for enrolment, is 88 K to 12 students at the end of three years. And that is the decision, that those communities say they will achieve those goals. If they don't because nothing happens or something doesn't go the way they predicted, the decision is not a new decision to be made. The regulations and the handbooks say that the school closes. The board has made that decision, to close it. This initiative that we've implemented says to the community, if you qualify, if it looks like you can meet these goals, you have three years to show it. If you show it, they move forward. If they don't, the schools close. That's the only comment I'll make at this time.

[20:30]

Mr. Wotherspoon: — As it relates to the summit with the ministers of education and the Aboriginal Education Summit — I don't know if I have the proper title to it — in February 2009 that the Minister of Education hosted, I guess my question would be to the minister: from what was learned through the summit, what new plan is in place or what plan is going forward? What's ready to be implemented, or what specific actions will this ministry take as a result of learning and sharing from this forum?

Hon. Mr. Krawetz: — Mr. Chair, I'll give a bit of a background on the summit itself. As the member has accurately reflected, the Council of Ministers of Education, Canada, C-M-E-C — and I'll refer to that as CMEC when I'm speaking about that — CMEC as a body meets twice a year. And at a previous meeting in, I believe it was in New Brunswick, where the Chair of the committee in fact is the Minister of Education of New Brunswick, Minister Lamrock, there was discussion about having a summit on Aboriginal education that would bring together not just the ministers of education. And I'm now talking about advanced education, higher learning ministers, depending upon the portfolios that they hold in all of the provinces, including the three territories. It was decided that we would have a summit on Aboriginal education.

And the two ministers from Saskatchewan in their wisdom decided that Saskatchewan was a nice place, and we volunteered that Saskatchewan should host that summit. And I can tell you the summit was a tremendous success, but it had nothing to do with the Minister of Education of this province or the Minister of Advanced Education. It had a lot to do with the people within the two ministries, and beyond that with other ministry officials assisting.

And we had a tremendous turnout. We were planning for a pretty small group to begin with, probably in that neighbourhood of 85, and I believe the number that attended was well over 250. So we had regional leaders from . . . We had national leaders by the way. We had five national Aboriginal organizations that were represented. We had Aboriginal leaders on a regional basis from the territories as well as all 10

provinces. So it was a tremendous opportunity to listen to the concerns of First Nations, Métis, and Inuit, direct concerns from them. And we listened to ideas that are being utilized currently in other provinces.

In Saskatchewan we were very happy to report on the treaty education material, the treaty curriculum material that we have implemented, and there were many provinces and territories very anxious to see our material and to look at how we can move forward. So there are a number of initiatives that we're going to be looking at within the Aboriginal and First Nations and Métis students within the province, within our own school system.

The other thing that we had a lot of discussion was of course with reserve schools, which are the responsibility of the federal government, and we had representatives from the federal government there. We did not have any elected members of the federal government — minister responsible was not in attendance — but we talked about the same goals, the same objectives that students have, whether they are in a First Nations school on-reserve or whether they're First Nations students attending one of our public schools or our separate schools in the province of Saskatchewan.

So there are a number of things that we're going to be doing. Our next CMEC meeting is in Calgary on the first week of September, and at that time, we're going to have all of the provinces and the territories. We're going to pull together the goals. And again, these are goals that were identified by the Aboriginal leaders and said, there are things that we need to address. And we're going to try to summarize that, to pull that all together.

The CMEC association has a individual within their staff now, Christy Bressette — if I have the name right; I hope I remember it correctly — who is a First Nations individual who was hired by CMEC to compile the material, to work with all of the provinces. And I'm quite excited about what I think we're going to see in that first week of September. And I hope out of that — and I think that's where the member's questions are going — I hope we can see some concrete things that are going to say this is what we need to do.

You know, if it's lack of funding from the federal government for Aboriginal students on-reserve, then we need to address that. If it's as Chief Phil Fontaine pointed out, you know, the desire for capital for construction of schools on-reserve, that this — woefully inadequate. So there were many, many things that were identified. We heard from territorial leaders talk about distance education and how they use programs to ensure that education is delivered in very remote areas. And there are things that we are able to learn from them as well.

So it was a sharing of ideas from leaders, both, as I indicated, from Aboriginal and non-Aboriginal people. And the summit, I think overall my understanding of the comments made by people from all provinces was that this was a great opportunity to share, to be able to bring the focus on Aboriginal education, and to be able to then decide maybe on some of the objectives as to how we can enhance.

Mr. Wotherspoon: — Thank you, Minister. I guess I hear

things that I certainly want to hear, and that's that the needs of First Nations and Métis students and community in our province as a whole will be recognized going forward. But there's a bit of a disconnect when I look at the budget then and there's a 1.5 per cent increase to First Nations and Métis education. This simply doesn't even cover inflation. In essence this is a cut.

It certainly doesn't reflect the needs and goals that are pressing within our province, achievement gaps that are real, long-term needs, and demographic changes with a growing, burgeoning First Nations and Métis population which should and could be a very, very exciting and vital part of the future of our province, and certainly doesn't recognize needed actions resulting from the Aboriginal summit although we hear that there's work to come on this file.

I should also note that my good colleague, I believe, Ms. Higgins, the former minister of Education, was involved in some of these conversations to locate the summit here in Saskatchewan on this topic back in 2007. And certainly I would like to recognize her for those efforts and this minister for continuing that plan that was in place.

I guess we certainly know the importance of a culturally affirmed and respectful education system, specifically as it relates to curricular content, teaching methods, learning styles, community engagement, and a representative workforce.

We've heard about some of the movement to bring forward treaty education. This is fully supported, as the minister knows, from this side because it was this side of the House that got that ball rolling with significant vision a long while ago to gather the resources in the First Nations community, the important resources to do so in a very respectful way.

We're pleased to see that continue, but as it relates to a representative workforce, we know that the number of First Nations and Métis teachers in our school divisions is far less, from a disproportionate perspective, than the number of students that occupy those schools. We certainly know that as you go up the rung through the roles of administration — in school administration and school educational administrators — that those numbers become further reduced.

We know that this is an important area to continue to move on, and it's such an important piece for a burgeoning, growing population to be able to easily identify some faces within those schools in leadership roles and in teaching roles that are much like their own from a cultural perspective anyways, Mr. Minister.

And we also know that of course our TEPs [teacher education program] programs have provided a really important educational opportunity for First Nations and Métis teachers and providing that supply back to the school system, but it is falling short in the number of teachers that are graduating from those programs in what I think broader goals would be for the province, and certainly divisions, in becoming a representative workplace.

I believe that anecdotally that maybe one division this year, obviously recognizing this as something important, may have

scooped up almost all of the SUNTEP [Saskatchewan urban native teacher education program] graduates for one division, recognizing that that was very important to them. I guess the challenge is, how do we bring on more graduates, and what role does your ministry have in ensuring that we can see a larger number of spaces in those TEP programs?

Hon. Mr. Krawetz: — Thank you, Mr. Chair. There's a number of areas that the member has commented on or asked a question on, and I'm going to ask Maureen Johns Simpson, who is part of the First Nations Métis branch within the ministry, to respond to some of that. But before I ask her to do that, I think you said something about, you know, lack of funding to the First Nations and Métis education, and I'm understanding that your comment then is the increase from 3.057 million to \$3.11 million for the First Nations and Métis education branch?

