



STANDING COMMITTEE ON HUMAN SERVICES

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STANDING COMMITTEE ON HUMAN SERVICES

Mr. Dan D'Autremont, Chair
Cannington

Ms. Danielle Chartier, Deputy Chair
Saskatoon Riversdale

Mr. Larry Doke
Cut Knife-Turtleford

Mr. Muhammad Fiaz
Regina Pasqua

Mr. Todd Goudy
Melfort

Mr. Warren Steinley
Regina Walsh Acres

Hon. Nadine Wilson
Saskatchewan Rivers

[The committee met at 15:00.]

The Chair: — Good afternoon, everyone. Welcome to the Human Services Committee. With us today we have myself, Dan D'Autremont, as Chair; MLA Larry Doke, MLA Muhammad Fiaz, MLA Todd Goudy, MLA Warren Steinley, MLA Nadine Wilson, the Hon. Nadine Wilson. Substituting today for MLA Danielle Chartier is MLA Nicole Rancourt.

Before we commence today's considerations, we have received submissions in relationship to Bill 89, *The School Choice Protection Act*, that I wish to table at this time. It'll be HUS 41-28, Saskatchewan School Boards Association, public section: submission regarding Bill 89; as well as HUS 42-28, John Whyte: submission regarding Bill No. 89.

**General Revenue Fund
Labour Relations and Workplace Safety
Vote 20**

Subvote (LR01)

The Chair: — We will now begin consideration of the estimates of the Minister of Labour Relations and Workplace Safety. We now begin our consideration of vote no. 20, Labour Relations and Workplace Safety, central management and services, subvote (LR01).

Minister Morgan is here with his officials. Welcome. Please introduce your officials and make your opening remarks.

Hon. Mr. Morgan: — Thank you, Mr. Chair. I will try and be as brief as I can. I am presenting here today the 2018-19 budget of the Ministry of Labour Relations and Workplace Safety. I have very few remarks.

Joining me today is my chief of staff, Clint Fox, and upstairs to provide us information is Molly Waldman. I also have several senior members from the ministry supporting me including Mike Carr, deputy minister; Louise Usick, executive director of corporate services; Glen McRorie, acting executive director, employment standards; Ray Anthony, executive director, occupational health and safety; Denise Klotz, director, office of the Workers' Advocate; Pat Parenteau, director of policy; Fred Bayer, registrar of the Labour Relations Board; and Dustin Austman, executive assistant to the deputy minister.

Also joining us today is Peter Federko, chief executive officer of the Workers' Compensation Board. You will note when he comes up to speak that he is not wearing a tie. It is not out of any disrespect. He is unable to put on a tie because of an injury he sustained pushing a vehicle during the winter months. I am pleased to indicate to the committee that it was not a workplace injury. He did it on his own time, and as such we have nothing to offer him but our sympathy.

Mr. Chair, our ministry . . .

The Chair: — You could offer him a tie.

Hon. Mr. Morgan: — I suspect I would have to put it on for him. But having said that, if you'll pardon the bad humour, it's

an indication that we should all be careful, no matter whether we're involved in a workplace situation or otherwise. There are injuries that take place at home and at cottages that are just as catastrophic as workplace injuries, so we should all be careful at all times.

Our ministry remains committed to working through this period of fiscal challenges to help keep the provinces on track. We want to continue our work to transform government's delivery of programs and core services to make sure that we remain cost effective and sustainable.

Over the last year, the Ministry of Labour Relations and Workplace Safety has worked to encourage healthy, safe, and fair workplaces, and we are seeing results. From 2002 to 2017, Saskatchewan's time-loss injury rate has been reduced by over 62 per cent, from 4.95 per cent to 1.86 per cent. During the same time period, Saskatchewan's total injury rate has been reduced by 54 per cent, from 11.5 per cent to 5.25 per cent. OHS [occupational health and safety] activities have contributed significantly to this decline.

While we have had significant success for the last two years, we are starting to see our numbers plateau. That's why we need more resources, so that we can continue to work on decreasing Saskatchewan's unacceptably high injury rate. While Saskatchewan's injury rate is third worst in Canada, we continue to decline faster than all other jurisdictions. The positive impact of the targeted intervention strategy is clear.

Since 2007 Saskatchewan's economic growth has added employers and employees to our provincial economy. Active Workers' Compensation Board employer accounts have increased by 41.5 per cent from 2007 to 2017. These employers and workers require and are entitled to service from occupational health and safety. And while we acknowledge that the number of total OHS officers has increased from 52 officers in '07-08 to 63 now, there is still more work to do. We are pleased that we asked for and received five additional occupational health officers so that we can continue to drive down the injury rate and achieve the goal of Mission: Zero.

This year the ministry continues our strong support for workplace health and safety while holding the line on spending without raising taxes for Saskatchewan people. The 2018-19 budget for Ministry of Labour Relations and Workplace Safety is \$19.08 million, an increase of \$269,000 over the 2017-18 budget.

The ministry has met its requirement for reductions of 2 per cent, a decrease in funding of 605,000, which is offset by an increase to the amortization expense for our enterprise customer relationship management system and some new initiatives.

This budget provides approval for an increase of six full-time equivalent positions, for a total of 167.1 FTEs [full-time equivalent]. As I've said, the new funding will support five new occupational health officer positions but also provides an additional intake coordinator for the Office of the Workers' Advocate to maintain services to injured workers. This \$582,000 expense will be fully reimbursed from the Workers' Compensation Board.

These are important investments to ensure the ministry continues to improve client services and invest in workplace safety for the citizens of Saskatchewan. The ministry remains committed to working through this period of fiscal challenge. At this time, we will continue to transform government's delivery of programs and core services to be more cost effective and sustainable.

I would like to talk a little bit about eliminating workplace injuries and death. The WCB [Workers' Compensation Board] and the Government of Saskatchewan have now partnered together for over 10 years to eliminate and prevent injuries and illnesses. Mission: Zero means zero injuries, zero deaths, and zero suffering. It is the only acceptable goal, and we are determined to get there.

We know that the injury rate in Saskatchewan has been far too high for decades. Although we are making progress, every year far too many workers suffer life-altering injuries or never make it home to their families. The Day of Mourning on April 28th is a sad reminder that we still have more work to do. Our risk-based targeted approach to occupational health and safety ensures that resources are focused on those workplaces experiencing work-related injuries and illnesses.

So far, 228 priority employers have been engaged in targeted interventions. Together these companies employ over 120,000 employees. The companies we worked with in the targeted intervention program are on track to achieve a reduction of 37 per cent and 2,551 injury claims, a saving of almost \$31 million in Workers' Comp claims. We are confident that this year's \$530,000 investment to put five more officers in the field will result in a further reduction to the injury rate. We have pledged to cut the province's total injury rate in half by 2020, with yearly targets to get us there.

Through the diligent efforts of our staff, our partners at WCB, and employers and workers across the province, we are making progress. Last year we did not achieve our total injury reduction goal of 5.17 per cent, nor did we reach our time-loss injury objective. More effort is required to get us back on track. The ministry will continue to deliver in 2018-19 by expanding the targeted intervention strategy, to continue evidence-based sector specific inspections, and continue our Worksafe partnership to ensure a focus on reducing injury rates.

We also want to make sure that we have got a level playing field for everyone. We have conducted 1,040 officer-initiated inspections in 2017-18, and to make sure workers are protected, we've also conducted 1,909 targeted inspections. We've also conducted 1,036 inspections in response to complaints and notifications, helping to ensure workers are not exposed to harmful substances such as hydrogen sulphide, radiation, and asbestos — a total of 3,985 workplace visits.

We continue to develop educational resources to help employers and young workers know their rights and responsibilities. We have had over 7,800 people, primarily 14- and 15-year-olds, complete the young workers readiness course in '17-18 so they better understand their rights and responsibilities as workers.

We've had 1,693 people participate in a variety of employment

standards-related webinars so that employers can understand *The Saskatchewan Employment Act* and stay in compliance.

The ministry also continues to support injured workers. The Office of the Workers' Advocate helps people who wish to appeal a decision on their workers' compensation claim, and this valuable work ensures that workers injured on the job or made ill as a result of their work receive their full entitlements from WCB. WCB made amendments to *The Workers' Compensation Act* to recognize psychological injury when a person has incurred a psychological injury through a traumatic event or series of traumatic events at work. Since the Act has been amended, there have been 290 accepted claims, and we're only partway through 2018.

Maintaining a competitive business environment in Saskatchewan also means making sure everyone has the same rights and responsibilities. It also means ensuring our laws and regulations stay modern and up to date. To achieve our goal this year, we have done considerable work in completing a comprehensive review of our mine regulations. We proclaimed an amendment to *The Saskatchewan Employment Act* to provide survivors of interpersonal violence with 10 days of unpaid leave to access services or to relocate. Saskatchewan was the fourth province to legislate leave for interpersonal violence, and this legislation is part of a larger effort by government to address the issue of interpersonal violence in Saskatchewan.

We have also successfully transferred responsibility for *The Foreign Worker Recruitment and Immigration Services Act* from the Ministry of the Economy to the Ministry of Labour Relations and Workplace Safety.

Mr. Chair, the people at the Ministry of Labour Relations and Workplace Safety work hard to protect Saskatchewan's workers and employers. We are here to ensure everyone plays by a common set of rules, and in so doing we protect our economy and our way of life. We can see targeted intervention is working, and we want to continue that very important work. We're putting resources into front-line services that protect and support working people, employers, and our economy.

