



STANDING COMMITTEE ON HUMAN SERVICES

Hansard Verbatim Report

No. 50 — April 17, 2019



Legislative Assembly of Saskatchewan

Twenty-Eighth Legislature

STANDING COMMITTEE ON HUMAN SERVICES

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Cannington

Ms. Danielle Chartier, Deputy Chair
Saskatoon Riversdale

Mr. Larry Doke
Cut Knife-Turtleford

Mr. Muhammad Fiaz
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Mr. Todd Goudy
Melfort

Mr. Warren Steinley
Regina Walsh Acres

Hon. Nadine Wilson
Saskatchewan Rivers

[The committee met at 18:01.]

The Chair: — I'd like to welcome everyone here this evening to the Human Services Committee meeting for April 17th, 2019. My name is Dan D'Autremont. I am the Chair of the committee and the MLA [Member of the Legislative Assembly] for Cannington. With us this evening we have MLA Larry Doke, MLA Todd Goudy, MLA Warren Steinley, the Hon. Nadine Wilson, and substituting for MLA Danielle Chartier is MLA Warren McCall.

Considerations of Labour Relations and Workplace Safety estimates, tonight we will be considering the estimates of the Ministry of Labour and Workplace Safety as well as Bills 139, 153, and 165.

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

Subvote (LR01)

The Chair: — We will begin with vote 20, Labour Relations and Workplace Safety, subvote (LR01), central management and services.

Minister Morgan is here with his officials, and I would ask that the officials please introduce themselves before speaking into the microphones. Mr. Minister, please introduce your officials and make your opening remarks.

Hon. Mr. Morgan: — Thank you, Mr. Chair. I'm pleased to be here to speak on the Ministry of Labour Relations and Workplace Safety. I'll begin with a few opening remarks, and then I'll be able to answer questions.

I'd like to start with some introductions. I have several senior members from the ministry supporting me, including Donna Johnson, deputy minister. She's new in this role; she is a rookie, so please direct all of the most difficult questions to her so that she can become experienced.

I'm also joined by Louise Usick, executive director of corporate services; Ray Anthony, executive director, occupational health and safety; Sameema Haque, executive director, employment standards; Denise Klotz, director, Office of the Workers' Advocate; Pat Parenteau, director of policy; and Fred Bayer, registrar of the Labour Relations Board.

Also joining us today from the Workers' Compensation Board is Peter Federko, chief executive officer, and Phil Germain, vice-president of prevention and employer services. I also have my staff here as well, Clint Fox and Molly Waldman.

Mr. Chair, the 2019-20 budget is the right balance for Saskatchewan. We have returned to balance with the sustainable plan that invests in needed services, programs, and infrastructure. Government is meeting its fiscal challenges. We are delivering cost-effective and sustainable programs and services that Saskatchewan people want and need.

Over the past year, the Ministry of Labour Relations and

Workplace Safety has continued toward its strategic objectives of ensuring Saskatchewan places are healthy, safe, and fair. In 2017, the time-loss injury rate plateaued. In 2018, it increased to 1.99 per cent. If we look at the total injury rate, we see a similar story. There was a large decrease from 8.65 to 5.25 per cent between 2012 and 2017. We saw an increase to 5.44 per cent last year.

If you consider the strategic way injury rates have been tackled, this is anticipated. Targeted intervention strategy started with large employees with high rates of injury. Improvements to those employers made a large difference. As we have progressed over the years, we are now focusing on smaller businesses with high injury rates. But given that these businesses have lower numbers of employees, it's harder to achieve significant reduction of provincial injury rates.

Despite the progress that has been made, Saskatchewan continues to have the third-highest injury rate in Canada. It is also why we have committed more resources so we can continue to work on reducing Saskatchewan's injury rate.

We have increased resources to support the targeted intervention strategy. Some of those resources will be dedicated to working with health care employers in Regina and Saskatoon. Our people are professionals. They have the tools and strategy to make a positive difference in the lives of working people.

Of course we need to do more. We need to achieve Mission: Zero. Mission: Zero means zero deaths, zero injuries, and zero suffering. The 2019-20 budget for the Ministry of Labour Relations and Workplace Safety is \$19.66 million, an increase of 580,000 or just a little bit more than 3 per cent.

Part of this funding will go towards three additional occupational health and safety officers. They might work in the field or as analysts. Funding in the budget will also be allocated for a second dedicated Crown prosecutor to ensure timely prosecution of occupational health and safety violations. That prosecutor is already in place. The budget also provides for new funding for appeal advisers for the Office of the Workers' Advocate as part of an ongoing pilot project to provide representation to people injured in motor vehicle accidents.

The new funding for occupational health and safety and Office of the Workers' Advocate totals \$698,000. It will be 100 per cent reimbursed by the Workers' Compensation Board and Saskatchewan Government Insurance. These important investments will ensure the ministry continues to improve service and invests in workplace safety for the citizens of Saskatchewan.

We will continue to transform government's delivery of programs and services to be more cost effective and sustainable. At the same time we are making priority investments that improve the quality of life for all Saskatchewan people. Safe and healthy workplaces ensure economic growth so we can all share in the province's success.

Secondly, I would like to talk about eliminating workplace injuries and deaths. For more than a decade the Workers' Compensation Board and the Government of Saskatchewan have

been working together to eliminate and prevent workplace injuries and illnesses. There is certainly more work to do. That is why the ministry adopted a risk-based, targeted approach to occupational health and safety.