I see the member shaking his head affirmatively so the point I want to make there, Mr. Chair, is that this is the branch within our ministry. So to suggest that there isn't additional dollars for program and for capital that deal with First Nations and Métis students isn't accurate because all of the other dollars that are provided to the K to 12 [kindergarten to grade 12] initiatives or to the school operating grants that are provided to the boards of education, all of those boards of education have First Nations and Métis students within them. There's enhancement to curriculum. There's enhancement to, you know, capital projects.

I was just very excited that one of our first major projects that we announced for the construction of a new school was the school out at Duck Lake where there's a large proportion of First Nations and Métis students. So we've enhanced many of the areas that serve all students.

What we don't do is we don't allocate dollars to the First Nation students that are on reserve. Those are federal responsibilities, and that's where a bit of a sore spot is with the First Nations leaders in this community — and, I would agree, a sore spot with me as well — because we have the students in this province that are all . . . I mean when we talk about students in the province, it's all the students in the province. And we need to address those concerns, and I think the summit started that discussion very well or maybe enhanced it because obviously that discussion has been going on for awhile.

So we've tried to recognize that, within the ministry, we're going to require dollars for all students. Those students also include our First Nations and Métis . . . [inaudible] . . . Now you made some comments about the training programs and the work representative force, and I'd ask Maureen Johns Simpson — make sure that Hansard has that name correct — to make a few comments on some of your questions.

Ms. Simpson: — Thank you. First of all, First Nations and Métis education, the vision is that it will be foundational throughout the education system. And what this translates to meaning is that across curriculum, across learning program, across the professional development of teachers, the ways that school environments are created that are welcoming and create a sense of belonging for all students is the central focus for making First Nations and Métis education foundational.

Specifically regarding the creation of a representative workforce, our branch has a contract with the Saskatchewan School Boards Association. We are in our third year of development of this contract, and what it consists of is the development of representative workforce for all 29 school divisions across the province. We currently have eight school divisions who have signed agreements with the Aboriginal employment development program in partnership with the First Nations and Métis Relations ministry. A part of this program is the delivery of aboriginal awareness workshops. And that is closely linked to another department project known the *A Time for Significant Leadership*. Our learning program is being renewed with the addition of mandatory treaty education as well as the foundational inclusion of First Nations and Métis content, perspectives, and ways of knowing.

[20:45]

And for that kind of change to take part in the school system — basically to open up the curriculum to new ways of knowing — it requires a great deal of support. Currently the ministry has superintendents of First Nations and Métis education throughout the province. We have a committee called the Shared Standards and Capacity Building Council whereby, to close the achievement gap between First Nation and Métis learners, a committee has been created to identify measures that are required between the federal school system and the provincial school system. We support a Gift of Culture and Language with First Nations education authorities. And we also have the development of the aboriginal youth entrepreneurship program here in Regina at Scott Collegiate which is lined up to be a national pilot, the first in Saskatchewan.

A representative work force is supported mainly through the work with the Saskatchewan School Boards Association and through the *A Time for Significant Leadership* building capacity.

SUNTEP is currently operated through Advanced Education, Employment and Labour. Basically what we know about SUNTEP is that they have about 100 per cent employment record, so there is a great deal of opportunities both in and outside of the province for SUNTEP grads. We also have the ITEP [Indian teacher education program] program. We have the NORTEP [northern teacher education program] program, and we have the First Nations University of Canada program. And what we've heard is that the graduates of these programs have a choice about where it is that they desire to work. And a large number of them are choosing to work in the cities' urban centres and rural centres as well.

Hon. Mr. Krawetz: — And further to that, Mr. Chair, I think one of the sort of final comments I heard from the member was, you know, whether the Ministry of Education is doing anything to encourage students. As Maureen has pointed out, there's almost a 100 per cent guarantee that a person who graduates from SUNTEP or NORTEP is going to have a job.

So we're hoping that that kind of message travels around. I took part in a career fair in Fort Qu'Appelle — a significant number of First Nations, Métis students there — and of course they're being encouraged to look at education as a profession that they might enter. We know that the baby boomer group is going to

affect the education profession as well, you know, whatever the numbers will be over the course of the next four to eight years. We're hearing as many as 4,000 teachers may be retiring in this short time of four to eight years.

Well we know, Mr. Chair, that a person who enters the program, a four-year program this coming fall isn't going to be looking for a job for another four years. So I think that there's tremendous opportunity. We know that there are many groups that implemented scholarships to encourage students to attend the programs that Maureen has described.

One of the other words that Maureen used in her comments — and I think my deputy minister is aware of which word it's going to be — is that right at the very beginning at CMEC we were talking about closing the gap between Aboriginal achievements and non-Aboriginal students. And as an association CMEC, we're not going to use that word closing anymore because "closing" still means that there may be a difference, and we're now using the word eliminating. And we're going to eliminate the gap because we believe that the students in this province should succeed across the piece.

And we're going to look at ways of working with boards of education. In the North of course, we're working with those three northern boards to determine how we can best deliver distance education classes which we've moved tremendously, in terms of the number of classes that we're now delivering through technology-supported learning.

So those are things that the branch within the ministry is working on, on a continuous basis. I can tell you, Mr. Member, that since I became minister, in the short 16, 17 months, I see tremendous work coming out of the people that are within Maureen's branch, and I'm looking forward to all the accomplishments that I foresee for students in the province of Saskatchewan.

Mr. Wotherspoon: — Thank you for that answer, and I certainly know that there's strong talent in the First Nations and Métis branch there within the ministry and under strong leadership.

These are really important goals that we set out to achieve. It's important to hear the minister commit to those goals in as far as not simply closing the gap but eliminating the gap.

As it pertains to funding for on-reserve students as opposed to off-reserve within the provincial education system, what is the funding differential or difference right now at this point in time? I know that it's a concern that federal funding for on-reserve education is significantly less. The minister mentioned it. And I'd be interested in those numbers, and I'd be interested in this minister's commitment to a plan of action of advocacy with the federal government to eliminate that gap as far as that funding inequity. Certainly we know that funding, although not the complete answer, is very important to providing high-quality education that's going to progress the achievement and the well-being of people.

Hon. Mr. Krawetz: — Thank you very much for those comments, Mr. Member. We don't track the amount of monies that are allocated to each of the different First Nations reserves,

to the band councils. That's done, you know, that's done by the federal government. I don't know whether, you know, Vice-chief Lyle Whitefish as the vice-chief responsible for education would be able to provide that.

We know that from talking with band councils, the educational leaders of the band councils is that there's a strong belief that they are not provided adequate funding. And we have pretty solid evidence that would show that as we've looked at the increases in the provincial system over the last number of years to the amounts of dollars that are transferred to education, to the boards of education, and the amount of dollars that are spent per child, that the funding from the federal government has not kept pace. And I can't tell you what, you know, what that differential is, but we know it hasn't kept pace and that's of concern.

We have heard from First Nations leaders, from parents of First Nations students who've indicated that there have been instances in reserve schools where there isn't sufficient monies, there are not sufficient monies to complete the educational year. And at the end of April or May, basically the funds are exhausted, and in many instances there have been examples of teachers that have been released.