I want to thank you and the members of the committee for this opportunity, and we'd be pleased to answer your questions.

The Chair: — Thank you, Mr. Minister. We now proceed with the consideration of vote 20, Labour Relations and Workplace Safety, central management and services, subvote (LR01). Are there any questions? I recognize Ms. Rancourt.

Ms. Rancourt: — Thank you. First of all, I want to thank all the officials for being here today. I'm new to this portfolio, and I have been learning that it is very diverse, that workplaces across Saskatchewan have a lot of diverse issues. And so it's been a really interesting portfolio, I have to say. And so if some of my questions seem pretty simple in matter, it's because I'm just learning, and I've got really large shoes to fill from my previous colleague that held this portfolio for a long time.

I have to say that after a wonderful long weekend with the beautiful weather — we're not used to that usually in a May long weekend — that it's been a little bit more difficult to get back to work here. And so again I want to thank you all for

taking this time to be here and to help me learn a little bit more about this portfolio.

Minister, I know you probably mentioned this within your report, and I tried to take as many notes as I could, but what is the current provincial total injury rate?

Hon. Mr. Morgan: — 5.25 per cent, I think.

Ms. Rancourt: — Okay. And I believe that the province's goal is to reduce that to 4.7 per cent by March 31st, 2019. What is your plan to reach that goal?

Hon. Mr. Morgan: — Ultimately the goal is to reach zero, because that's the only acceptable number there is. We've used, for the last two or three years, a targeted intervention program where we've targeted employers that would be at greater risk, and a series of unannounced inspections, sometimes to a workplace that we've been at before and are following up to see that something is done, and sometimes a totally random inspection. And that process worked quite well for larger employers. The larger employers had departments or people working within that were . . . that was their full-time task.

So we had relatively good success initially at reducing the overall rate. It actually went faster than we thought it was when we initially did. And we were dealing with large mining companies, government agencies such as Health, and we made good success. We're now at a point where we're dealing with a lot of smaller employers that don't have an OHS department, don't have specific people, and don't have the people trained that are on-site.

[15:15]

So we asked for and received approval for the five additional officers so that we would be able to have more additional contact in the workplaces and work with the employers that we've targeted as the ones that have got the unacceptably high injury rates. So that's the plan, is the increase in resources and then directing the occupational health workers to focus on the workplaces and the categories that would have higher rates of injury.

Ms. Rancourt: — And do you have an idea of maybe which industries might tend to have higher rates of injury?

Hon. Mr. Morgan: — Yes. Right now we're dealing a lot with . . . I can tell you the type of injuries. Falls have been there. With regard to fatalities, we always have a number that are motor vehicle accidents, which are frustrating because we don't control the safety programs. It's SGI [Saskatchewan Government Insurance] and elsewhere.

So every year we've got a number of fatalities from motor vehicle accidents, a number from falls and from other trauma, but we're still dealing with the effects of mesothelioma from asbestos exposure that happened decades ago. And last year . . . My numbers might be off a little bit, but I think we had about 12 or 13 that were asbestos-related, three or four that were motor vehicle, and then the rest were a handful of trauma.

And I don't know if you've got any . . . The deputy minister

tells me construction, health care, and manufacturing. The health care ones we're gaining ground on. They were a bigger challenge to try and address than some of the traumatic-type injuries. They were lifts and strains. When we realized that we had a problem — and not wanting to put myself in the category of being an aging baby boomer, but I am — a lot of the people that were working in health care were well on into their career. So things that they could do when they were 21 or 22, they can't do when they're 51 or 52, and oftentimes the strains or the lifting that they had done over the years were causing back and strain-type of issues.

So to try and address that, the health regions were very co-operative at putting in lifting equipment and doing the work to have the equipment there. Then we pushed hard to make sure that we had the training in place. And so I think the training has worked out relatively well, but where we're still working on is getting people to actually be willing to use them.

And I use the example: I was visiting my mother in the hospital about a year ago, and there was lifting equipment. You could change a small-block Chevy with the stuff, the equipment that was in that room. And the nurse came in — I didn't tell her what I did for a living — came and picked my mom up and moved her around just with one person. And I said, "You shouldn't be doing that." "Oh, I don't have time. I can do it. I can do it." And I said, "You just shouldn't be." And whatever, so I think it's just sort of part of the Saskatchewan mentality. We just go ahead and do stuff without thinking that there may be longer-term consequences to our health. So that's the battle that we face in health.

In construction it's usually falls. And if you go around in new residential areas you'll see a lot of the workers, they've got the ropes and all the equipment there, but aren't using it. It's quicker not to be tied off and do it, and then there's a slip, a fall, and an injury.

Ms. Rancourt: — Okay. I was going to talk about health care injuries because I know those have been on the rise and has been an issue for some time. And when talking with staff, they indicate that the reduction in staffing and overtime being used are some of the reasons why workplace injuries have been increasing. And the nurse that you were talking about, when she said she didn't have time, that could be maybe one of the reasons why she was rushing through what she needed to do.

So has the Ministry of Labour Relations been relaying this message to the Minister of Health and asking for this to be addressed?

Hon. Mr. Morgan: — Yes, there's two sort of related issues. One is, is there sufficient resources? And what are things that should be collectively bargained? And we hope that we're successful at separating them.

I can understand somebody saying, oh, if we had more staff, more resources, we'd be able to do things differently. And then some of the employers will say, no, there's sufficient staff; we've increased so that you have enough staff. And I think we'll continue to work with them to try and make sure that they're . . .

I'll just give you some stats to show, you know, where we're doing it. We did last year, up to the end of March 31st, we did 197 visits for asbestos because we still have asbestos all over the province; automotive, implement sales and service, 67 sites; grocery, department, and wholesale, 132; manufacturing, 148; mining, 150; residential construction — which is the area of the falls — 193; road construction, 87; health care, 340.

So we've done more visits to health care than any other sector by a big measure. So it's still an area that we have to work in.

Ms. Rancourt: — Another area of concern with regards to health care injuries is the increase of violence in the workplace. And so we know that that's been increasing in a lot of different environments. So off the top of my mind I think of health, education, justice, just being a few areas where they've been experiencing some of these increases. So what have you been helping to do with addressing this?

Hon. Mr. Morgan: — Statistically it's relatively small, but it's particularly horrific for a worker to go through an injury caused by somebody that they're hired to take care of, or the type of situation that arises. We've had a number of meetings with provider unions, with SUN [Saskatchewan Union of Nurses] and some others, to try and make sure that we're doing the right things for jobs that there's an inherent risk that's there.

And I'll give you an example of one workplace where they've done it — the Dubé Centre in Saskatoon. The workers are supposed to be wearing a panic button that's there. The panic button wasn't always being responded to, but the panic button is now staffed 24-7, and there's always additional staff that are able to come if the panic button is being pressed. There's also a better system of locking doors to make sure that the risks of a patient moving back and forth are there. And I'm told that we may not be where we want to be yet, so it's a work-in-progress but we are making progress. So there's the physical injuries that come from that, and there's also the mental and psychological injuries that come from that.

So we now have a presumption in place that if you have a psychological injury, that once you've got the appropriate diagnosis you don't need to prove the tie to a workplace. You just need to say yes, I have this diagnosis; it's there. So we're providing coverage to a growing number of people, and I know Workers' Comp has been trying to be proactive to try and attempt to deal with those problems earlier on rather than leave a worker in a situation where they're there for a longer period of time.

Yes. So that's the type of steps that are being taken. From a statistical point of view, fortunately workplace violence is small. But nonetheless it's really troubling when it does happen, and we all hear about it.

Ms. Rancourt: — With something like workplace violence, you'll have the physical injuries, but also the psychological impact as well. So how does Workers' Compensation determine what the client is getting treated for, or do they encompass all of those injuries, psychological and physical?

Hon. Mr. Morgan: — The coverage, now that we've amended the legislation, covers all types of injury from the incidents or

series of incidents that's happened. As an MLA, you would know if somebody comes to you, you would normally tell them you need to prove two things: (a) that you're injured; and (b) that the injury was caused by your work. With psychological injuries, you need to prove that you have the injury. There's a psychological standard that you need to meet. But once you've proven that, the presumption is in your favour that it was work related. So it's easier at this point to prove a psychological injury than a physical injury. And we're monitoring those carefully to see how those happen and how those play out.

Ms. Rancourt: — I have a lot more questions about the psychological injuries later on, but I just kind of want to work on some of these higher injury rates, the industries that tend to have the higher rates. And so with construction, I was thinking a lot of construction is being done by out-of-province companies. So how does that work if an individual is injured at that workplace? Is that something that's a responsibility of Saskatchewan, or would it be from where their company is located? Or how does that work?

Hon. Mr. Morgan: — If you work in Saskatchewan you're covered under Saskatchewan Workers' Comp. So if you're working for Calgary electric and they're carrying on business here, they're required to pay into Workers' Compensation and buy Workers' Compensation based on what the payroll is in Saskatchewan. The coverage that they're required to purchase is based on the size of their payroll and Workers' Comp monitors and reviews it pretty carefully. So I think they'd catch them all or would catch all or most of them that would be working across jurisdictions.