The strategy focuses resources on workplaces that are experiencing illness and injury. The approach is straightforward. We target employers with high injury rates and help them work out strategies to reduce it. We have worked with 215 priority employers representing more than 100,000 workers. Their injury rate has been cut by some 37 per cent. That's resulted in more than 2,400 fewer injury claims and a savings to the Workers' Compensation Board of more than \$29 million. Because of that, the Workers' Compensation has continued to provide funds for more workplace inspections than in the past. It's why the board is investing \$318,000 into three more staff positions this year. Mr. Chair, the money to fund these positions comes from WCB [Workers' Compensation Board]. It will not impact the General Revenue Fund. WCB is making this investment for targeted intervention and health care to address the need.

We are confident that the Workers' Compensation Board's \$180,000 investment in a second dedicated prosecutor will help reduce injuries as well. We will work with employers through targeted intervention, but when things do not go well, our investigators will gather evidence so the Crown can decide whether or not to lay charges. The second prosecutor is expected to bring in additional fine revenues of 600,000 to \$1 million. It isn't about money. It is about protecting workers.

In 2019-2020 we will continue to expand the evidence-based, targeted intervention strategy. We will conduct sector-specific inspections and we will continue to focus on educating workers and employers through our partnership in WorkSafe Saskatchewan.

Next I would like to talk about assuring a level playing field. I have explained to you the ministry's continued and unwavering commitment to safety. We also have the same commitment to fairness. It is our job to ensure employers and workers are following the rules. Our staff get out into workplaces. That is the proactive approach they have adopted.

In 2018-2019 there was a total of 4,800 work site visits, an increase of nearly 1,000 from the previous year. We have a unit within the OHS [occupational health and safety] division that partners with WorkSafe Saskatchewan and the Saskatchewan Association for Safe Workplaces in Health. Ergonomic specialists are working with health employers and employees to improve workplace design and reduce injuries.

We also have a goal of increasing compliance with employment standards legislation. It's being done in a number of ways. We continue to develop educational resources to help employers and young workers know their rights and responsibilities.

Each year thousands of 14- and 15-year-olds complete the young worker readiness course. The course prepares them to join the workforce with an understanding of their rights and responsibilities. More than 1,700 people participated in a variety of employment standards webinars in the past year. Our job is to make sure employers understand their obligations under *The Saskatchewan Employment Act* and stay in compliance.

The ministry also continues to support injured workers. Our Office of the Workers' Advocate helps people appeal decisions made by the Workers' Compensation Board. This work saves the taxpayer by helping to ensure treatment of injured workers is properly covered by WCB insurance premiums rather than the General Revenue Fund.

The Office of the Workers' Advocate has expanded its services as part of an ongoing pilot project to represent people appealing decisions by Saskatchewan Government Insurance to the Automobile Injury Appeal Commission. SGI [Saskatchewan Government Insurance] is contributing \$200,000 this year from the Auto Fund to cover the cost of the two new term appeal adviser positions to support the initiative.

Mr. Chair, the ministry also has some other achievements to share. In the past year we've increased employment leave to ensure job protection while on EI [employment insurance]. We've expanded maternity and adoption leave to 19 weeks, the highest in Canada. We've successfully transferred responsibility for foreign workers under *The Foreign Worker Recruitment And Immigration Services Act* and are creating a new appeal process that is fair, impartial, and transparent.

We've also added six cancers to the list of occupational diseases covered for firefighters by the Workers' Compensation Board on a presumptive basis, as well as having responded to the committee of review recommendations.

Mr. Chair, I'm pleased to speak on behalf of the Ministry of Labour Relations and Workplace Safety. Staff work hard every day to make sure work is done in a healthy and safe way under a common set of rules. In doing so, they create a level playing field that ensures economic growth and an opportunity shared equally by all Saskatchewan people. They have strategies to reduce workplace injuries and illnesses and ensure workers and employers understand their rights and responsibilities. They are doing their part to ensure Saskatchewan continues to be the best province in Canada to live, work, and raise a family.

Thank you for the opportunity, and I look forward to answering your questions.

The Chair: — Thank you, Mr. Minister. Are there any questions for the Minister of Labour Relations? I recognize Mr. McCall.

Mr. McCall: — Thank you very much, Mr. Chair, committee members, Minister, and officials. Thank you for joining us here this evening for the consideration of these estimates and then subsequently the bills. Certainly welcome to the new deputy minister to the job, and we wish the best of luck to the work ahead.

And this would probably be as good a place as any to beg indulgence. I'm a new critic. If some of my questions seem kind of obvious or overly simplistic, please realize that that's my bread and butter. And if you take that away from me, I haven't got much besides that.

But it is good to join you here tonight. The dollars and the work under consideration here tonight is exceedingly important to the province and to the lives of so many. So I guess we'll start at the very beginning. If we could work our way through the votes,

discuss anything new or exceptional that is going on under those votes which, again, will involve some restating of the minister's opening remarks. So again, my apologies for that, but I'm just looking to gain a very precise understanding of the estimates here under consideration.

So for (LR01), central management and services, a slight increase with corporate services. What's happening there?

Ms. Usick: — Louise Usick. So in central management and services we had a change in both salaries and operating. So we had some small salary adjustments and a decrease in vacancy management that totalled about \$60,000. And then in operating we had a transfer from the Ministry of Central Services. They had a change in their IT [information technology] billing model. And then there was a decrease in our communications budget, a small change in reduction of printing costs and advertising of \$34,000. So the total change in that whole area was a total of only 26,000.

[18:15]

Mr. McCall: — Thank you for that. And again the FTE [full-time equivalent] complement that attaches to that vote, could you state for the record what it is and if there are any changes at play?

Ms. Usick: — So in central management and services there was no change in FTEs.

Mr. McCall: — Okay. Thanks for that. Occupational health and safety, again a certain increase. Please tell us about it.