So those are concerns that we're, I'm sure, going to hear in the report in September that I alluded to that we'll get from the CMEC. As the ministry or as CMEC plans those pan-Canadian goals and objectives, I'm sure that's going to be one of them that is going to say, how do we address? And at the summit, I can tell you, this was just a candid comment made by a couple of individuals that said, you know, if the amount per student increase in Manitoba, Saskatchewan, and Alberta — take the three provinces where we have a large percentage of Aboriginal population — if that percentage of increase of funding per student for all three provinces is three and a half per cent, then we would expect that the funding from the federal government to the reserve schools should be at least three and a half per cent. And that hasn't been the case. So we're going to push the feds to recognize that they have a role to play here, that they have to meet their requirement on-reserve, and we're seeing that funding might be one of the things that they have to address, probably first and foremost.

Mr. Wotherspoon: — Thank you to the minister for his answer. I guess what we do know, and certainly your ministry has identified this in the past, is that the diversity of its students — their learning needs, the vulnerability of those students — needs to be funded at a rate higher than a community or students that don't have those same kind of factors. We know, unfortunately, that there's a huge disproportion of our First Nations and Métis population living in poverty and with many of these challenged circumstances.

So when we look at a significant disparity or inequity between funding provincially and federally and how we might go about addressing that, I would urge the minister as much as I could to go back to that table and ensure within the report coming through CMEC that these factors are identified and, together with the other education ministers of Canada, put forward a strong, cohesive message that might finally begin to address the inequity that exists because, quite really, those students might need more funding on average than your average student across the province, looking at the factors of vulnerability and

diversity and their special needs. Not addressing this, I think, is not an option at all.

So I ask the minister to maybe push that table, take that leadership role, and to take on that advocacy with the federal government and bring something really meaningful back to our province and certainly right across our country.

Hon. Mr. Krawetz: — Absolutely, Mr. Chair. As I've indicated to the committee I think once before, is I had one opportunity to meet with Minister Strahl prior to the last election — and of course Minister Strahl is still the minister responsible — and we had a good discussion about funding, about outcomes, about goals, about objectives, and about the different things that, you know, students require. And sometimes, unfortunately, within the federal system, you know, they're not comparing the same things.

And when they see the allocation of dollars from the federal programs, it doesn't necessarily translate into what we see as the kindergarten to grade 12 program. And I think that's a bit of the gap that occurs there, and I felt that the minister, Minister Strahl was understanding of what we face. And one of the very first ones that we encountered of course was the construction of a school in the province of Saskatchewan at Turner Lake. I mean this will be a school that will be constructed on reserve. It will allow us as a province to assist with funding in that school because it will be the only school in the area, and we will have non-reserve students attending that school who are the responsibility of the provincial government, and we emphasized to the federal government that we're prepared to partner, that we're prepared to be part of that partnership to ensure that that capital occurs.

Reciprocally we know then that there are many students that are involved in urban settings — whether they're Regina or whether they're Duck Lake or whether they're Prince Albert — where we have to have a better relationship with the federal government to ensure that we meet other goals of those students. So your comments are ones that I understand, Mr. Wotherspoon, as far as moving forward.

The situation, though, that I think the Minister Strahl finds himself is that he's implementing a cross-Canada which includes all provinces and territories. He's implementing a program that is that broad in nature, whereas I am concerned about the schools within the province of Saskatchewan. And you know we going to continue to lobby for ensuring that the federal government, and in this case the minister, takes responsibility for what's here within this province and work with achieving what we think is desirable for all of our students including those on reserve.

Mr. Wotherspoon: — It's affirming to hear that the minister believes that Minister Strahl is understanding of our circumstance but certainly that needs to be met by action. And certainly we do know in many cases of great facilities that have been built. But in the end if we can't staff those facilities or put the resources in place to provide the education needed for those students, meaning on reserve, to recognize that inequity, then we need your leadership, Mr. Minister, on that file, your advocacy, and we welcome it.

I'd like to quickly pass one last question, of an obliging Chair possibly, to a passionate individual and fellow MLA, colleague, as it relates to the Scott shared use facility project.

[21:00]

The Chair: — Mr. McCall, seeing that we have reached the 9 o'clock scheduled time for consideration of estimates . . . However I believe the minister will be with us for the rest of the evening, so we'll entertain one or two short questions from Mr. McCall.

Mr. McCall: — Thank you very much, Mr. Chair. I was looking to get an update on the Scott's project, the north central shared facility. Certainly the progress of it through the capital list and then different planning dollars assigned and the importance it was given in last year's budget has been — I think, is — great progress on a project that is eminently worthy.

The question I have is, what is the status of the project? Were there dollars in the budget this year for the project, or is that waiting a separate decision in terms of again the previous round of questions around trying to get the feds to come to the table with dollars? Is there a request in to the feds for participation in this project? And I guess, does that affect the timeline of what we can see at the north central shared facility and the renewal of Scott Collegiate?

Hon. Mr. Krawetz: — Thank you, Mr. Chair, and sorry, Mr. McCall, for that long delay but I wanted to make sure that I knew where we were with this project right now. We have finished the schematic design stage, and based on the fact that it will be next year's construction, there is an estimate of \$95 million as the total cost of the project. From the Ministry of Education and the school board's point of view, our share of that will be about 40 million. And we have allocated, in this budget and previous commitments, we've allocated the ministry's share of \$26.245 million. That has been allocated for this project. Now if you look at, as I said, 95 million as the total and the share of both the ministry and the school board of about 40 million, we're looking at about 55 other million.

We know that there has been some commitment from the city of Regina and the library. We believe that there's a commitment there of about \$10 million. We know that there has been discussion with the federal government, and there is no firm promise but the numbers that are being suggested are in that 25 to \$30 million. So as we work with those entities and as we work with other ministries within government that are going to be able to assist in this project, I'm hopeful then that that 95 million can be put into reality for next year. But as far as the Ministry of Education, fully committed — 26 million of our dollars are sitting there for the education portion of what needs to be constructed. And the school board is sitting also with its 14 million approximately. They have committed to that as well.

Mr. McCall: — Thank you very much, Mr. Minister, and thanks to the Chair and the committee for their indulgence.

The Chair: — That brings to a conclusion the consideration of estimates for the Ministry of Education. The committee will recess, and upon resumption, we will then consider Bill No. 67 and Bill 79. So the committee stands recessed. Oh, Mr.

Wotherspoon would like to thank the officials.

Mr. Wotherspoon: — I'd like to thank the officials who spend many hours in here on a beautiful evening. So thank you so much and thanks for the good work you're doing in your respective ministries.

Hon. Mr. Krawetz: — Thank you.

[The committee recessed for a period of time.]

[21:15]

Bill No. 67 — *The Education Amendment Act, 2008*
(No. 2)/Loi n° 2 de 2008 modifiant la Loi de 1995 sur
l'éducation

The Chair: — I'll call the committee back to order. The item of business before us is Bill No. 67, *The Education Amendment Act, 2008 (No. 2)*. Minister, I see you have some new officials with you, so I would ask the minister to introduce his officials to the committee, please.