We don't have . . . The federally regulated employers aren't subject to our programs. If you're, like work for Air Canada, the injuries are here, but we don't have the same ability to regulate some of the labour standards and some of the safety issues that are there. But if a business is carrying on here, they're obliged to register and provide coverage.

Ms. Rancourt: — And I know you probably mentioned that again in your report, but how many officer-initiated inspections were conducted last year?

Hon. Mr. Morgan: — 680.

Ms. Rancourt: — And how many evidence-based, inspector-specific inspections have you conducted last year?

Hon. Mr. Morgan: — The total number of worksite visits was 3,985. 1,040 were officer-initiated inspections; 1,990 were targeted; and then 1,036 were in response to complaints and notifications.

Ms. Rancourt: — How have you been working towards an increase of compliance with employment standards?

Hon. Mr. Morgan: — The employment standards officers are available if there's a complaint, an inquiry. They do periodic inspections. The system is that when they do an audit, they review the books, often based on a complaint, they issue a certificate indicating what the amount of the unpaid wages were or what the holiday pay was that wasn't paid. That certificate, if not appealed, becomes of the same force as a judgment of the

Court of Queen's Bench. So it's enforceable in Court of Queen's Bench.

Ms. Rancourt: — And so what sectors of the economy have minimum employment standards?

[15:30]

Hon. Mr. Morgan: — All of them. There's nobody that's exempt from ... You know, they may have different requirements for different ages or different types of work, but everybody has to pay holiday pay, pay vacation pay. All the rest is there.

Ms. Rancourt: — And you were talking about how many youth have participated in the young worker readiness certificate. So do you have a percentage of youth ages 14 to 15 that have completed this certificate?

Hon. Mr. Morgan: — We've had over 7,800 that have taken it. It's an online program, and it talks about workplace safety and also about the rights and responsibility of the worker and of the employer, so that if a worker's being asked to do something that's unsafe or improper, then they would know that they would have the right to say no or to turn it down. We have got a remarkably low injury rate amongst young workers, but I don't know if we know how many workers on a percentage basis have taken it.

Last year there was 7,800 issued. Since the program began in 2010, 128,000 have been issued. This allows for youth aged 14 and 15 to take employment, and they would be limited in the type of work that they would be allowed to do. There's limitations on the type of work that they could do, obviously not serve beverage alcohol or operate motor vehicles or something in there. But they certainly could work in restaurants and in retail.

Ms. Rancourt: — And how's the progress going to have the ECRM [enterprise customer relationship management] system accessible to clients?

Ms. Usick: — Louise Usick. The ECRM system went live on March 29th, I believe, just a month and a bit ago. We are working with the digital strategy office, and they've got some work to do before that system is fully accessible to our clients. But that functionality has been built into the design of our system, and it will allow for that capability in the future.

Ms. Rancourt: — And can you give me a bit of a description of what kind of abilities clients will have with regards to the system?

Mr. Carr: — The platform that we've currently implemented, we hope is going to have a potential down the road where individual employers will be able to access ongoing live issues with occupational health and safety and employment standards. As Louise has mentioned, that capability is not presently available. It's something that we're working with the digital strategy office to implement, and so we anticipate that it's a year or perhaps two years down the road.

Ms. Rancourt: — And how many full-time equivalents are in

the ministry at this time?

Hon. Mr. Morgan: — 167.1.

Ms. Rancourt: — And how does that compare to last year?

Hon. Mr. Morgan: — There'll be the increase of six once we're fully staffed up: five OHOs [occupational health officer] and one intake officer for the Workers' Advocate.

Ms. Rancourt: — So I believe that you said there was 63 occupational health and safety officers. And can you give me kind of a breakdown of where they're located?

Hon. Mr. Morgan: — Louise will give you some background. They're spread around, but we don't have them necessarily assigned to locations. But I'll let Louise give you the answer we have.

Ms. Usick: — So within occupational health and safety we have a total of 87 FTEs. And we have 17 that reside with safety services south, so that includes the health care safety unit; and 25 are with safety services north, so that include ergonomics and the mines; and risk assessment and planning is another 15; legal and harassment, which is in Regina is 10; and health standards, which again is spread out, is 14. And then we added the six, so with the executive and head office of two, you get a total of 87.

Ms. Rancourt: — And is there a plan to regulate safety training providers?

Hon. Mr. Morgan: — Not at this time. There's been some discussion within industry, but we're not actively working on it right now. We don't do a lot of designating of people that are doing this. It's largely done on an industry-driven initiative, and it's something that we've talked about periodically and looked at, but it's not on the radar right now.

Ms. Rancourt: — Because that could help with maybe lowering the amount of workplace injuries in some of these industries because we know if we have improved safety training, that'll standardize the skilled labour force.

Hon. Mr. Morgan: — There are safety associations that provide some training and provide some standards, and it's usually industry-run. And a lot of times it deals with the operation of specialized or unique equipment, and a lot of times the training is done by the safety associates which are funded by WCB. So I guess we're providing it, but we haven't done anything by way of regulating them at this point in time. One industry that is regulated for that would be operators of class 1A vehicles.

Ms. Rancourt: — And how is the asbestos advisory committee progressing?

Hon. Mr. Morgan: — We're watching carefully to see what's taking place in other jurisdictions. As you'll be aware, we were the first province to introduce the registry. We updated it so that it became a searchable database, and it seems to be working well in that format. We haven't done any additional work with the committee. We're waiting to see how the software and how

the system works but, more significantly, we're waiting to see what uptake there is from either the federal government or from other jurisdictions. Right now we're the only one that's using it, and it seems to be working well for what our needs are.

But it was launched in 2015 and there have been over 5,800 facilities reporting. Over 26,900 locations have asbestos in public buildings. As of March 31st of 2018, the site has had over 13,178 page views and 89 organizations using the registry. So the officers support the clients that are using it, making sure that they use it, and it seems to be doing what it was intended to do.

We will have probably decades longer while asbestos still continues to exist in our buildings. There's no plan to remove encapsulated asbestos, but when construction takes place, it's essential that you have that information available and that you have people that are properly trained in doing it. So we are wary of that. So in the last fiscal year, 178 asbestos inspections were completed, so we're mindful of where we go with it.

Ms. Rancourt: — With regards to the registry, has there been any thought or planning to expand the registry to include leased and rented spaces?

Hon. Mr. Morgan: — All of the government-owned buildings are on the site, as are the schools and health facilities. We haven't looked at expanding to the private sector at this point in time. The regulations about removal of asbestos and handling asbestos apply whether it's government-owned or a privately owned facility, but we haven't looked at expanding the registry at this point. Central Services has indicated there are 224 buildings in the province that the government leases space in. But we're not aware that we've got a problem with exposure.

The work that's been done by way of training seems to be effective. When people are doing construction, they're aware of what the requirements are. So if they're into an area that would potentially have asbestos, the workers seem to be complying with the regulations regarding suiting up and taking the necessary precautions.

Ms. Rancourt: — Because I'm aware that Saskatchewan was one of the first to be implementing this. But it sounds like other provinces have been also implementing a registry and expanding it as well so that leased and rented spaces will be included. And I believe the federal government is also working on this. And so it would be . . . It's good to be one of the first people to have this process going forward, but now it seems like Saskatchewan has kind of fallen towards the bottom of the . . .

Hon. Mr. Morgan: — I'm told that we are still the only province that has a registry. And the federal government has indicated they want to work towards developing one and have for the last few years, but they don't have it yet. So far as I know, we are the only one that has it.

Ms. Rancourt: — So the federal government is creating some major changes with regards to banding asbestos by the end of this year. So how has your ministry been working towards establishing some of these recommendations?

Hon. Mr. Morgan: — Right now we have the registry applying

to government buildings. And the government buildings are there and, so far as we know, the registry is complete and up to date. We know it's being searched. We know it's being used. We also know that we're not having issues with inadvertent exposure or else we're in the . . . [inaudible].

So what we're wanting to see what happens is how other jurisdictions do. Our province is about 3 per cent of Canada's population, so we're right now a leader. And before we would go further, we would like to see some other jurisdictions using a similar system to ours or seeing what they might do so we're able to have some comparisons as to what best practices might be.

I'd indicated earlier that the number of deaths for exposure, largely from asbestos, are 10 to 15 a year in our province. But all of those exposures were things that took place 20 or 30 or more years ago, so we're not having any instances of new asbestos. And we know that when construction takes place, if they're in areas where asbestos is, that they generally want to remove it or adopt best practices going forward. But we still have literally dozens and dozens of buildings in this province that have asbestos. It's regarded as non-friable, which means it's not airborne and that it's an area where it's encapsulated. So we'll continue to watch it and monitor it.

[15:45]

I'll also tell you what we've done. We created a course early on, on awareness so there was public awareness, so that people were aware that there was risk there. We've created the registry. There is a new publication that I haven't seen, an abatement manual which will deal with reduction. And then we've done regular inspections of all of the high-risk buildings in the province.

Ms. Rancourt: — Well it's wonderful that we're working towards that, but I think there's still a lot of work that needs to be done. And I know you talked about the fatalities with regards to asbestos-related deaths, and experts in the field indicate that they believe that the fatality rate is probably double what we know of because a lot of workers aren't covered under WCB, and the fatalities we know of come through Workers' Compensation. So we have to be mindful that there's other people within the province that could be impacted by this as well.