Ms. Usick: — Sure, okay. So under salaries there was a change of 268,000. There we received funding of 258,000, and that was an increase of three additional FTEs in occupational health and safety. And we had a salary adjustment of \$90,000 and a reduction in vacancy management of 80. So there's your total of 268.

And then in operating we had funding of \$180,000 for a dedicated Crown prosecutor and operating costs for those additional three FTEs of 60,000 and a decrease of 118,000 for operating expenses. So those were reductions that we had in equipment, furniture, contractual services. So the total in operating was 122,000. So the total increase in that subvote was 390,000.

Mr. McCall: — Okay.

Hon. Mr. Morgan: — By way of background, the last number of years we've had a dedicated Crown prosecutor that just does this type of work. And that individual has got increasingly busy. Over the last two or three years there's been more inspections, more prosecutions, so we were worried about things piling up or losing cases for delay. So we've added the second prosecutor already. We want to make sure that we're being the most effective with the use of that individual's time, so they're working through what's going to be done on the summary offence tickets and what's going to be done on big trials. But I leave that to the expertise from the professionals at the Ministry of Justice, because they have a fine minister.

Mr. McCall: — I'm sure the minister's got a very fine knowledge of the fine minister on recommend. In terms of the existing . . . If the minister or officials could characterize for the committee the past three years of experience with the prosecutor in terms of number of inspections, prosecutions that have proceeded, prosecutions that perhaps have not, and in terms of the volume of fines levied. And again I would presume that there's a relation between that data and what's anticipated with the additional prosecutor. But if the minister could provide that to the committee.

Hon. Mr. Morgan: — The officers go out and do the inspections. We've provided them with some additional training. We have hired on a temporary basis or a casual basis a retired police officer to come in and teach them about how to take statements, how to preserve evidence, continuity of evidence, and how to proceed with them. When the files are prepared, they go to the prosecutor and the prosecutor does an analysis, and then they determine whether they meet the prosecutorial standard, as any prosecution would. And that would include, is there a reasonable likelihood of success? Is it in the public interest to proceed? Is there evidentiary problems that would warrant something different other than a typical prosecution?

I'll give you some numbers. In 2015-16 there was 32 sent; '16-17, 52; '17-18, 34; and then 2018-19, as of March 31st there was 32. And then in not all cases was a prosecution. Those went. So '16-17 there was 38 of the 52 had a prosecution completed; '17-18, 21 of the 34; '18-19, 25 of the 32. So it seems most of them go ahead but not all, and then of the ones that have gone ahead, not all of them have resulted in convictions. 2016-17, 25 of the 38; 2017-18 we have 37 of the 21 got convictions, which really means there was a spillover from the previous year, and '18-19, 19 of the 25.

So they in my view are getting relatively good success and we're not hearing about people complaining about unsuccessful or bad decisions being made by the prosecutors. The fines that are generated have steadily gone up. In 2007-2008 the total number of penalties were 65,540; '08-09 it went up to 385,910, and then it's steadily gone up. So '16-17 it was 870,996; '17-18, 1.41 million; '18-19, 1.44 million. So we had increased the number of fines in 2015, the amount that the fines could be.

The prosecutor is certainly asking for larger fines and getting larger fines and it seems to be working as a deterrent because the people that have been prosecuted certainly are . . . There's a change in how they handle safety within that particular workplace. What we would like to see though is that acting as a general deterrent so that it works in other workplaces. Well people say, oh gee we could get prosecuted. We would rather people do it because it's safe. But if they don't see it because of the safety initiative, then we'd rather see that because they're concerned about being prosecuted.

Mr. McCall: — Well we'd certainly agree with that in the opposition benches, Mr. Minister, in terms of the importance of the deterrence factor. And for myself, I'm glad to see the trend line heading in the way that it is because I think the greater impact that deterrence factor will have and in terms of what it does for culture, what it does for improved safety for workers and workplaces, is obviously critical to this entire endeavour.

In terms of the . . . Does the minister or officials have any observations on what a typical inspection proceeding to a recommendation, sending it for consideration by prosecution? Are there trends that emerge from that experience, Mr. Minister?

Hon. Mr. Morgan: — I think I'm going to ask Ray Anthony to come and he can sort of go through a typical inspection that would lead to a further inspection or further action. On an inspection they've got a number of tools. They can give a notice of contravention; a compliance order, which is in effect a warning or a direction to change what's taking place in a workplace. If the workplace doesn't change then they move forward with more direct action. And then if that doesn't work or there's been a serious incident or an injury, then they look at maybe proceeding to prosecution. But I'll let Mr. Anthony answer directly.

Mr. Anthony: — Good evening. Ray Anthony, executive director, occupational health and safety. To begin with, a normal inspection is either the result of a complaint or the result of targeting based on WCB data. As you know, 12 per cent of employers have all 100 per cent of the recorded accidents, so we try and concentrate on that group, sort of the idea being if there's something not right in that workplace, that's the first indicator of it that we have.

So we will head out to those and we will conduct an inspection. And in accordance with targeted intervention we try and do two things. Like if we were going to a Mac's store, we try and concentrate on those things that we've identified injure people at Mac's stores, so that would be slip, trip, and fall or, you know, ergonomic injuries due to stocking of shelves, that sort of thing. So we try and address those things that are harming workers, so it's sort of two tiered: address the employers that are having injuries and address those things that are injuring workers.

When we go out, like to say that employers sort of fall into three groups: those that are compliant, those that require some education, and those that are unwilling. And those are the ones that usually wind up in terms of prosecution or further action. We have sort of two groups: the summary offence ticketing group, which are things that are not related to an accident; they are just the result of an inspection and a repeated non-compliance by that particular employer. And they're on what we call IDLH or immediately dangerous to life and health issues such as fall protection, safety and excavations, safety around machinery, personal protective equipment, so on.