Hon. Mr. Krawetz: — Absolutely, Mr. Chair. Thank you very much and good evening to committee members. Seated again with me on my right is Audrey Roadhouse, deputy minister. On my left is Helen Horsman, assistant deputy minister. Behind me, one of the individuals who I introduced earlier on, so she's in for the long haul as well, is Rosanne Glass who is our executive director of policy evaluation and legislative services. Also behind me is Drew Johnston who is the manager, policy evaluation and legislative services. And behind me on the left here is Merv Woods who is the Crown counsel from the Ministry of Justice. Those are our officials, Mr. Chair.

Clause 1

The Chair: — Thank you, Minister. We will now start with clause 1, short title. I'd ask the minister if he has any remarks regarding the Bill, I'd invite him to make those remarks at this time, please.

Hon. Mr. Krawetz: — Thank you, Mr. Chair. And to assist all committee members in understanding the Bill and the suggested changes that we're going to be looking at — and I think I've shared those changes with the opposition as well as with government members — when we get to these clauses, and I'm going to identify them right away, there will either be an amendment that will be proposed or there is a need to defeat the clause.

And the reason for that . . . And I'm sure that people who are not aware of procedures of amendments to Bills are wondering, well why would the government want to have its own clauses defeated? I want to indicate that, first of all, there are two situations that are occurring. The clauses that we wish to amend, there are certain situations where there has been a desire to change some of the intent after some additional consultations that the opposition raised in second reading speeches, and we are going to achieve those goals by making some fairly small amendments.

There are other clauses that, because those clauses propose a

change that was not anticipated since we have reintroduced another Bill — and this is all around the budgetary Bill that will change the funding of Education — because there are clauses that are similar, we need to not have those particular clauses in effect because they will be dealt with in the subsequent Bill that you're going to see before you, and that's Bill No. 89. Bill No. 89 will deal with those concerns.

So I do want to indicate to the members that the following clauses — and if there's someone who is following the Bill based on the fact that the Bills are available to the public — clause no. 23 will be amended. Clause no. 24 will have a small amendment. Clause no. 31, we will ask committee members to defeat that clause because it's not required. Clause 32 will be defeated as well, and clause 36 is going to be amended. Clause 38, I'm asking members to defeat that clause; and the final clause will be clause 48 and it will be amended.

Now the legal explanation for all of this of course is following proper procedure. And I'm not going to get into quoting, you know, Erskine May and Marleau, Montpetit but those are the documents that we rely on to guide us. And in discussions with the Ministry of Justice officials, with the Clerk's office, this is the recommended procedure in that the different clauses should not be withdrawn or just dropped. They need to be actually defeated. So that's the explanation for those, and we'll deal with those clauses each as we get to them.

The Chair: — That concludes your comments, Minister?

Hon. Mr. Krawetz: — Yes. Sorry, Mr. Chair. Yes, I'm prepared to move forward to the clauses.

The Chair: — At this time I would ask if committee members have questions of the minister regarding Bill 67. I recognize Mr. Wotherspoon.

Mr. Wotherspoon: — Thank you, Mr. Chair. Certainly this Bill addresses many different pieces here, but specifically the items that pertain to ensuring that safe, professional teachers are in the classroom, that are conducting themselves in appropriate ways, is incredibly important to the entire Assembly, both sides of the House.

The changes, however, that were justified to comply with the interjurisdictional protocol were of concern for the stakeholders within education. Specifically the process of how those policy changes were arrived at are of significant concern to this opposition.

And I'm not going to repeat my second reading speech, but it is of great concern that a long-standing and purposeful tradition of policy creation with full consultation of the education partners should be maintained. Their involvement is very important in creating good policy, in expressing their particular perspectives, in recognizing particular aspects that someone or the minister himself might not recognize, and certainly this has been the case in this Bill.

The sort of — and I've said this wrong once before with the media but — the legislate first, consult later approach or comment is valid on this Bill. It's a criticism that I believe has been recognized by this minister.

There was much concern when this Bill was introduced into the House last fall, in fact by pretty much by all of the educational partners. And the concern, not common pieces across the board, but the one commonality was that they did not know what was going to be contained in the Bill. They did not feel they had the adequate time to offer their input and their concern, and there was concern about workability and making a Bill meet its intent.

So I guess, just looking to the minister for question or comment, is this the policy creation process that you are going to continue into the future with the education community or is this a recognized mistake?

Hon. Mr. Krawetz: — I think, Mr. Chair, that as I indicate . . . And I'm going to ask my deputy minister to comment on some of the further discussions that have taken place with the Saskatchewan Teachers' Federation as I wasn't part of those discussions. But we recognized, and I indicated that, I think, in the Legislative Assembly to the member opposite that, you know, as an initial take on changing legislation, the normal practice that had been understood by the stakeholders was not followed to a T as it had been previously done. So we recognize that. And that was not the intent.

We know that there is a good relationship between the stakeholders. And those stakeholders, for the benefit of people that are following this, include the Saskatchewan Teachers' Federation and the Saskatchewan School Boards Association, the League of Educational Administrators, Directors and Superintendents, and of course the School Business Officials or also known as SASBO [Saskatchewan Association of School Business Officials]. Those four stakeholders are key to the strong education system that we have.

And we erred in some of the sharing of draft material that should have been shared with the different people and that was not done. So no, the practice that had been initiated is not the practice that we want to follow, where possible. And again, I know that the School Boards Association has indicated that, you know, they weren't consulted to the last moment on the changes to how education is going to be funded. Well those are things that just can't happen because of the fact that they're budgetary, and you prepare those of course in confidence.

So those are things that we want to improve on. We want to ensure that our continued deliberations with all of our stakeholders enhances the material that we want to present. And I'd ask Audrey Roadhouse to make some comments on some of the things that have occurred since the Bill was presented, to what you're going to see today in the way of amendments.

Ms. Roadhouse: — Thank you. Following introduction of the Bill, the ministry staff did meet with the STF [Saskatchewan Teachers' Federation] and the School Boards Association further. Meetings were held with the STF on December 15 and January 16. And a further meeting was held with all stakeholders on January 26, at which time there were a couple of other issues raised, and the Ministry of Justice and Attorney General were there, involved around amendments to resolve those issues.

Currently there is a committee consisting of the ministry, STF,

LEADS [League of Educational Administrators, Directors and Superintendents], and the School Boards Association established to consult on the regulations defining misconduct and a policy regarding the proposed teacher registry. And one meeting has been held, and I believe another meeting is in progress.

Mr. Wotherspoon: — Thank you for that answer. And thank you for recognizing the value of those sector partners that have really served education well in Saskatchewan. And it certainly doesn't mean that you're forming policy out of consensus, but it does mean that you're meeting and understanding differences and perspectives and having that sharing go on, creating some good policy and discussion.

Specific to the Bill, I do have a couple of questions around 209.6 as it relates to the collection of data and a registry of information. I guess my question would be, we're going to be collecting, or the ministry's going to be collecting data here on professionals, individual's personal information. What role has the Privacy Commissioner played in consulting, or has the Privacy Commissioner been consulted in this process to vet the process in the registry that will be used to collect and keep this data?

Hon. Mr. Krawetz: — I'd like to indicate at this time that Drew Johnston has joined us at the head table, and I think he will best be able to answer your question.

Mr. Johnston: — Right now the teachers' certification branch retains a register of teacher status — which certificates they have, whether they've been suspended or terminated or not. That registry, as is with many professions, will be available to the public so they can determine whether a teacher is currently active or suspended for some reason. We have not consulted directly with the Privacy Commissioner.