Getting back to the asbestos . . .

Hon. Mr. Morgan: — Our regulations don't require that you prove particular exposure or that there's time limits on it. So I can't speak to somebody that hasn't reported or whatever, but if you're aware of somebody that has mesothelioma or asbestos-related illness, they should contact WCB to see whether they would be covered.

I'm aware of people — I think you are as well — that have contracted it and we have no idea where or whatever . . . I mean I can't say where a certain case . . . [inaudible] . . . But where we know that there's a potential for it, the workers would want to make sure that that individual would be covered.

Ms. Rancourt: — Getting back to the asbestos advisory

committee, how often have they met since being created in 2015?

Hon. Mr. Morgan: — They would have met a lot at the time that they met, at the time when the registry was updated, when we changed it. And I don't believe they've met since.

Ms. Rancourt: — My understanding is that they were created so they could provide recommendations to yourself and with regards to how to work on reducing the amount of asbestos-related injuries and exposure. So I also understand that they provided some recommendations. So do you have some of those recommendations you could share with the committee?

Hon. Mr. Morgan: — I don't have, and I'm not aware of any recent recommendations that have come. We took the recommendations that they had. We used those recommendations when the registry was created and then when the registry was updated, for a searchable database. Right now we are watching how the effectiveness of the registry works and watching what's happening in other jurisdictions. But we haven't engaged with them since.

Ms. Rancourt: — Do you think at a time when the federal government is implementing a lot of these major changes that this might be a good time to reinstate this committee?

Hon. Mr. Morgan: — If the federal government appears to be coming forward with theirs, if it's modelled on ours, we'll watch and see what happens and we'll look to see what's appropriate or what's needed at that time. But we haven't made a decision to do it or not to do it.

Ms. Rancourt: — My understanding is that the committee came at a minimal cost to the government but provided valuable recommendations and experience because they came from all different fields and backgrounds, so it could be something that would be very valuable.

Hon. Mr. Morgan: — If we're looking at doing further consultation, they certainly could be.

Ms. Rancourt: — And has the government considered implementing an asbestos management strategy?

Hon. Mr. Morgan: — We have the abatement management, or abatement programs, that are there. We have got the training that's in place for workers that are working with it. The registry and part of the government's — and those would be questions you'd put to Government Services — would, as part of building maintenance, ensure that that as well as all other toxic substances aren't exposed to either workers or people that are present in the buildings.

Ms. Rancourt: — Some other provinces have established a licensing process for asbestos abatement workers. The regulations are required by the province to ensure that abatement workers are trained appropriately. This is not very cumbersome for the government but incredibly valuable to prevent exposure. So has the government considered moving towards this?

Hon. Mr. Morgan: — We haven't at this point. We might at

some point in the future. Right now the workers that are doing that kind of work, the contractors . . . We don't know how much work is being done in the province at the present time, but we're not regarding it as being a current problem.

Ms. Rancourt: — It would be good to maybe have that registered when we know that there's abatement workers going into a project and working on that. I believe that there was a situation, spring of 2016, and actually was in the occupational health and safety office that there was exposure. So it would be really important to make sure that the government knows when the abatement workers are going into buildings.

Hon. Mr. Morgan: — We know that when they require . . . I'm going to let Mike Carr answer. Whenever there is a situation where workers go into a high-hazard area, they're required to give notice to the ministry. But I'll let him give you the indication.

Mr. Carr: — Thank you, Minister. Where an employer is going to engage in a high-hazard abatement process dealing with asbestos, they're required to notify the ministry. They're then required to discuss their abatement plan with officials of the ministry, and they only are allowed to proceed once that conversation has taken place.

Ms. Rancourt: — And how does your ministry ensure that this process is happening?

Mr. Carr: — The contractors that are generally engaged in that work are known to us. They understand that they have an obligation under our regulations to engage in that disclosure and notification, and they work diligently towards that outcome. If we find that someone is not complying, we would issue a stop-work order, cease the work that's being done until they have satisfied us that they have appropriate control mechanisms in place to ensure not only the safety of the workers performing the abatement but anyone utilizing the space in which the abatement is under way.

Ms. Rancourt: — So can anyone come into the province and claim to be abatement workers, or do they have to have certain requirements?

Mr. Carr: — There is only a requirement that they, if they are going to engage in that high-hazard work, that they notify us and that they demonstrate competence in performing the work. That's generally done by virtue of them having a track record elsewhere or having established one here.

Ms. Rancourt: — And would that be only in larger establishments? My understanding is that there could be asbestos in maybe smaller buildings or that wouldn't be government owned.

Mr. Carr: — Yes, one of the things that we have encouraged the construction industry to think diligently about is that any construction that took place prior to 1986 be treated as though there is asbestos-containing material on site and that they then move cautiously to determine whether or not asbestos exists. And if they find it then they're expected to take appropriate remediation steps, which starts by contacting us.

Ms. Rancourt: — And what's the process with ensuring that no material that contains asbestos is used in future buildings or construction sites?

Hon. Mr. Morgan: — It's banned. Since 1986 it has not been used in new construction or renovation. Surprisingly, in the US [United States] it's still used in some types of construction, but in Canada it hasn't been used. I think the only things that use asbestos right now are some forms of brake linings. Anyway, my staff are busy, so anyway, that appears to be.

Ms. Rancourt: — All right. Like I said, there's still lots of work that seems to be done and it seems . . . It'll be really interesting to find out what the federal government is planning on implementing by the end of the year.

Hon. Mr. Morgan: — I think the points you make are ones that would warrant discussion or consideration at some point. Right now we're the leader in Canada as to where we've gone with the registration, with the registry. The workers are trained and I think we appear to be doing what we're supposed to do.

And I think what I'd like to see is what other jurisdictions are doing as they come forward, as they look to us. We get calls periodically from other jurisdictions. What are you finding? How are you doing this? And some of them say, well why would you have to create a registry? Why don't you just assume it's in every building? Well we think it's worthwhile to have the registry, you know, (a) what building it is, where in the building it is, and what steps you might want to take to make sure that you're safe as a worker.

Ms. Rancourt: — So my next question was with regards to, what are the different rates for Workers' Compensation premiums?

Hon. Mr. Morgan: — It'll vary. There's different rate quotes. I'm going to ask Peter Federko to come up and then he can sort of indicate how many rate codes there are and what the different types are.

Mr. Federko: — Peter Federko. So there are 50 different industry rate codes that employers are placed into that are required to be registered with the Workers' Compensation Board. Each of those individual industry rate codes will be paying their own premium rate based on a combination of their claims costs within that particular industry sector as well as their level of payroll.

The rates will vary, again depending on the experience, the frequency, and severity of injuries within those industry rate codes from, you know, in the tens of cents into the tens of dollars range, again depending on the riskiness of the industry, the severity of the injuries, and the number of injuries.

Ms. Rancourt: — So what has been done to ensure that workers that aren't currently being covered could potentially be covered? Is Workers' Compensation working directly with the industries that might not have some coverage?

Hon. Mr. Morgan: — The major one that we've covered since we were in government was one I was surprised to find existed. Teachers are not covered. Full-time teachers are not covered

because they have an alternate plan that's funded through the STF [Saskatchewan Teachers' Federation]. But part-time teachers were not able to avail themselves of that, so if you were a teacher working on a sub list or a rotation, you had absolutely no coverage whatsoever. So we amended the legislation, I think three years ago, to include teachers. Around the time that I became Minister of Education, I decided I'm not having hundreds and hundreds of workers that aren't covered, so they are now covered.

So there are some industries where, if you are an owner, coverage might be voluntary for you. If you're a director of a small corporation, that you own all the shares on it — real estate holding company, whatever else — your coverage as a director would be your choice to do it, as it would be with farms.

With farms it's complex to determine who the employer is or who the employee is. At the end of the year, a lot of times farmers will go and have a discussion with their accountant, or whoever their business professional is, and decide okay, yes, this year we're going to call it a partnership or this year we're going to have — oh, you were here — you know, whatever the most tax advantageous is. So it's very difficult for a lot of farm workers on a family farm to become covered; however if they choose to cover themselves voluntarily, they can.

Another one, as you're aware came up in the House, is self-employed people. It's voluntary. And the one that you raised in the House was taxicab operators. And if there's an employer-employee relationship, they have to be covered. They have no choice. So if they're working on a salary to somebody else that owns the car, they have to be covered. If they own their own car, they're an independent contractor. Then it's up to them to decide if they want to cover it.

Since we had the discussion in the House, I asked our people to sort of look at what options might be there, and one of the things that we might consider doing would be a public awareness program so that people that are self-employed — I was thinking not just cab operators but other people — might well want to avail themselves of that as an option. It's incredibly inexpensive and great coverage, because if you lose your ability to earn an income you're in trouble for a long time.

[16:00]

Ms. Rancourt: — And so with talking about taxi drivers, because I know some people were indicating that they were getting, like, paid by the taxi company. So they got paid, pay stubs. They're an employee. So are those employers mandated to have to ensure that they're covered?

Hon. Mr. Morgan: — My guess from what you've just said is that they would be. And if there is one of those situations where they think that they're not, they should. The deductions that would show on the . . . [inaudible] . . . would not . . . The Workers' Compensation premium is a premium paid by the employer, not the employee, so the worker may not know that they're covered. It's also a possibility that the employer has chosen not to remit, should be remitted, and that worker is covered in any event. Might go after the employer for not having paid, but the employee would be covered if there is an

employee relationship.