The prosecutions themselves, we conduct an inspection of any accident that occurs that is not falling, say, motor vehicle to the RCMP [Royal Canadian Mounted Police] or to a federal agency like Transport Canada, that is under provincial jurisdiction and meets the criteria under section 8 of the regulations. That would be an accident that puts a worker in the hospital as an in-patient for 72 hours or as a fatality.

We do this without prejudice. We investigate to the best of our abilities through gathering of evidence and basically doing interviews with required people. And when we do that, we arrive at a point where we have a file completed. We share that file with a Crown prosecutor. If they're in agreement, we lay the charges and proceed to court.

Mr. McCall: — If I might, how many . . . So the additional three occupational health and safety inspectors have been added in the budget. What will that bring the total complement to? What does the average caseload look like for those inspectors? And what's the average sort of time involved in bringing a case from inspection to closing the file?

Mr. Anthony: — In terms of prosecution? That varies depending on the case. If you can imagine, the explosion at the upgrader in 2011 resulted in several filing cabinets full of evidence that had to be gone through, categorized. And that actually took one officer about four years to put that all together and proceed through court to a conviction.

Some of them are fairly simple. Some of them are done, like simple fall protection or fall issue with an injury, could be completed in three months. And you know, depending on what time the Crown spent with it, you know, six months.

Mr. McCall: — I appreciate that there's a difference in magnitude for different of the incidents. But are there targets that you have in terms of completion of investigations, inspections, and the closing of files or the processing of files? What are the metrics that you use to manage that process?

Mr. Anthony: — Well generally we try and respond to any complaint or notification we get within 48 hours, and when we do it there is an expectation on the officer where they are in attendance that they either write the order or notice at that time. But some of our hygienists, physicists, and other people require more time to prepare their reports. It might be an additional two or three days before that report is sent out.

And that would be, like we have three documents we use: an officer's report, which is sharing of information; compliance undertaking, which is like a contract with the employer to make remediation within a certain time; and then notice of contravention, which is simply a compliance order which may include a stop-work order on certain activities. And then of course we can go to the legal route of summary offence ticketing if necessary.

Hon. Mr. Morgan: — We don't require there to be a quota of so many inspections or so many convictions brought. We're not sure that we want to drive numbers that way. We want to drive safety in the workplace.

By their nature, some investigations will take far longer than others. So we regard it up to Mr. Anthony's office to determine who's carrying what for a workload, and we're not second-guessing or imposing quotas on them. The request came the last two years that we needed to increase the number of officers in the field, and we've responded to that in both years. Actually for the last three years I think we've increased the number.

[18:30]

We have got time limits on the prosecutions that we have to comply with, so there is court-imposed time limits on summary offence matters. It's usually six months from the time of the offence. And then on the more serious ones, generally speaking it's in the range of two years, but the courts may say it's more or

less depending on what the circumstances are. So we worry in all cases, and I get reports back periodically from them as to how long they've been so we know whether we're approaching time limits on them. And the prosecutions have been remarkably good at targeting the ones that need more timely intervention.

Mr. McCall: — I guess what I'm driving at, Mr. Minister, and Mr. Anthony, is in terms of making sure that you have the resources equal to the challenge at hand. And again, I think we could agree that there's a certain correlation between the greater frequency of inspections, the greater intensity of inspections generating more work, generating more fines, increasing the deterrence factor. So it's almost sort of like it makes for more demand on the resources that you put into it; or not almost, certainly there is a correlation there. And that's something that's, again from the opposition benches, we're fine with because we think that that adds to a safer workplace.

So in terms of having the resources equal to the job at hand, we're very appreciative of the additional resources that have been allocated. I guess our question is, in terms of what has been requested, what has been granted, is there any sort of anticipation as to where this might wind up, where we start moving it in the other direction?

Hon. Mr. Morgan: — We had a seen a steady decline. Initially it went the other way, so that's problematic. So we felt that the target intervention strategy was doing what it was intended to do, that it was focused on where the injuries were and where the noncompliance issues were and it was doing what it was supposed to. Now, Saskatchewan was not unique. Some of the other provinces had an increase this year as well. I wouldn't want to speculate as to why it is. Some people guess that it might be a slowdown in the economy, that people are tending to rush, not focusing on safety as much as they were, or that there's shortcuts being taken that we haven't focused enough on. But we believe that doing more inspections in a targeted manner is the right approach.

So 2014-15 we did 1,220; '15-16, 2,491, so we doubled it; 2015-16, 3,832; 2017-18, 3,986; and 2018-19, 5,233. So we're ramping up. We're increasing the number of inspections, and we're following through on the inspections where there should be prosecutions and further steps taken. So I think, from that portion of what we're doing, we're doing the right thing. Whether we need to do more or not, we're trying to be careful how we do it.

And the other thing that I think is important, and we're planning to do more work on it, is public awareness and training and the preventative things that take place as part of public education, education of individual workers, education of employers. You know, sometimes somebody isn't wearing protective eyewear, and you think, oh well they get a summary offence ticket, and it's whatever the fine is, \$100 or . . .

Mr. Anthony: — I think 250.

Hon. Mr. Morgan: — 250, yes. So but if somebody gets something in their eye, it could be two or three days off. It can be a time-loss injury. So even the small things are problematic. There's a cost to them. And in every case, it's the safety of the worker. It's a worker that went to work in the morning and didn't

come home as they should have. They went to a hospital, they went somewhere else, and those are the things that we want to work all the way through.

Somebody said, you know that you're doing the right thing when people have learned enough on the job site that they come home and they do the same thing at home. Before they go and mow the lawn, they put their protective eyewear on, that they put gloves on, that they wear steel-toed boots when they're using a lawnmower. When they're using a ladder at home that, you know, they're making sure that they do the tie-offs and everything that they would at work. Then you know that you've engendered a sense of safety and of care. The time-loss injuries for the last three years have remained relatively steady, but we would like to have seen a significant drop.