The committee that is meeting right now — the STF, LEADS, SASBO, and school board association and our ministry — are looking at the registry right now and the elements of that and designing policies around it. It's not been completed yet. They will be addressing that at their next meeting as well. It will be in policy, and of course privacy concerns will have to be considered as part of that. We will probably be running that past our own privacy and access office and, if need be, Justice and the Privacy Commissioner if there's any question concerning the availability of that to the public.

[21:30]

Mr. Wotherspoon: — So through the process where the actual collection of data and what this system looks like, the logistics of it, that's being developed with the stakeholders. Now I heard that the Privacy Commissioner might be engaged in this if there's questions. I guess to the minister: does the minister feel that putting forward a collection of this personal and professional information . . . I would urge that it might be incumbent of the minister to make sure that the Privacy Commissioner is involved in that process to make sure that what's being constructed and the process is compliant with the Privacy Commissioner's expectations.

Hon. Mr. Krawetz: — Well I think as you heard from Mr.

Johnston, as the subcommittee works on this and develops the registry system, it will be double-checked. It will be double-checked to ensure that it does not infringe on, you know, the final entity will not infringe on the privacy regulations. So that is something that will take place within its development as we move forward.

Mr. Wotherspoon: — Thank you. I think that's an important step of the process, to make sure that what we're collecting is both collected and stored in a proper fashion respecting the privacy of the individuals. As it relates to keeping this registry, it seems to be an awfully large task. It certainly goes far beyond what the interjurisdictional protocol calls for, so this is a direction of this minister. I'm wondering, in collecting this data and managing it, how many FTEs [full-time equivalent] does the minister have allocated to take care of this process?

Mr. Johnston: — I don't believe that there's been any additional resources requested to manage the registry. The branch itself manages the teacher files already in paper form. What it would be doing is making it more available to the public in terms of, is this teacher practising or suspended or not, as it would be the case, let's say, with a doctor and the College of Physicians, whether this doctor is registered and practised or not. So I don't believe any additional resources have been requested for that activity.

Mr. Wotherspoon: — It does seem to be an activity that could have significant capacity or need to the endeavour of collecting this data and then maintaining it. And it is a vast registry. I'm wondering about, you know, even logistical questions, and I suppose we can leave this to regulations. But I can't quite conceive how, say, a superannuated teacher who might pass away, how do you register a death in that or how is that going to come back or . . .

Mr. Johnston: — I don't believe they're going to have personal information up on display. They already collect this data through the certification process. What will be on there is whether a teacher is currently active and certified as a professional A certificate or professional B or a technical or vocational certificate and whether they have active status and are certified or not. I don't think they will have any personal information up on any kind of public registry in terms of address, phone numbers, any birth date. It will just be on current, probably, practising teachers and whether they're active or not and certified or not and which certification.

Mr. Wotherspoon: — Looking at *The Education Act* certainly there's an exclusion built into section 234 that excludes LEADS members from collective bargaining — 234, not within this Bill itself but *The Education Act* as a whole. This Bill doesn't have any exclusion explicitly stated as it pertains to LEADS members. Is it the intent of this minister to capture LEADS members within this registry?

Mr. Johnston: — LEADS members are required to be certified. Their requirement is one year post-secondary education or a master's degree in education. So they are certified as teachers, and so they are included as part of the certification registry.

Mr. Wotherspoon: — Sorry. My question — and I wasn't

specific there; thank you for the answer — more so within the disciplinary process that's been laid out by the Minister of Education that pertains to educators. There's been no explicit exclusion of LEADS members as there is in section 234 for members of LEADS as it pertains to collective bargaining. So was it the intent or is it the intent of the minister with this legislation to subject LEADS members to the disciplinary process that's now unfolded in this document or this Bill?

Mr. Johnston: — LEADS members are subject to *The League of Educational Administrators, Directors and Superintendents Act*, so should a complaint arise regarding the competence or conduct of a LEADS member, it would be dealt with under the LEADS Act.

Mr. Wotherspoon: — As we look at the registry, and we have many individuals holding a teaching certificate that are not actively employed by a school board — I was thinking the critic of Education, myself, possibly our Education minister, possibly our senior staff with the Ministry of Education — how do you suggest in keeping that data within the registry? And also are all of those individuals holding a teaching certificate, are they subject to the disciplinary process that's been laid out in this Bill?

Mr. Johnston: — My understanding is that inactive teachers, retired teachers are not subject to complaints of misconduct or incompetence.

Hon. Mr. Krawetz: — If I might, I think, Mr. Chair, you know, and you've identified yourself and myself, and we're both inactive teachers. We're going to be probably in the registry base — if that's what the group that's working on determines that that's the group that's going to be put down — because we have professional certificates. They are valid in the province of Saskatchewan but we're inactive.

So we'll be included in the registry system, but the complaint or the disciplinary provisions are for teachers who are involved with the contracts with school boards. We don't have contracts with school boards, so we're going to be, you know, on the outside of those kinds of things.

Mr. Wotherspoon: — Just different logistical questions as we're looking at these things, and if we're looking at a certificate and this registry now letting, I guess, employers know the suitability of an individual carrying a certificate, there are many challenges. And I guess that's where I'm just feeling that there's a lot to be worked out in regulation, and there's a vastness to this that does seem . . . And certainly there's many members of the general public who have teaching certificates, and it's incredibly important that we are able to make sure we collect information, if someone with a professional certificate is acting in a way that would be unsuitable to carry that certificate.

Hon. Mr. Krawetz: — I would ask Mr. Johnston to continue answering your questions. But what I want to point out is, for the benefit of everyone, is that Saskatchewan is the last province to move forward with this registry system. Nine other provinces have it. The focus of CMEC many, many years ago was that this was something that should be done, and it wasn't done for various reasons in the province of Saskatchewan. So, it's not like we're now going into some totally new area. We are

the last province, and we have the material from other provinces to follow. So I'd ask Drew to continue with his comment there.

Mr. Johnston: — The guidelines that I'm aware of so far that the subcommittee has worked on refer to keeping the teacher's name on the registry, an electronic registry, and it will be their legal name. It will also have their certificate of qualification, and that is those professional A or professional B or technical vocational, there's about eight different varieties there. They will have the type of certificate they held, including the date it became valid and the date it expired, if applicable.

The registrar shall also include a notation if a certificate of qualification has been cancelled or suspended or where the teacher has surrendered his or her certificate of qualification and the effective dates of that cancellation, suspension, or the surrender of certificate. No notation will be made on the registry until any kind of appeal processes have been disposed of, and there are some within the education sector. So no notation will be made until those processes have been completed.

Names of deceased teachers will be removed from the register upon notification of the teacher's death and that will come from the Saskatchewan Teachers' Retirement Plan or the Teacher's Superannuation Commission. The names of inactive teachers will be removed from the register in accordance with the current policy of archiving teacher records held by the Ministry of Education.

And to date, that is the direction they appear to be going in — the subcommittee. But again, this is a draft at this time.

Mr. Wotherspoon: — Thank you for that answer. As it pertains to teachers that are not STF members, who might be employed in our custody facilities for example, and as it relates to this new disciplinary process that's laid out, what consultation has gone on and with what organizations that represent or with these specific employers?