Ms. Rancourt: — And how does one ensure that their employer is paying into . . .

Hon. Mr. Morgan: — It's not your responsibility to do that, because if you're an employee, you have the coverage, period, whether the employer has paid it or not. The simple advice, if you're curious or want to know, is you could ask the employer or you could contact Workers' Compensation Board directly. I presume they would tell you whether you're in an insured . . . They would certainly tell you if you were not insured.

Ms. Rancourt: — So if you were an independent business owner and you wanted to insure yourself, like what would be the premium?

Hon. Mr. Morgan: — It'll depend on what rate code you're in. And I'll let Peter give you an example, because he has numbers off the top of his head. But supposing you were a self-employed roofing contractor with a net income of, say, \$100,000 a year. I'll let . . .

Mr. Federko: — So very much it'll depend on the rate code within which the self-employed or sole proprietor is operating in. If they're in the construction sector, they'll be paying the same premium rate as they would be paying if they were . . . whether they're self-employed or whether they're an employee. All of their employees would be insured at that rate, as they would.

Again, the premium rates, as I indicated earlier, are different depending on the industry that you're in, but if you're . . . There aren't too many self-employed bankers but if you were a self-employed banker, you would be paying the banking rate same as the RBC [Royal Bank of Canada] or anything else. Self-employed farmers as opposed to corporate farms who have employees, who often apply to us for optional coverage, will pay the same rate and it's in the \$2 range per \$100 of their payroll. So they would provide to us evidence of their earnings and we would insure them based on whatever premium rate's in place for that particular industry.

Ms. Rancourt: — So are the codes developed based on the rate of . . . the injury rates in those industries?

Hon. Mr. Morgan: — Not just the injury rate, but the cost of the claims as well. So there's how expensive the claims are, and the number of claims. So you would usually refer to, the term would be "claims history."

Mr. Federko: — Very much so. It's based on the actual claims cost divided by the payroll that's reported.

Ms. Rancourt: — So if you were a taxi driver wanting to insure yourself because you had your own car — and we know that violence is quite likely in their industry — would that make their rates a lot higher?

Mr. Federko: — So it would depend on the actual experience, you know, within the taxi company itself or the entire taxi industry. So every employer in that taxi industry pays exactly the same premium rate, which in 2018 was \$1.52 per \$100 of

payroll. Whether the injuries arose out of violence, out of motor vehicle crashes, out of slips and falls, all those claims costs get put in the same pool and again, divided by payroll, determines what their actual premium rates are. If we were to see incidents increase, whether it be as a result of violence in the workplace or slips and trips and falls, whatever the case may be, and we saw costs go up, if payroll stayed constant we would need to see the premium rate go up accordingly. But whatever the injury is in that sector, we would cover. No injuries are excluded under our legislation.

Ms. Rancourt: — And there's been a lot of discussion on whether they should be covered under SGI because they pay insurance rates there, or it should be workers' compensation. Has there been some discussion with regards to that?

Hon. Mr. Morgan: — Yes. You're sometimes eligible for overlapping coverage. It was one of the recommendations from the last committee of review, which might have been before your time with the file, that where there'd been a serious issue with a motor vehicle accident, that they try and liaise better with the two so that they don't . . . I'll let Peter give the specifics, but the answer to your question is yes.

Mr. Federko: — So under our legislation, if you are an insured worker then you must report that claim to the Workers' Compensation Board first. So if it's a motor vehicle crash you've been injured in and you were in the course of your employment when that happened, that claim must be reported to us.

What the minister was referring to is we have a reciprocal agreement with SGI. So if SGI's benefits happen to be better than ours, SGI will top up that individual's benefits so that they're not any worse off had they filed directly with SGI. But if it's a workplace incident, it must first be reported to us and then we deal with the logistics of it directly with SGI so that the worker does not fall through the cracks.

Ms. Rancourt: — Okay. And I know farm workers were also an area that there's a lot of discussion with regards to some workers not getting coverage as well. Have you guys been working with trying to talk to farmers and talk about the benefits of this?

Hon. Mr. Morgan: — We have a farm safety program that uses publicity once a year, and then we try and encourage farm safety whether you're an employer or an employee because of the number of farm injuries. Because it's difficult to identify the employer/employee relationship, we don't mandate it, but if you're on a corporate farm where you're working on a salaried basis, then you must be covered.

So I don't know whether you can provide a better . . . So if you're working, say, in a hog operation where you go to work and you get your paycheque every two weeks, you're covered. If you own the hog operation and you've chosen not to cover yourself and you slip and fall, you're not covered. However, if you've chosen to cover yourself, then you would be.

Mr. Federko: — If I could just add, under our legislation, the industry of farming is excluded. And included in that industry of farming are commercial hog operations. So there isn't

mandatory coverage required for anybody who's in the farming industry, but the majority of the commercial operations, whether they be hog or cattle operations have elected to purchase Workers' Compensation coverage for their workers. And of course we promote that and encourage that, because it's the cheapest form of insurance for both the employer as well as the injured worker.

Ms. Rancourt: — Yes, because one of my concerns is there's some larger farm industries that will get workers from other countries to come and they're oftentimes younger individuals and who have better work stamina than potentially middle age people like myself. And so I would be concerned that these younger workers are coming into our country working, and we know farm work can be quite dangerous, you know. And if they get injured and that could potentially provide an injury that will affect them for the rest of their life, how do you ensure that they're being taken care of?

Hon. Mr. Morgan: — I'm going to let Mike answer that because foreign workers have actually got . . . You know, the farming exemption may still exist, but I think as Peter indicated, most of them are covered anyway. But every benefit that a Saskatchewan worker or a Saskatchewan person that's lived here all their life would have, a foreign worker would have as well, plus they get benefits under another piece of legislation that our ministry now controls.

Mr. Carr: — Thank you, Minister. The minister is speaking about the foreign worker and immigration protection services Act. We administer that Act on behalf of the province and we are doing a fair amount of work gaining information from our federal counterparts as to where foreign workers are employed.

What's interesting is that there is a covenant that employers of foreign workers enter into in terms of the terms and conditions of employment. And one of the federal requirements is some form of income protection in case of injury and often it's referred to as workers' compensation benefits. So there is a particular aspect of employing temporary foreign workers that is of interest to us.

And so if we receive a complaint we would go out and we would ask the employer to provide us with information relating to the terms and conditions of employment. If that contract specifies, as they most often do, some reference to workers' compensation benefits, we will then follow that and ensure that there is coverage obtained, either through voluntarily entering into a relationship with the Workers' Compensation Board or purchasing some form of private insurance coverage.

Ms. Rancourt: — That's good that that's been put forward because it's really important to have that. Thank you. Now getting back to psychological injury, how many or what percentage of cases are due to psychological injury?

Hon. Mr. Morgan: — The number of overall claims for injuries are in the thousands every year, but we have 290 that would be accepted claims. And there would have been some claims that would not have been accepted as well.

Ms. Rancourt: — And so the total cases, like, let's say . . .

Hon. Mr. Morgan: — For all the cases for Workers' Comp?

Ms. Rancourt: — Yes.

Hon. Mr. Morgan: — 22,000.

Ms. Rancourt: — There's 22,000 cases of all injuries?

Hon. Mr. Morgan: — Yes.

Ms. Rancourt: — And so how many of those 22,000 would be psychological injuries?

Hon. Mr. Morgan: — 290.

Ms. Rancourt: — So only since the Act was implemented you started accepting psychological injuries?

Hon. Mr. Morgan: — No, that's last year. When the Act came in, we sort of had a bump because there was some previous ones that were there. But not . . . 2015, there was 133; 2016, 137; 2017, 230; and then so far this year, 2018, there's 60. So that's the 230 plus the 60. So there's a significant increase between 2016 and 2017, about a 60 per cent increase.

Ms. Rancourt: — And you've indicated previously that one of the challenges is the long wait time to have an assessment completed. Has there been any improvement for this?

Mr. Federko: — Yes. So when the legislation was introduced, we were seeing wait times of between six and eight weeks to get injured workers in for a mental health assessment. As a result of arrangements that we've made with the providers — who have agreed to, among other things, provide counselling and assessment services after hours — we are now looking at two to three weeks to get the assessments. And that applies to treatments as well. Sometimes we can get the treatment in as quickly as one week. so it's reduced significantly.

Ms. Rancourt: — And so would that wait time vary geographically?

Mr. Federko: — I would guess so. Availability of counselling services are primarily in the major cities. We have a bit of coverage out of Prince Albert, but the majority of our providers would be in Saskatoon and Regina. And so if you're in more remote areas, the rural areas for example, it might be a little bit more difficult to access those, or you would have to travel in order to access those services.

[16:15]

Ms. Rancourt: — I've actually heard of some individuals from the larger urban centres having to travel to some of the smaller urban centres to receive services. Is that typical?

Mr. Federko: — It wouldn't be typical for psychological injuries, but for other acute injuries there are some rural centres who have developed particular specialties. So for example, there could be a particular area that would have a good abundance of general surgeons who would do hernia repairs, and so a lot of the larger centres would send them to those smaller locations because they can get it done quicker. And of

course it frees up operating room time in the larger centres for more serious types of surgeries that are required.