Mr. McCall: — We'll continue to look on and making sure that the . . . Again, a certain amount of the caseload is self-generated. The more resources that you have in play, I think that there's probably more work that comes along. And again, that's a great thing because it represents improvement of safety. But in terms of the fatalities, perhaps we'll get into that in a little bit.

But just to be very clear, for the official opposition, we're glad to see increased resources, increased improved intensity in terms of the work of occupational health and safety on the inspection side of the equation. So to that we say, you know, keep up the good work. Keep it up. And again, to the government we'd say, you know, that's a great recognition of important work with resources that are certainly well deployed.

In terms of this year, Mr. Minister, and we've certainly had opportunity to discuss this in other forums, but does the minister or officials want to talk about what has been a historically bad year for the province of Saskatchewan in terms of workplace fatalities? What has been learned in terms of the character of those fatalities? What are the lessons to be taken forward? If the minister could provide us some additional thoughts on these matters.

Hon. Mr. Morgan: — By what I'm going to say, I don't want it to appear that I'm minimizing or trying to reduce. The fatalities are . . . There's 48 and that's an absolutely unacceptable number. But I'll put a little bit of it into context, but that doesn't mean in any way to minimize it.

We had six fatalities in one day with the Humboldt bus crash. Six of the people that were on the bus that were killed were members of the workforce, so they show as statistics. And those will be names that will be read into the record on Thursday, or tomorrow of this week.

And then we also have every year a significant number of deaths from exposure to dangerous materials, asbestos almost invariably. The exposure to the asbestos usually took place decades or more ago. And how many do we have asbestos this year?

Mr. Anthony: — 13.

Hon. Mr. Morgan: — Thirteen. So of the 48, there was six in one accident. A number of years ago we had three in one accident, workers that were on their way to work — new vehicle,

everything done right, bad weather. And so I thought, well we'd never, ever have another day where we would have three in one accident. Well now we've had six. Anyway we had the six from there, and there was 13 asbestos related. So we're certainly willing to talk about asbestos as well. And then a number of the others were motor vehicle accidents as well. So the ones that we focus on the most are the traumatic ones.

And Saskatchewan is statistically small enough, it's hard to find patterns or things that you could learn from it. We look to other provinces and say, okay what are you finding? But we seem to have a hodgepodge. There'll be a number, two or three that are deaths from falls. We know tie-offs and falls are a problem for us. But you know, strangely we'll have an electrocution or a murder on site or, you know, strange things that you have a hard time finding and saying, okay how do you work to reduce . . . And you've got some better stats and more detail?

Mr. Anthony: — These are the rate codes of the workers that died.

Hon. Mr. Morgan: — So some would be agricultural. Some would be residential construction, commercial construction, one in a grocery department store, a wholesale chain. So you know, there's just a myriad of different types of employers. So we're looking at trying to identify or peel back enough layers that we can focus in and do something productive on those particular ones and drive those numbers down.

Mr. McCall: — Just a particular question on asbestos-related deaths. Certainly, you know, I believe it is in 1986 that it was subject to a ban in Canada. So obviously a lot of the people that are succumbing to asbestosis or related factors are of a certain age. And I guess my question is, the trend line for that, is it level in terms of the number of deaths that are asbestos related? Is there any sort of projection on when that might be impacted by the ban in the mid-'80s, or are there any sort of projections related to asbestos?

Mr. Anthony: — That was initially our belief that they would reduce as that workforce got older. But what we're seeing, it seems is that there's more renovations in those buildings that were done, and we're getting more and more people exposed. And so the number is not going down; it's remaining fairly constant. And we need to put a bigger effort on education with the construction industry to make sure that we don't have any more workers exposed when they're doing either renovation or demolition on those buildings.

Mr. McCall: — I guess it begs the question, for the last year for example, have there been any inspections that netted infractions being assessed against folks that were either improperly approaching asbestos or disposing of asbestos construction materials? Or is there anything that Mr. Anthony could tell us on that front?

Mr. Anthony: — If you can give me a minute, I'll dig that number up for you.

Hon. Mr. Morgan: — The challenging thing — I'll let sort of Mr. Anthony — is that there isn't something that comes from the incident where the worker was doing something unsafe. You know, the effect of it is something that shows up years later. So

if somebody was tearing out insulation or something, they may not know that they were exposed until years later and may in fact not even know where they were exposed. But you know, it'll be somebody that was doing renovations on an ongoing basis whenever.

Mr. McCall: — Not to make light of it, but I believe the Ministry of Labour's building, to use an example, in recent history was found to be containing significant amounts of asbestos. And I guess, how was that followed up on?

Hon. Mr. Morgan: — You know, the asbestos itself if it's encapsulated is not dangerous. So you know, in some cases where it's been disturbed you have to go through a process of evacuating the employees and then going through a process where people wear equipment when they're going through the removal. But the idea is not to disturb it if it's enclosed.

Mr. Anthony: — Just for your numbers for your record, in 2018-19, 315 high-risk asbestos project notifications were received. We inspect all those, and they're done by an abatement contractor who is competent, like who complies. Compared to 330 in '17-18, so it's staying fairly level. That's not changing.

The minister is absolutely correct. The danger is in friable asbestos. That's the stuff that floats through the air. And so it's either the spray-on insulation or if you're, like what happened at OHS, you bring in a tradesperson; he decides to cut an asbestos concrete pipe with a power saw. There are work practices that you can eliminate or, you know, reduce to a great degree the spread of any contamination.