Mr. Johnston: — The registrar of our teacher certification process sent a letter to all independent schools in the province advising them — I believe it was last summer or fall — of the changes coming and requested comments and didn't receive any. The registrar was also in touch with teachers in the custody and care facilities, the people who manage those facilities. And again, no concerns were raised at that time.

Mr. Wotherspoon: — It would be worthwhile to . . . You know, in the end, an organization such as the STF or the Saskatchewan School Boards, certainly as education partners, have significant resources and expertise and abilities to understand the implications of a specific Bill for its members and its important role they play for their members.

It's worthy to note that an individual who's not an STF member — and again I use the example of someone who might be working at a custody facility as a teacher, such as Paul Dojack — it seems that they don't have much for opportunities for recourse within the disciplinary process. And that there might be some concerns that an individual who goes through a process — absolutely if they have acted in a way that's not appropriate, they shouldn't be working with children, and they should be

documented — but for somebody who might go through a process and in the end, not everybody that's alleged of something is guilty.

And I'm just wondering about what this Bill has, what assurances that you can provide that those individuals aren't going to be, sort of, on their own devices. And basically courts, which are difficult to access and a barrier to access, would be their only route potentially to recourse. This is a concern for us.

Mr. Johnston: — Well it's the case in a number of professions in this province and in other provinces where some have an appeal process built in. Some view that as not appropriate, given that this is the same professional body that disciplined you and now you're appealing that decision. And always in those professional statutes, even when they have the ability to appeal within the organization, there's always of course, as you mentioned, the appeal to the courts. So some professional bodies and their members have found that it's not appropriate, and it's actually a lengthy process and a costly process to appeal within the professional body and then going on to the courts. So some professional bodies have done away with that internal appeal, and they go directly to an appeal to the court system.

[21:45]

Mr. Wotherspoon: — Right, but I guess the example this is covering, the majority would be STF members, and they certainly have supports in process there. We're talking about a far more nominal number of individuals that are treated quite inequitably by this legislation and have a significant less avenue to recourse. And then the fact that we want make sure that individuals who are working with youth, vulnerable children, are of the highest moral and their actions are appropriate; we want to make sure that that's the case.

Just the same, we want to make sure that individuals that are seeking in the end somewhat vulnerable professions also are supported in entering those professions, and that they have process to recourse when an allegation is put forward.

Mr. Johnston: — For non-STF members, there is one step that the STF members have, and that is to appeal to the minister and have a board of reference created. That process exists; it hasn't been used probably in about four years. Usually the employer and the STF representing the individual come to a resolution of the issue, and so there's not been a need for boards of reference in the last number of years; it hasn't been a highly used activity. So in this case, we felt that an appeal directly to the courts was just as effective as what is currently in existence for the STF and also what other professions have.

Mr. Wotherspoon: — Thank you for that answer. Certainly I wouldn't say that there's not concern with this element or other elements of this Bill, but certainly the government holds the driver seat and are the voting majority. And this Bill will be moved by the government through to being passed and brought through Royal Assent.

So at this point, I mean, I bring forward that concern. Certainly, you know, there are stakeholders that might be able to be engaged still at this point. That being said, I suppose some of this might be realized through circumstance as specific

incidents played themselves out into the future. When I say incidents, I certainly would like to see no incidents of professional misconduct, but that's not always the case.

There's been some concern — and I'm sure the minister and the ministry have heard this piece — just with regard to what's been described as a convoluted process, where boards report to the ministry and then that goes to the disciplinary mechanism, the STF. There's been argument put forward that that's not incredibly workable, and that — as opposed to being sequential — that that be done simultaneously. I just am interested in perspective from staff on why the decision has been to retain the initial plan there.

Mr. Johnston: — The route in terms of complaint is to the Minister of Education. Those complaints that are concerning STF members are then referred to them to respond to and investigate and take any disciplinary action in their usual manner. In the case of having it report to us, the interjurisdictional protocol actually called for employers to notify of terminations, of suspensions, retirements related to discipline and so forth to the certification body. And in this case, the ministry is the certification body. So we made that decision because it was consistent with the protocol, and it's also one that is followed in the majority of provinces.

Mr. Wotherspoon: — Thank you. I know that some of the financial officers of our province — the secretary treasurers, financial officers, they've gone through different name titles — had some concerns with the legislation. I know that they've engaged in subsequent meetings with the ministry, questions and concerns around I guess recognition of that role within the legislation and definition of that role.

Just wondering if at this point — I believe there's been discussions, and I believe there's work being done at the regulation level on this — I'm just wondering if the minister or if ministry officials could comment on what concerns have been brought forward and how it's going to be alleviated through either this legislation or regulation.

Mr. Johnston: — The terms treasurer, secretary-treasurer go back several decades. Probably to the 1940s and haven't been changed since.

There was discussion about referring to the more, I guess, common term, chief financial officer of an organization. And initially there were some concerns I think because some may have thought there would be confusion with the director of education being the chief executive officer and the chief financial officer.

We had a meeting on that with all the stakeholders, and came to the conclusion that we reinforce the fact in the definition that the director is the chief executive officer, and the term chief financial officer can be used if they wish. For certain things like signing — where you need to specify a particular individual, chief financial person as signing for debentures and things like this — we needed to specify an individual, so we used the term chief financial officer.

In most of the other cases, we changed from secretary-treasurer to board of education because we knew that the senior

individual designated as the secretary-treasurer — I think it was something like 15 out of the 29 school divisions — were no longer using the term secretary-treasurer. They were referring to their chief financial person as the superintendent of finance, or the superintendent of finance and administration. So it was to update the terminology to reflect what was occurring in the school divisions.

Mr. Wotherspoon: — I know that the SASBO members had some concerns, and I hope that through regulation those concerns are addressed.

I guess a question, you know, speaking about specific sectoral concerns and as I said they're certainly not common, you know, concerns, that each sector partner brings a different perspective to the table. But certainly a sector partner has expressed concern with the actual mechanism that will adjudicate or go through the disciplinary processes — the STF which of course is an organization that plays multiple roles there. I just would like to hear from the ministry officials what they were able to take to that concerned sector partner as justification for the process that you've laid out. Sorry, I'm incorrect — to address the concerns of the School Boards Association of the role that the STF plays within this process.

Hon. Mr. Krawetz: — I think I'll give the response here, Mr. Wotherspoon or Mr. Chair, is that we have agreed that we are going to honour the process that is in place with the Saskatchewan Teachers' Federation.

And further to that, I do want to make the comment about also your previous question regarding the use of the term chief financial officer. It's not going to be dealt with in regulation. It's going to be dealt with in clause 38 where we're going to be using the term chief financial officer.

Now as Mr. Johnston has pointed out, there was concern at the beginning about the use of the word chief executive officer, chief financial officer. Those discussions have taken place, and we're going to move forward with the clause that allows the board of education to use the term chief financial officer if they so choose. And as pointed out, I see here of the listing of the boards of education and we have everything from superintendent of administration to superintendent of business operations, superintendent of finance, superintendent of business and finance.

I mean there are a host of terms that are being used across the province, so we're going to now standardize that. The school board officials, SASBO officials, understand that the term chief financial officer is going to refer to that specific person. It has nothing to do with the chief executive officer.