Ms. Rancourt: — And what would be the number of therapists that are currently approved to perform the psychological assessments for Workers' Compensation?

Mr. Federko: — That I don't know. I can get you that information though. I just don't have that off the top of my head.

Ms. Rancourt: — Yes, that'd be good if you could table it.

Mr. Federko: — Absolutely.

Ms. Rancourt: — Yes. And if you can provide that information, if you could have a breakdown of the locations of where these approved therapists are that can provide the psychological assessments.

Have there been some clients that have applied for WCB benefits to travel out of province for mental health assessments or psychological assessments?

Mr. Federko: — Yes, but very few.

Ms. Rancourt: — And there also was some discussion about having intake and case workers who are specifically trained to respond to psychological injuries. Has there been some progression on this?

Mr. Federko: — So it took us a while to identify what particular training would be available for that. We have located, through the Canadian Red Cross and the Mental Health Association, psychological health tool kits, I think they're called. And we are now in the process of arranging to have training provided to our adjudicators who deal specifically with those types of claims.

Ms. Rancourt: — Because I think that would be really helpful to reduce the level of trauma for clients, if when they're phoning in to the intake process, if the workers they're talking to have a really good understanding of how to reduce that potential trauma. And so would staff be specifically trained in trauma-informed practice?

Mr. Federko: — Yes, that is the intention.

Hon. Mr. Morgan: — It's an issue that came up when the legislation was passed. Some of the claimants raised the issue that the workers at WCB weren't sensitive, that they were used to dealing with somebody came in and said, I have a broken arm, or whatever. So that concern was shared with WCB, who accepted it and have taken the steps to try and work. But it was, the point you're raising was a valid one.

Ms. Rancourt: — We definitely know that if people are approached in a trauma-informed manner, that they will be more successful when they have their recovery. So that's good to know that that's the process that you guys are looking towards. Also we know that psychological impacts can also impede the physical recovery. Has this been also addressed?

Mr. Federko: — Yes. As a matter of fact, most recently our board actually revised the vision for our organization to simply state, "We eliminate injuries and restore abilities." And when we think about restore abilities, we're thinking about things like the psychological issues that may develop as the worker is recovering, psychological issues that may be present when the worker arrives on our doorstep that may act as barriers to the overall recovery of the individual's abilities and ability to re-enter the workforce. We are developing processes that encapsulate the entire individual, including their psychological as well as their physical state.

Ms. Rancourt: — Because there is a lot of research done with, indicating when people are dealing with pain management and how that further impacts their mental health. And so they might have gotten a physical injury, but due to the fact that their mobility is limited and their inability to do what they used to, their day-to-day living, it really seriously impacts an individual's mental health. So it's really important that the whole body, your whole system is being looked at because if we don't consider their mental health, that could really reduce their recovery for their physical health. So that's my . . . I used to be a mental health worker, so that's something that's a passion for me, is talking about individuals' mental health.

And I worked with individuals with pain management as well. And it's horrible when you're not able to do what you're used to doing, and how that impacts you: so depression and anxiety and all of those things that will come along with it.

But there's also some issues with individuals that have pre-existing conditions or comorbid disorders. So has Workers' Compensation been addressing this?

Mr. Federko: — So again, the approach that we have been taking . . . So Workers' Compensation does not preclude the acceptance of a claim because of a pre-existing condition. But the approach that we're taking in terms of restoring the individual's ability is to understand what those comorbidities might be, whether they be non-work-related illness of some sort like diabetes that may impede recovery times, or whether that should be a psychological state of mind — they may catastrophize the injury or so on and so forth — being aware of what those pre-existing conditions are so that we can deal with the person as a whole. And we've been using some tools to help us identify who would be the higher at-risk customers of ours, so that we can ensure we get them the care that they need as soon as possible and enable their recovery.

Ms. Rancourt: — And also we talked a little bit about this when it was the annual report, but some individuals who are receiving WCB but become further injured due to their injury, so that's compounding injuries, I believe that was the terminology. So how is that being addressed?

Mr. Federko: — Until the injuries themselves have been resolved, to the minister's earlier comment, if it arose out of your employment or it's related to something that happened in the course of recovering from your injury, we would accept full responsibility for that until both of those injuries have been resolved.

Ms. Rancourt: — And I don't know if this is just a rumour, I

know it's been something that's been brought to my attention quite often, but is there any rules or regulations against anyone who's receiving WCB to be on a family holiday or anything like that?

Mr. Federko: — Well there's no rules against it, but it can result in the suspension of benefits in certain cases. As a rule of thumb, if the vacation has been long pre-arranged — there's a financial impact, for example, in terms of cancellation fees or other things attached to that, and the actual recovery will not be impeded due to the individual's absence from a medical treatment program — then we would not object to that. We simply ask that we be advised well in advance that this is in fact in the works. We would then consult with the treating physicians or medical providers, whoever they may be, to determine that this is not going to significantly interfere with their recovery and treatment plan.

Ms. Rancourt: — So with regards to say a psychological injury, oftentimes as therapists we'd encourage clients, you know, go on a holiday, get away, like take some time for yourself. So would that be something that could maybe impede their WCB compensation?

Mr. Federko: — Well in the circumstance that you provided, it sounds like it would be part of a recommended treatment plan from the treating psychologist or psychiatrist, in which case, you know, we accept whatever treatment plan those providers provide. If the individual themselves said, I really need to take a break and get out of town for a while and so I've booked a vacation, we would want to check with the provider to ensure that that is in line with the overall treatment plan before we said, that's fine, go ahead. In worst case scenario we would suspend their benefits until such time as they're able to once again participate in that overall treatment plan.

Ms. Rancourt: — Okay. And on a preventive?

Hon. Mr. Morgan: — I think where the caution that we have is the reason that you receive WCB benefits is your injury is such that you can't carry on your work. So if it's beneficial to have a holiday or whatever, and that's medically necessary or medically supported, then by all means you should do it. Whether it's psychological or if you're a heavy equipment operator and you've got your foot in a cast, there's a lot of things you might want to do by way of recreation and probably should be encouraged to do it.

But in the caution we'd want to give today is, we wouldn't any of Mr. Federko's answers to say, use Workers' Compensation time to go on a holiday or do whatever else, because the general rule should be if you're too ill or too injured to go to work, you're probably too ill to do much by way of a vacation. But you know, you've indicated quite properly where the exceptions might lie and, you know, I think each case is determined on its merits.

Ms. Rancourt: — And I know oftentimes when we talk about WCB we think about after the injury, obviously, but is WCB working on a preventative perspective or maybe the Minister of Labour encouraging good and healthy lifestyles for employees? Has that been considered?

Hon. Mr. Morgan: — I don't think we have an overall plan to have healthy lifestyles, although I can say from working in this building, a lot of us should but don't, speaking for myself.

But part of what Workers' Compensation does is try to prevent injuries or things that would limit a worker's ability by having the safety associations that are set up under the different . . . is each rate code eligible for one, or any group of employers? They can establish a group of employers that's funded by WCB with the idea that they would work towards developing and teaching best practices to their workers. The financial benefit to WCB is that, if it does what it's supposed to, reduces the number of injuries . . . [inaudible] . . . that's there. It's essentially paid for by the employers but supervised by WCB. And I think for the most part where it's done, it's been regarded as being productive.

It's hard to tell what the success is when injuries don't happen. You can look at some statistics and say, yes we're down 50 per cent from what we were 15 years ago, but I can't tell you who those thousands of people are that weren't injured. You know, I wish I could say, oh well you didn't get an injury, you didn't get an injury. So we don't see the successes the same way as we see the ones that are still injured and the ones that we still have to focus our attention on.

The Chair: — I hope the minister wasn't implying anything about the physical or dietary practices of members.

Hon. Mr. Morgan: — You know, I made the comments, and I'm just going to let them stand.

Ms. Rancourt: — Well I think back of some of my previous work experience, and most of them are actually government related, working in Health or some of the Crown corporations. And there was a lot of focus on when we took our lifting courses and stuff, that it's not only work to think about that; when you go home to think about it because if a worker gets injured at home, it's no good for the workplace either because they need to take that time away from work as well. And also our occupational health and safety groups would encourage us to go for walks or do stuff like that to be mindful about our mental health as well. So I think it would be lovely to be at a point where we have zero injuries, zero workplace fatalities, and we could just focus on preventative measures.

Hon. Mr. Morgan: — You're absolutely right. I have a good friend that was one of the strongest advocates for workplace safety, fell off his roof putting up his Christmas lights and broke both his arms. And his wife had to feed him as well as attend to other matters. And it was a learning experience for everyone that knew him.

Ms. Rancourt: — So there has been a lot of discussion with regards to cancer being occupational diseases, and some other provinces have expanded their workplace coverage to include coverage for this. So for example, firefighters are three times higher probability to contract cancer than the regular population due to the situations they're exposed to. So what is the province doing to expand coverage?

Hon. Mr. Morgan: — There's no direct medical information as to a medical link between the cancer and the employment, but

there is a statistical link that says, oh, if you're a firefighter, you have a greater risk of this. So the assumption is that it is clearly related to something that was in the workplace.