And it's a question of educating the workers and not just saying, well it doesn't look like it to me so I'm going to cut it with a power saw, or something like that. That's what we really need to do, is when renovations or demolition is taking place, we need to have an inspection by, say, a competent engineer and, if it's found, have it abated before the demolition or renovation continues so that it's done. The workers are protected with personal protective equipment, the proper HEPA [high efficiency particulate air] vacs and whatnot are used, and then whoever is doing the renovations can go in and safely complete their work.

[18:45]

Mr. McCall: — Thank you for that. So in terms of the public education effort that is entailed, do you target the contractors community specifically, or the different construction associations? Or how does it relate into the building code? What are the steps being taken to improve that awareness and by extension the safer workplace?

Mr. Anthony: — There is a section of the National Building Code that requires any hazardous material be removed before it endangers the public or workers. It just doesn't seem to be enforced a great deal or recognized a great deal because no one seems to be looking. The other part of it is we do work with the Saskatchewan Construction Association, the Saskatchewan Construction Safety Association, and the Home Builders' Association in regard to education.

Mr. McCall: — Okay. Thanks for that. So the minister was characterizing the different subcategories. In terms of falls — and

again, there's something of a predictable quality to these in terms of elevated work sites and the use or misuse, disuse of protective harness, ropes, the like — how does that figure into the targeted enforcement strategies of OHS?

Hon. Mr. Morgan: — The falls are not usually fatal, although they have been, but they're often very serious injuries — broken bones or certainly significant lost time injuries. It's usually home builders or contractors that have chosen not to use the tie-offs or have the tie-offs and don't have them connected. I've driven through new areas of Regina and of Saskatoon, and you don't need to be an expert to drive through. You see the ropes going across the roof and then you'll see the workers running around and not using them.

So the health officers are going out and if they see the ropes not being used or the tie-offs not being used, they'll deal with it either by way of ticketing or whatever. And that seems to be an area where public education is necessary and helpful. I can understand the desire on the part of a worker that's doing . . . You're rushing back and forth and when you've got two or three people, you get tied up in each other's ropes.

But it's a straight matter. You have to do it because if you don't and you fall, you know, wet spot that's slippery or wet, you've gone off the edge before. Some of the falls have taken place on roofs that aren't terribly steep. The steeper the roof it is, the more likely a person is to wear the harness. But you know, it's an area that really shouldn't have to happen.

Mr. Anthony: — I would say in the majority of fatalities that we investigate, there's no fall protection used. It's not a question of failure of equipment or anything like that. It's just simply not used. Whether that's a case of failure of the employer to supply or failure of the employer to properly train the workers or supervise the workers, you know, that's usually a question for the courts.

But by and large, since residential construction is so highly transient — like a roofer might only be on a house for two days or something — what we do is we just target that industry. And basically we probably target 100, 150 inspections during the peak construction season to residential construction. And we'll go out on a Saturday or something like that because we know they try and get that sort of thing done when we're not around. So we kind of get out there when we think the work is being done.

Mr. McCall: — I'm glad to hear that. In terms of other particular categories of fatality, is there . . . Well this is probably as good a time as any to state . . . We've done this in other forum, but to the folks that worked alongside the late deputy minister, and I know in some cases were there when he passed, to all of you we offer our condolences. And I guess in terms of being a workplace, how are you all doing? Are you all back up to scratch and coming along? Because obviously that's a traumatic experience and I guess we just express our condolences and wish you well.

Hon. Mr. Morgan: — Thank you for that. I think it was an incredibly difficult thing for everybody that worked in that ministry. Even though Richard had not been there a long time, he was popular and well liked. He'd been over at this building an hour or two before, went back, and went into medical distress.

For the people that were working with him that day, it was a rough day. And we've tried to encourage everybody to seek outside help through the employee assistance plan, and I know a number of individuals have done that. Anyway, I thank them for the work they did that day.

Mr. McCall: — Well we certainly second that emotion, Mr. Minister.

Hon. Mr. Morgan: — Thank you.

Mr. McCall: — I guess in terms of the calls that have come — and we've had occasion to discuss this elsewhere as well — but the calls that have come for an emergency worker fatality strategy group to be put together in recognition of the historically bad year that has taken place, does the minister or officials have anything to update the committee with in terms of efforts, targeted efforts in that regard?

Hon. Mr. Morgan: — I'll let the officials offer some more on it. It became an area of concern for us and there's, as you're aware, a U of R [University of Regina] professor, Dr. Sean Tucker. I've met with him on several occasions and asked him for the advice that he can give us by way of statistics or by way of what he thinks is beneficial. His recommendations are things that, some of them that we've acted on already: additional inspections, more work done on prosecutions, and trying to engender and develop just an overall attitude of workplace safety.

So he has met, not just when I've asked him to meet, with the officials at the ministry as well. We've asked them to look at what best practices are in other provinces. And it used to be that we were one of the worst. Now we're third worst, which doesn't sound very good, but we are improving faster than some of the other jurisdictions but certainly not to the point where we would regard it as satisfactory. But when we look at what rate codes are, when we look at what the injury rates are, we're improving from where we were. But it would be a great day when we got to zero or a lot closer than we are.

Eighty-eight per cent of the employers in the province achieved Mission: Zero last year, so by and large the employers are doing what they're supposed to do. But of the 12 per cent that have had accidents, that's where the focus has to be, both from an inspection and prosecution or taking further steps, but also just in a broader context of trying to develop an attitude of safety.

And you will have seen the Mission: Zero ads, the WorkSafe Saskatchewan ads, the red dots on the door of virtually every government vehicle. And you put those things on with the idea that you're trying to do more for safety. You know, you put the cones out in front of and behind the vehicles, all of the different little things have done what they need to do to try and reduce, but we still need to do more and focus on where the accidents are happening. So your point's well taken.