Mr. Wotherspoon: — Thank you, Minister. I think that concludes many of the questions. And certainly we have more questions, but the ability to get that sort of detail, I mean there's a process that's in place there. We certainly are pleased that the sector partners are engaged in regulation. We hope that that regulation will respect the profession and achieve the intent of making sure that those teachers who are found to not be appropriate in their conduct will not be interfacing with students in any way. And in fact there's been many measures that have ensured that that hasn't happened for many years, but certainly

to come in line and check mark the interjurisdictional protocol is something that we certainly support.

We're concerned about the vast registry and the actual how this is going to come together and the potentially taxing activity that it will be to manage that data and the responsibilities of managing that data, collecting that data. And when we look at the Privacy Commissioner itself, I think it's important that we engage the Privacy Commissioner to make sure that discussions that sector partners are having and that the ministry is having reflect appropriate methods and are supported by the Privacy Commissioner.

But at this point I think that we've stated our concern with the consultation process, and it seems that sector partners are engaged at this point. I don't believe I have any other questions.

The Chair: — Thank you, Mr. Wotherspoon. Are there any other questions or comments from any other of the committee members? Seeing none, we will proceed to vote the Bill. Clause 1, short title, is that agreed?

Some Hon. Members: — Agreed.

[Clause 1 agreed to.]

[Clauses 2 to 22 inclusive agreed to.]

Clause 23

The Chair: — Mr. Allchurch.

Mr. Allchurch: — Thank you, Mr. Chair. I wish to propose an amendment.

Clause 23 of the printed Bill

Amend Clause 23 of the printed Bill:

(a) by striking out subsection 209.1(1) of *The Education Act, 1995*, as being enacted by Clause 23 of the printed Bill, and substituting the following:

“(1) A board of education, the conseil scolaire, a registered independent school or any other person or entity recognized by the minister that employs or retains a teacher to teach shall immediately provide written notice to the minister regarding the suspension, termination, resignation or retirement from employment of the teacher if the suspension, termination, resignation or retirement, as the case may be, results from conduct that the employer reasonably believes constitutes professional incompetence or professional misconduct that may relate to the suitability of the teacher to hold a teacher's certificate of qualification”;

(b) in the French version, in subsection 209.2(1) of *The Education Act, 1995*, as being enacted by Clause 23 of the printed Bill, by striking out, « contre n enseignant » and substituting « contre un enseignant »; and

(c) by striking out section 209.4 of *The Education Act, 1995*, as being enacted by Clause 23 of the printed Bill, and substituting the following:

“Professional misconduct

209.4 Professional misconduct is a question of fact, but any matter, conduct or thing, whether or not disgraceful or dishonourable, constitutes professional misconduct within the meaning of this Act if it:

- (a) is harmful to the best interests of pupils or other members of the public;
- (b) tends to harm the standing of the profession;
- (c) constitutes a breach of this Act or the regulations; or
- (d) in the case of a teacher employed by a board of education or the conseil scolaire, constitutes a breach of *The Teachers’ Federation Act, 2006* or the bylaws made pursuant to that Act”.

I so move.

[22:00]

The Chair: — Mr. Allchurch has moved an amendment to Clause 23. Since this Bill is printed in both official languages, there’s also an amendment that is exactly the same in the second language, French.

Will the committee members take the amendment as read by Mr. Allchurch? Do committee members agree with the amendment as read?

Some Hon. Members: — Agreed.

The Chair: — That’s carried.

Clause 24

The Chair: — I recognize Mr. Allchurch.

Mr. Allchurch: — Thank you, Mr. Chair. I have another amendment:

Clause 24 of the printed Bill.

Strikeout Clause 24 of the printed Bill and substitute the following:

“Section 212 amended

24 The following subsection is added after subsection 212(2):

“(3) The board of education or the conseil scolaire, as the case may be, shall notify the minister in accordance with section 209.1 where:

- (a) the board of education or the conseil scolaire

reasonably believes a teacher is guilty of professional incompetence or professional misconduct that may relate to the suitability of the teacher to hold a teacher’s certificate of qualification; and

(b) the board of education or the conseil scolaire and the teacher have agreed to terminate the teacher’s contract of employment in accordance with subsection (1) or (2)”.

I so move.

The Chair: — Mr. Allchurch has moved an amendment to clause 24. Will committee take that amendment as read?

Some Hon. Members: — Agreed.

The Chair: — Do committee members agree with the amendment as read? Is that agreed?

Some Hon. Members: — Agreed.

The Chair: — That’s carried. Is clause 24 as amended?

Some Hon. Members: — Agreed.

[Clause 24 as amended agreed to.]

Clause 23

The Chair: — Committee members, we need to move back to clause 23. The Chair neglected to ask the committee if clause 23, as amended, is that agreed?

Some Hon. Members: — Agreed.

[Clause 23 as amended agreed to.]

[Clauses 25 to 30 inclusive agreed to.]

The Chair: — Clause 31, is that agreed?

Some Hon. Members: — No.

The Chair: — Clause 31 is defeated.

Clause 32, is that agreed?

Some Hon. Members: — No.

The Chair: — Clause 32 is defeated.

[Clauses 33 to 35 inclusive agreed to.]

Clause 36

The Chair: — I recognize Mr. Allchurch.

Mr. Allchurch: — Thank you, Mr. Chair. I propose an amendment to clause 36 of the printed Bill:

Clause 36 of the printed Bill

Amend clause 305(6)(a) of *The Education Act, 1995*, as being enacted by Clause 36(2) of the printed Bill, by striking out “uniform”.

I so present.

The Chair: — Will committee members take the amendment as read?

Some Hon. Members: — Agreed.

The Chair: — Mr. Allchurch has moved an amendment to clause 36. Do committee members agree with the amendment as read?

Some Hon. Members: — Agreed.

The Chair: — That’s carried. Is Clause 36 as amended agreed?

Some Hon. Members: — Agreed.

[Clause 36 as amended agreed to.]

[Clause 37 agreed to.]

The Chair: — Clause 38, is that agreed?

Some Hon. Members: — No.

The Chair: — Clause 38 is not carried.

[Clauses 39 to 47 inclusive agreed to.]

Clause 48

The Chair: — I recognize Mr. Allchurch.

Mr. Allchurch: — Thank you, Mr. Chair. I propose amendment to:

Clause 48 of the printed Bill

Strike out “**clause after**” and substitute “**clauses after**” in Clause 48(a); and

Amend subsection 370(1) of *The Education Act, 1995*, as being enacted by Clause 48(a) of the printed Bill by adding the following clause after clause (i.1):

“(i.2) without restricting the generality of section 209.4, prescribing any conduct on the part of a teacher that shall be deemed to constitute professional misconduct within the meaning of this Act.”

I so move.

The Chair: — Mr. Allchurch has moved an amendment to Clause 48. Will committee members take it as read?

Some Hon. Members: — Agreed.

The Chair: — Do committee members agree with the amendment as read?

Some Hon. Members: — Agreed.

The Chair: — That’s carried. Is Clause 48 as amended agreed?

Some Hon. Members: — Agreed.

[Clause 48 as amended agreed to.]

[Clauses 49 and 50 agreed to.]

The Chair: — Her Majesty, by and with the advice and consent of the Legislative Assembly of Saskatchewan, enacts as follows: Bill No. 67, *The Education Amendment Act, 2008 (No. 2)* as amended. Is that agreed?