[16:30]

So over the last number of years, we've looked at a variety of different cancers. Most recently we've covered on a presumptive basis esophageal cancer and some other ones. I think we've done four or five since I've been in the portfolio. And we've said to the IAFF [International Association of Fire Fighters] as well as anybody else that has it, if you have good statistical information, we'd like to see it. We're watching what's taking place in other jurisdictions, what's being there, and I know we'll want to be looking at it again for this coming year to see what is or what is not. Now the cancers are covered. It's whether there's a presumption that they're caused by . . . whether we'd want to look at it, at expanding.

So in 2003 we included primary site brain cancer, primary site bladder cancer, primary site kidney cancer, primary non-Hodgkins lymphoma, and primary leukemia. In 2005 we added primary site urethra cancer, primary site colorectal, primary site lung cancer, primary site testicular cancer, and injury to the heart that manifests within 24 hours after attendance at an emergency response. 2011, a subsequent amendment was made to include primary site esophageal cancer. That one would apply to full-time firefighters, excluding forest fires, where's there's requirement for minimum periods of employment to be met.

So we've done a number of those things. We met with the firefighters most recently to discuss that, I think since, but also the most significant meeting was November of 2016. And then they provided us with some additional information regarding an additional number of cancers that are there.

I think all of us really value the safety that we get from firefighters and want to give them the benefit of the doubt wherever it is. So what it is, is straight a matter of looking at, you know, the incidence of those cancers among the general population and the incidence of what it is . . . And I know we've asked them to look at whether there's others that are there. We're planning to look at legislation possibly this fall.

Ms. Rancourt: — Well that would be wonderful. Because my understanding is that BC [British Columbia] just recently became one of the four provinces that provide up to four, all four of the cancers that are work coverage for firefighters. So I believe it's BC, Alberta, Manitoba, and Ontario. They provide coverage for prostate, breast, and skin as well as multiple myeloma.

And I know that your office also had a doctor do a study with regards to the information that he received from the firefighters' association and indicated that there is a probable association with multiple myeloma and prostate cancer with regards to the occupation of firefighting. So it would be good to see that coverage being expanded.

But also we know that there's more women who are becoming firefighters as well, and we think about the higher risks of having breast cancer as well for them So it's an area that we

need to work a little bit harder on, ensuring that we have coverage for these hard-working firefighters.

Hon. Mr. Morgan: — Your point's taken. We want to make sure that we've got good statistical information, because we don't have good medical information to show a link. But where the statistics indicate it, we certainly want to do it. And we're certainly as well looking at what other jurisdictions are doing as well.

Ms. Rancourt: — And again if we can determine that these individuals are at higher risk of being exposed to occupational diseases, is there going to be a priority to be on a preventative measure?

Hon. Mr. Morgan: — I don't think that Workers' Comp has done a lot of work other than we expect the various fire departments to ensure the use of respirators and other safety equipment. We haven't mandated anything through WCB, so our hope and expectation is that the municipalities that are employing the firefighters are using best practices. But it's not something that we mandated here.

Ms. Rancourt: — And so if municipalities are responsible for ensuring that, that could differ all across the province. Would there be a way that we would have a standard that would be provincial-wide that would incorporate all firefighters? And are we going to include volunteer firefighters?

Hon. Mr. Morgan: — Likely there would be things that would be mandated through the International Association of Firefighters. I would assume that they would be. They all seem to negotiate together, so I'm assuming that would be the case. I'm not aware of any differences.

There might be differences between small and large jurisdictions where people might be exposed to different things, but I'm guessing it's not very much. The discussions that I had with mayors as to the type of risks that firefighters were exposed to, you might say that in a larger centre they've got bigger fires that have got more transformers and more substances that are there. They'll tell you they have got similar things with hot tar roofs that catch fire and grass fires and vehicle fires. There's little difference between the risks that are there. So my expectation would be that they would all be treated alike, but that's probably a question to be put to the municipalities.

Ms. Rancourt: — The federal government made some changes to the federal Employment Insurance program to allow more options with regards to parental leave. My understanding is that the government needs to make some changes to *The Saskatchewan Employment Act* for residents of Saskatchewan to take advantage of these changes. When does the government plan to make these changes to this piece of legislation?

Hon. Mr. Morgan: — As a general rule we want to be in line with whatever the federal government has changed. They provide the EI [employment insurance] coverage and I know that there's some that they've granted. One would be a critically ill adult leave, and leave for traditional Aboriginal practices. I suspect we would want to bring those in as soon as we can. Those are no-cost items to the province except as an employer

for whatever you would have for bringing back in . . . And by and large, the employers in the province have been supportive and a lot of them were providing that in any event. But we think out of good practice it should exist in a legislation, so I think you can expect it soon.

Ms. Rancourt: — That would be wonderful. Because I've had quite a few emails sent to me with regards to individuals who would like to take advantage of this extended parental leave that was implemented, and said that because it hasn't been changed with regards to *The Saskatchewan Employment Act*, that they were unable to get that. So the quicker we could get this done, the better.

Hon. Mr. Morgan: — Yes, your point's taken.

Ms. Rancourt: — Thanks. In your opening remarks, you had a little bit of information with regards to interpersonal violence and ensuring that victims of interpersonal violence have support within the workplace to take time off when they need. And you're aware that we have Bill 609 that's on the table right now, that it would allow workers to take five days paid leave and 17 weeks unpaid if needed. So my understanding is your ministry has been doing some consultation with stakeholders. So can you give me some information with regards to that?

Hon. Mr. Morgan: — Yes. The bill we put forward allows for the 17 unpaid and allows for 10 additional unpaid days that could be taken at the discretion of the employee. If the employee needed two hours to go and see a psychiatrist or a lawyer or whatever, they could take the time whenever it is. Now that's unpaid leave. Alberta has got paid leave. Manitoba and BC have both got unpaid leave. Some jurisdictions don't. We've chosen to go with the 10 days of unpaid and may look at it in a subsequent year. But right now we're at the 17 plus the 10 days.

Ms. Rancourt: — Because we know that the five days paid leave would mean a lot, and individuals who work with victims have indicated that this would be something that they know would be very valuable. And sometimes we force victims to have to maybe not be completely truthful to their employers because they need to take time off. So this would allow individuals to have these important talks with their employers and be able to take the time that they need to make sure their family is safe.

Hon. Mr. Morgan: — Yes. I want to stand . . . I want to correct. I was . . . [inaudible] . . . before. Right now our bill is 10 intermittent. Manitoba is five days paid. Alberta has 10 intermittent, the same way we're proposing. Ontario has five paid days. New Brunswick, not done yet. Nova Scotia, same as Saskatchewan. Quebec has two days. So it appears right now there's a variety of different approaches across the nation, and we've chosen to go with this one for the time being and may look at it in a subsequent year.

Ms. Rancourt: — And have you had consultation with stakeholders?

Hon. Mr. Morgan: — We've got, on leave generally, we have consultation under way now. But before the bill was introduced, there was consultation done and there was, not surprisingly, a

variety of different opinions or different thoughts depending on who you were, where you came from, what you want.

Ms. Rancourt: — What kind of impact has the Humboldt bus crash had on WCB?

Hon. Mr. Morgan: — The players themselves are not covered by WCB. They're not employees. The other people that were on the bus would be. Now we don't comment on individual claims but, you know, it's obvious from what was in the media, you know, who was an employee and who wasn't. The additional things that I know WCB has done has reached out to provide some additional counselling to try and anticipate or be proactive with regard to PTSD [post-traumatic stress disorder]. And I'll let Peter speak to that.

Mr. Federko: — So as the minister indicated, there were six fatalities on that bus that were insured workers, and we've accepted all of those fatal claims. But we also reached out to the community of Humboldt itself as well as Saskatoon who received most of . . . I think perhaps all of the trauma victims from that bus crash, to ensure that they were aware that we were there to provide support. And we've received . . . I couldn't tell you how many, but there have been several cases where we've assisted with psychological claims coming out of first responders, hospital staff, ambulance attendees, paramedics, and so on and so forth.

So it's really . . . It impacted us by really I think engaging our staff in how to be proactive in providing the kind of service that we want to provide to our customers. And I know that communities have been very, very appreciative. Employers did not have to try and figure out what they had to do. Families didn't have to worry about that. We met face to face with all of the families and provided that support. So it hasn't had a huge financial impact on us that we know at this particular point in time, but we're still dealing with some of that aftermath.

Ms. Rancourt: — And I would think that this would be long term because, like you were saying, there's a lot of individuals who worked with regards to this case and the trauma might come later on. And there's tons of workers that were involved and so ensuring that they know that they can receive that coverage would be very important.

How many staff work at the Workers' Advocate office?

Hon. Mr. Morgan: — One's here now — obviously one that's not at work right now. The Workers' Advocate is here, Denise Klotz, so I'll let her . . .

Ms. Klotz: — Hi, yes. Denise Klotz here. So there's 12 of us now because we got that additional intake. So we have two intake, myself as director. I have one manager of advocacy services, a senior advocate, six advocates, and one early resolution advocate.

[16:45]

Ms. Rancourt: — So how many calls or referrals did you get last year?

Ms. Klotz: — Calls, we had a large number of calls, over 3,000

calls. We ended up providing direct assistance to just under . . . Well just over 900 workers were provided a level of assistance. We did 414 new appeals and we had a 67 per cent success rate on our appeals.

Ms. Rancourt: — And do you feel that the amount of staff that you have working there is able to manage the cases that are coming forward?