Mr. McCall: — In terms of knowledge is power and greater sort of transparency salience on the different reports that are drawn up, the different sort of documentation that comes from these different prosecutions, investigations, that's as well something that I understand Dr. Tucker to have been calling for. Is there any progress realized and reportable on that front?

Hon. Mr. Morgan: — Yes, we're trying to develop a . . . What's happened in the past is when an investigation was completed, it was subject to a freedom of information request. We don't think that's particularly beneficial to wait until somebody goes through the nuisance of having to do that. So we think it's worthwhile to post all of the serious incidents, when they are completed, online.

So we're working towards trying to develop how we do that, what information has to be redacted, and we're also looking at whether there's information on an interim basis that can be done earlier saying, you know, an investigation has taken place following this incident or that incident. So it's, you know, somewhere within a reasonable period of time after an incident would happen that the public would know that there was an investigation or a potential thing. You know, we usually do a news release when there's been a charge laid or when there's been a conviction, and we'll naturally continue to do that. But we think having the particulars of what took place so that people can read it is of significant benefit as well. So yes, we're working towards that.

Mr. McCall: — And I appreciate that and am thankful for it. Is there a projected point in time when this will be readily available on the internet?

Hon. Mr. Morgan: — I'll let Donna Johnson speak to that.

Ms. Johnson: — Thank you. So I just wanted to let you know that we are looking at the opportunity that's in front of us to provide additional information posted on the website. What we are doing though is that we do want to make sure that we go into any future action with our eyes wide open knowing exactly what, or hopefully anticipating what the result of publishing that information might be.

So what we want to do is take a deeper look at what has happened in some of the other jurisdictions, notably British Columbia and Alberta. But we also want to have conversations with other jurisdictions that don't have information posted and find out what was their thinking in not posting some of that information.

And as much as I agree with the point that I think you're making about the vicarious learning that can happen from employees and other employers with respect to any injuries or fatalities or incidents of any variety that have happened in workplaces, I'm also cautious of the fact that we will continue to investigate situations or review situations. We will continue to seek prosecution, and we will want to make sure that whatever we post on a public-facing website is not going to have any detrimental effect on future prosecutions.

So we do want to make sure that we're mindful of the impact posting information or any editorial kind of comments that might come with posting information, we want to make sure that we're cautious and conscious of the impact that might have on our ability to successfully prosecute future incidents.

Mr. McCall: — Those are all reasonable concerns, I guess, and certainly we wish you well in running them down. In terms of reaching a decision point and there being some kind of go or no go, status quo, status quo plus, is there an anticipated timeline where you'll get to a decision and that will be realized? I guess again, in the opposition benches, we're always looking for dates

we can fill our calendars with to look forward to these happening or not, and then taking it up with the minister to find out what happened. But is there a point in time at which you think this work of deliberation will be concluded and decisions made or not?

Ms. Johnson: — I think we're looking forward to being able to make a recommendation to the minister sometime this fall.

Mr. McCall: — Okay.

Hon. Mr. Morgan: — I appreciate it's the job of the opposition to try and push us on a date and I think we agree with you, the sooner the better. We think it's a worthwhile exercise to go through so we've asked the officials to do as we can. So the deputy minister's timeline of this fall is probably reasonable, and if it's longer or shorter than that, you know, we'll certainly expect you to stay on top of us.

[19:00]

Mr. McCall: — Setting my calendar by it, Mr. Minister. But in terms of the . . . I guess one last question and maybe this is a bit preliminary, but is this something that you anticipate can be accomplished by changes to regulation, changes to just policy, or will it require opening up legislation?

Ms. Johnson: — I'm expecting that it would just be a change to policy.

Mr. McCall: — Well I'll hold off on any blanket approvals for legislation forthcoming, but again we'll be watching with great interest.

Hon. Mr. Morgan: — The discussion that we had was that there was nothing in the reports that was personal information. If you were redacting names or had consents from family members, so if somebody was injured you may not . . . If an employer is charged, we release those names anyway. So the discussion we had was we wouldn't need to seek an amendment to any of the legislation that's there now, that it would be a matter of saying, okay these are reports that are going to be released in some form sooner or later. Let's release them earlier in a more predictable and a more formalized way.

Mr. McCall: — Lastly in terms of bolstered public education or awareness campaigns, is there any sort of notions on where you might be redoubling efforts or bolstering efforts or going where you haven't gone before? Any sort of thoughts as to where the awareness campaign might be heading?

Hon. Mr. Morgan: — Through Workers' Compensation Board, they fund safety associations which are employer groups of certain rate codes or types that will work towards developing better safety plans. And I think the intention was to try and do some consultation as to where they would target them and how best they would be done on an effective basis. We'd do it in conjunction with workers. But no, not finalized yet. But it's something we feel would be beneficial and it was one of the recommendations from Dr. Tucker.

Mr. McCall: — Thanks again for that. Moving along in the subvotes, (LR03), employment standards. Could the minister or

officials talk about the slight increase or slight decrease that is provided here?

Ms. Usick: — So in employment standards there was a small change of a reduction of 5,000 in salary changes mostly due to vacancy management, and a reduction of 20,000 in operating for small reductions in travel costs and some legal fees. The total was a \$25,000 decrease in that subvote.

Mr. McCall: — How's the experience with the client service desk working out? Are folks getting through? Is it properly responsive in terms of time to . . .

Hon. Mr. Morgan: — We believe that it is. What happens is the complaint will come in or a question will come in, and sometimes it's a request for information but quite often it's where somebody hasn't been paid. Either the employer didn't know what the requirement was for paying overtime or whatever, and sometimes it's an employer — and these are the sad ones — where an employer has gone out of business or is no longer able to pay. And then we issue certificates or attempt to recover the money. And I think we recover, I think, something in excess of 80 per cent of the certificates that are issued. Pardon?