Some Hon. Members: — Agreed.

The Chair: — Carried. I would ask a member to move that we report Bill No. 67, *The Education Amendment Act, 2008 (No. 2)* with amendment. I recognize Ms. Eagles. Ms. Eagles moves that we report the Bill. Is that agreed?

Some Hon. Members: — Agreed.

The Chair: — That’s carried. Committee members that concludes our consideration and voting of Bill 67.

Bill No. 79 — *The Education Amendment Act, 2009 (No. 2)/Loi n° 2 de 2009 modifiant la Loi de 1995 sur l’éducation*

The Chair: — The next item on our agenda is Bill No. 79, *The Education Amendment Act, 2009 (No. 2)*. Minister, do you have any new officials that you’d like to introduce?

Hon. Mr. Krawetz: — Yes, thank you very much, Mr. Chair. I would like to introduce Francis Bast who will assist in providing answers on this Bill if there are any questions.

Clause 1

The Chair: — We will now consider clause 1, short title. I would ask if the minister has any short comments that he would care to make, and if not, I would then ask committee members if they have any questions.

Hon. Mr. Krawetz: — Mr. Minister, my comments were made in the remarks in the House as to the reasons why we feel that this is an improvement to the Act.

The Chair: — Thank you, Minister. Are there any questions from any of the committee members? Seeing none . . . Oh I’m sorry. Mr. Wotherspoon. Mr. Wotherspoon, certainly go ahead.

Mr. Wotherspoon: — Well I don’t think we’ll spend an exorbitant amount of time detailing this Bill because certainly I think we go back to discussions and critique of schools of opportunity itself in discussions in the House last year and also in committee.

Those same concerns apply to what’s been brought forward here now. I think at best we’re seeing some fiddling away at the edges with bumping two years to three years. It’s concerning as

well that certainly this bump to three years takes us simply past the next election, and I hope that motivations run deeper than that. The two-year window before would have meant that decisions on school closures would have occurred just before the next election. Certainly good policy isn't created with those sorts of motives.

That being said, it's concerning as well to see . . . And I guess it's a broader question of putting sort of a fixed time period on economic growth for a community. And we know communities such as Chaplin right now have put together \$60,000 of community's dollars — business, local municipality, and individuals — to put their application forward. And some of the things as it relates to economic development certainly are within their control. Much of it is external and outside of their control.

And certainly we're all too well aware of the challenges in world capital markets, and certainly we know that they have a significant impact on many of communities back here in Saskatchewan as well. Communities are going to work incredibly hard to make their communities viable, to make their school viable. And we know the school is so important to those communities.

I guess I do have the question, just in some conversation with some of the communities facing these discussions, it's been suggested that . . . they were wondering why grade discontinuance might not have been part of the schools of opportunity's package. Right now a school of opportunity only becomes one if the board moves closure.

I guess to the Minister of Education: does he have any comment? Or I'm just wondering what sort of an answer was provided back to these communities that have asked this question.

Hon. Mr. Krawetz: — Thank you, Mr. Chair, for that question. The planning for the schools of opportunity dealt with the entire closure of a school, and that's what the community was asking for.

Under the former regulations, a board of education would review a school and make the decision to close it. There basically was no opportunity for the community to say, you know, we believe that that's the wrong decision, and therefore we want to be able to have the opportunity to prove to you that that is wrong. That was not available to boards.

The only appeal mechanism was, I believe, the courts, and some local communities — some local boards at that time, as they were called — tried that venue. You know, it resulted in a lot of cost. And if the board of education had followed proper procedures and ensured that the Act was followed, the decision was final because it is indeed within the jurisdiction of the board of education to determine which schools remain open within a school division.

What this allows to happen is if a community is going to lose its entire school . . . And again we know that this does not apply to a school of necessity because a school of necessity, which is further than 40 kilometres away from the nearest like school, it does not fit into this category. So these are schools that are

fairly close together, whereby if a board of education decides that they are closing the school and the community feels that there is some tremendous opportunity that is just around the corner, they will now have that opportunity to prove themselves.

So we did not anticipate using the grade discontinuance model as a criteria for application for additional funding. Right at the moment, it is strictly the closure of the school versus the non-closure of the school as it currently sits.

[22:15]

Mr. Wotherspoon: — I guess the other questions, and these are broader implications that can be discussed as it pertains to the new education financing model that's been put forward, but there is sort of questions as to whether or not this is even relevant any more under the new financial environment that's being created to fund school divisions, with boards having their access to own-source revenues completely taken away by this ministry.

The Education minister quite frankly is more accountable and responsible for school closures in this province than ever before through the education financing changes, ensuring that funds are available to provide adequate education in communities across Saskatchewan. And that's discussions maybe that we might be able to have under Bill 89 at this point. But when you take and you centralize a service or, I guess, treat it now as a service, and you take away own-source revenues of local communities, certainly there's a much larger responsibility placed on the hands of the Minister of Education as it relates to school closures. And these will be, I guess, something that'll play out in the years to come, and we can continue to have those discussions at those places in time as well.

I don't have any other questions with this Bill. We don't see it as a significant change. It's a modest change to a time period. And at this point I'll cease questioning.

The Chair: — Thank you, Mr. Wotherspoon. Are there any questions or comments from any other committee members? Seeing none, clause 1, short title, is that agreed?

Some Hon. Members: — Agreed.

The Chair: — That's carried.

[Clause 1 agreed to.]

[Clauses 2 and 3 agreed to.]

The Chair: — Her Majesty, by and with the advice and consent of the Legislative Assembly of Saskatchewan, enacts as follows: Bill 79, *The Education Amendment Act, 2009 (No. 2)*. Is that agreed?

Some Hon. Members: — Agreed.

The Chair: — That's carried. I would ask a member to move that we report Bill No. 79, *The Education Amendment Act, 2009 (No. 2)* without amendment. Mr. Ottenbreit moves. Is that agreed?

Some Hon. Members: — Agreed.

The Chair: — That's carried. There is also a copy of Bill 79 in the second official language. I've been advised that that needs to be on the record.

Committee members, that concludes our work with Bill 79, but I see the Minister of Education has indicated that he would like to make some comments.

Hon. Mr. Krawetz: — Absolutely. Thank you very much, Mr. Chair. You know, it's been nearly three and a half hours, and I want to thank, first of all you, Mr. Chair, and all the committee members, including the members from the opposition, for questions on not only the estimates but on the Bills. We want to try to ensure that everyone understands why certain decisions were made. While they may not agree with the decision, we hope that we have provided the reasons why we as a government have moved forward. So I want to thank all members for helping to make this process work.

And I also want to extend my appreciation to all of my officials, who, some have left after estimates and did not remain, but for those who have been here for the entire period of time, I want to extend my appreciation to them.

The Chair: — Thank you, Minister. Mr. Wotherspoon.

Mr. Wotherspoon: — Just on behalf of the opposition, I'd like to echo that same sentiment and thank the officials who attended here tonight and thank the minister for the opportunity to answer questions and to committee members for allowing this part of our democracy to occur. Thank you very much.

The Chair: — At this time, committee members, I would entertain a motion of adjournment. Mr. LeClerc moves. Is that agreed? I take that as carried. This committee is adjourned.

[The committee adjourned at 22:20.]