Ms. Klotz: — Yes, presently we're managing quite well and we've reduced our wait for service to averaging eight days.

Ms. Rancourt: — And what was your wait for service prior to that?

Ms. Klotz: — Last year was eight days, but previous to that we had up to four weeks. We used to count in weeks actually, and we were able to reduce that to days.

Ms. Rancourt: — That's really good.

Hon. Mr. Morgan: — We had concerns about the length of time the appeals were taking to go through Workers' Compensation Board. They were approaching a year from when . . . So the direction that we gave was that was unacceptable for a worker to have a claim that was there, so we encouraged the Workers' Advocate to be as aggressive as they can at getting them there. And we also talked to the board members that heard the appeals and said that we want you to meet a target. So they're now typically being resolved between 90 and 120 days from when the appeal is filed as opposed to approaching a year before.

And I said, the question I asked was, is that too high? And they said, no, because when a worker is initially denied or the appeal requires more information, the individual has to go, almost invariably go back to their doctor and get additional information. And it's usually a time frame for them to go and get their information together and get whatever they need for it, so rather than have the appeal heard, then come back again and do it later on. And that appears to have a relatively high satisfaction amongst the appellants.

Ms. Rancourt: — That's good to hear that there's been some improvement there. I know in the budget there was an increase in the salary expense. Can you explain this?

Hon. Mr. Morgan: — At Workers' Advocate, that's one additional FTE.

Ms. Rancourt: — All right. Thank you. And how is the ministry supporting employers with the future legalization of cannabis?

Hon. Mr. Morgan: — Right now we're dealing with it not necessarily through Workers' Compensation but through OHS, and we're trying to provide information and education to the employers with regard to the safety risk that would be posed by cannabis on the work site. It becomes complex because there are people that are legitimate medical users of marijuana, which shows up in only very small amounts in any testing.

The Supreme Court has made a number of rulings that would

indicate that random testing is not legal in Canada or not ordinarily legal. So the challenge for an employer will be to try and determine what level of . . . impose a requirement on the employees that they be fit for work when they arrive at work and not become intoxicated once they get there. So that's the challenge for an employer and the OHS staff is going through an education program with the employers.

We're adopting, as you're likely aware, a zero tolerance approach with regard to consumption of marijuana for operation of a motor vehicle. What that really means is that it would be at a level, it would be so low that it wouldn't be capable of being tested under the current technology. So I think that's . . . One or two or three nanograms wouldn't show, which would be somebody they've got . . . some second-hand smoke or what they might use for medical marijuana.

But I think we're still in a learning phase. The concern that I think all of us have is that marijuana stays in the body longer than alcohol. It's less visible and harder to identify. And if you have somebody that's operating a construction crane or using explosives or something or operating a large piece of road machinery or other equipment, what are the risks that are there? So right now it's trying to train the employers who will, hopefully, supposedly be able to pass it on to the employees. But I think we're all worried about what the increased risk is, and we're doing comparison discussions with other jurisdictions to see whether anybody's got better practices than we have that we can adopt.

I'll see whether Mike or Ray want to add anything to . . . I see they've once again accepted what I've said. I've obviously been your boss too long.

Ms. Rancourt: — Yes, that seemed to be a real concern for a lot of employers, how they're going to be able to manage this. And if they have an employee that used, say the night before, it could still be in their system. And so how do they manage that if they're coming to work with that in their system? I'm sure there are probably employees that are going to work with that in their system, so this also can provide maybe a level of standards that employers can establish now when it does become legal. So be lots to work on.

So while we've got a few more minutes here, I'm going to work on some of the budget lines here. Can you explain the decrease for the executive management portion of the budget?

Hon. Mr. Morgan: — Yes. It was part of a cross-ministry initiative to try and reduce overall staffing. We, as you're aware, increased our staff that are the front-line workers but we expected everybody else to do so. It was a combination of vacancy management and whatever, but I'll let . . .

Ms. Usick: — Sure. So we had a decrease of 60,000 in salaries. Most of that was an internal transfer from occupational health and safety — we moved a position into corporate services — and some reduced costs in the minister's office.

Under operating, we had a transfer from the Ministry of Central Services for the new IT [information technology] billing model. So that's a net neutral from government. All ministries had to deal with that transfer, so that was an increase actually. And a

decrease in communications budget for printing costs; we're using higher use of web-based content now. A decrease in postage costs of 30,000, and 87,000 decrease in IT costs — those were the lower licensing fees.

With our new ECRM system it's not as expensive in the long term. We were paying a lot of high Oracle costs and this system is a lot more efficient to run. So that was a change of 45,000 in operating. But the biggest change was the 875,000. That was a one-time capital funding and that was for our ECRM system. So our total decrease that you'll see there was 770,000.

Ms. Rancourt: — And in previous budgets under central management and services, there was an allocation for central services. But in this budget that has changed to corporate services. Was there a reason for this change?

Ms. Usick: — Central management and services is a subvote, but we changed our title of our division to corporate services from central services. And quite frankly the biggest reason for that change is because the Ministry of Central Services changed their name to Central Services and there was too much confusion. When we were saying we were from central services, we wanted to identify that we're from corporate services from Labour Relations and Workplace Safety.

Ms. Rancourt: — Okay. Because if you look in all the other ministries, they continue to use that terminology, central services. So I noticed that it was just Labour that changed it to corporate services.

Hon. Mr. Morgan: — They'll likely follow our lead eventually. I'm sorry. I have no good answer for that. That was why we chose to do it here.

Ms. Usick: — Yes, the subvote is still consistent. It's still called central management and services like in all the ministries, so yes.

Ms. Rancourt: — Yes, okay. Yes, yes, that subvote. Yes, but they kept the central services portion. And then there was a decrease within that corporate services. Can you explain that decrease?

Ms. Usick: — I think that was the one we just talked about. Like the biggest . . . [inaudible interjection] . . . Yes. So the biggest change in the corporate services . . . That's what you're asking? Yes, the biggest change was the 875,000 for the capital. And then that was the salary change we talked about, and the 45,000 change in operating. So from the 80, the 45, and the 875, the total within corporate services is 750.

Ms. Rancourt: — And I'm going to skip over to the Labour Relations Board. Can you explain the decrease in the salaries? The salaries have been decreasing in the past few years.

Ms. Usick: — Yes, there was an \$11,000 change. That was basically due to vacancy management and they had some operating changes there too. Their total change in their budget was 21,000.

Hon. Mr. Morgan: — There was no direction given for them to reduce their budget. They came to us and said, we're

underexpended; this is what we've spent. So an agency that comes forward and says we're underspent, we accept.

Ms. Rancourt: — With the current state of the unsettlement between the unions and the government, do you expect that there's going to be needed more resources or will this increase the expenses in this department?

Hon. Mr. Morgan: — In the event that more resources were needed, the discussions that I've had with the past Chair — and certainly will with the current Chair, although I haven't met yet with her since she's been there — would be if there are situations where additional resources are needed to try and resolve a contract or whatever, ask for it and we'll certainly try and deal with it.

The additional costs, if there is, we provide services of a mediator or arbitrator and they've got a number of them within and a number that they can contract from outside, but so far they haven't asked for any additional support. We're hoping that all of the tables will be sitting down, rolling up their sleeves, and working very diligently and very hard to get a resolution. We've always taken the position that the best deals are ones that are made at the bargaining table rather than after protracted dispute, so we're pushing everybody right now. So your point's well taken.

Ms. Rancourt: — Thank you. And with taking note of the time, I want to make sure that we have enough time to do some closing remarks. So I want to take this opportunity to thank all the officials for being here and providing the answers that you've given. It's given me a lot of insight to your different departments and I look forward to going back and learning more about it as well and having this opportunity next time.

I also want to thank the members here sitting through the committee. It's a really important process and I know sometimes having to listen to me and the minister isn't the most exciting thing potentially, but I also thank you for . . .

Hon. Mr. Morgan: — I thought you were wonderful.

Ms. Rancourt: — And I also want to thank the staff here and with Hansard and the media people here and Mr. Chair for chairing a good session here. So thank you to everyone. And I conclude my remarks.

Hon. Mr. Morgan: — Thank you, Mr. Chair. I'll make similar remarks. Recently somebody tweeted that Larry Hubich was the longest sitting president of any of the federations of labour in Canada. I was going to send him a congratulatory tweet, but he tweeted out that I was the longest serving Minister of Labour in Canada. So maybe it's time that both of us are past our prime and best-before date. But in any event I want to thank the member opposite. Mr. Chair, thank you to you. To the committee members, thank you. And to the ministry staff who for every hour that they're here, I suspect have spent many more hours getting ready for it. To the staff in this building, Hansard and legislative services, thank you very much, not for just for what you do today but for what you do throughout the year. It's probably not marked as appreciated often enough, so thanks to all of you.

The Chair: — Well thank you, Mr. Minister, Ms. Rancourt. Thank you to your officials and to my colleagues for diligently being here today. We will adjourn consideration of the estimates for the Ministry of Labour Relations and Workplace Safety. I would ask a member to move a motion of adjournment, please.

Mr. Steinley has moved that we adjourn. Is that agreed?

Some Hon. Members: — Agreed.

The Chair: — Carried. This committee stands adjourned at 5 p.m. And we will reconvene tomorrow, May 23rd, at 9 a.m.

[The committee adjourned at 17:00.]