A Member: — 82 per cent.

Hon. Mr. Morgan: — 82 per cent are recovered. The remaining ones are ones where the employer is bankrupt or has left the jurisdiction. So we're relatively effective. What I'd say to a worker, if you're not getting paid, come and see us right away. You know, the sad thing is where workers work through three, four, or five pay periods without getting paid. I mean, no worker should be expected to do that.

But by and large the system is responsive. When somebody contacts us, it's getting investigated. Certificates are getting issued and they're getting paid and then the information is being provided to the employers. But I'll let Sameema . . .

Ms. Haque: — Good evening. My name is Sameema Haque and I'm the executive director for employment standards. In regards to your question about calls coming in, we had over 25,000 calls coming in to our intake centre. So these are just phone inquiries. We have all our . . . We have essentially eight district offices. They all have a line and anybody who has any sort of inquiry can call in. At that point, if it's a simple question, we answer and provide direction on what the legislative requirements are. And if there is a situation that requires us to investigate or file a claim, then an officer is assigned immediately and takes over the file.

In addition to that, we had over 12,000 email inquiries as well. So that's increasingly happening as well, and we respond to those as well in a similar manner.

Mr. McCall: — So if you could, again how many calls in the last year through the service desk? And then how many emails would be coming in alongside that?

Ms. Haque: — So the calls were 25,382. The emails that were responded were 1,783 exactly this year.

Mr. McCall: — Okay. Have you thought about doing revenue projections for the government? Okay, I'm just kidding. Just

kidding. In terms of the year previous, how many email inquiries were made?

Ms. Haque: — So the emails have increased, steadily increased over the last few years. But like last year was about 1,200 emails; so it's gone up to 1,783.

I think the phone centre, the intake is still a popular option with employers. We do get feedback that they like the human contact and the ability to be able to have that back and forth and get to the, you know, crux of the matter with them.

We do monitor our bounce rate as well, so that's our call bounce rate. So if an intake officer is away from the desk and a call comes in, it will immediately go to the next available intake officer. And we monitor that because our service standard is to be able to pick up on the first, essentially, dial line coming in. And that's very, very low. It's always under 2 per cent.

Mr. McCall: — I'm glad to hear that. And again I think that's an admirable service standard. And in terms of employment standards and its relation to minimum wage, and again this is sort of a new critic kind of question, but do you administer the formula or the communication of what's happening? How does the branch relate to the minimum wage?

Hon. Mr. Morgan: — It's not done directly like this. The job of that office is an enforcement and information role. A minimum wage change happens on an annual basis, and it's a calculation based halfway between the increase in the average hourly wage and the consumer price index. So it's calculated by officials within the ministry and then they give a percentage increase as to the number of cents or dollars that the increase would be. And it's announced, I think, usually in May and then comes into place about six months after that. So it's when the Stats Canada information comes out and it usually comes into effect late fall. The intention is that it gives both employers and employees a reasonable time to adjust or adapt.

Mr. McCall: — Is there any thought being given to . . . Certainly when the formula was adopted and implemented, I don't think Saskatchewan had like dead last in terms of a minimum wage for the country. Is there any thought being given to revisiting the formula or making some kind of adjustment to the base amount and then re-engaging the formula? Is there any thought being given in that regard, Mr. Minister?

Hon. Mr. Morgan: — The intention at the time was to take the politics out of it by having something that was done by formula and was done by . . . that was predictable, transparent, and done months ahead. And the purpose of the formula was that (a) it would cover the increase in consumer price index, plus if there was an increase in the average hourly wage that may be significantly higher that that would be reflected in it as well. So we didn't approach it with the idea of where we were in relationship to other provinces. We did it with what was fair at that time. And that's certainly the intention of . . . I mean the officials certainly look at or compare what's taking place in other jurisdictions. They're obliged to because they produce the information as to what it is in other provinces.

But there's no active plan to make a change to the base amount or how the formula is calculated. We'll continue to monitor it,

but what was set out to take place has in fact taken place.

Mr. McCall: — I thank the minister for that. But again I would submit that when this was adopted, one of the goals, one of the expressed goals, was not to be dead last in the entirety of Canada. Now that that is the case, and the minister is certainly monitoring the situation, the situation is that we're dead last. Is there any, any sort of possibility of revisiting any of this in that circumstance?

Hon. Mr. Morgan: — When we formed government, we raised the threshold before you started paying any income tax. So the effect of that was it took 112,000 people off the tax rolls. And those people that were taken off the tax rolls have stayed in the workforce, and a lot of those people are no longer in a tax-free basis because their wages have gone up by virtue of the time they've spent, skills they've acquired. So it's certainly done what it was intended to do by encouraging people to work to find jobs and to develop more skills. So in that context, we've done what we . . . [inaudible].

We've also reduced the tax rates. The tax rates are low enough now that when you look at the effective tax rates for families of four people or two people, we're at a point where the effective rate puts us closer to the middle of the pack.

So we're looking at where we are in the totality of it, not just in the fact of a raw statistic of where our numbers are. We feel that we've done our part as a government with regard to reducing the tax burden, and we've also done what we need to do to develop a formula and a plan that's predictable, open, and transparent.

Mr. McCall: — It had all been going so well, Mr. Minister, up until this point. And on this one I think we'll have to vehemently agree to disagree. We think that there is action needed on this front, and the minister knows that. And I'm well familiar with his talking points in response. So perhaps we'll save all of our time, and the minister's answered me about whether or not he's going to examine the formula or the base amount, and I thank him for that. But for the rest of it, we'll agree to disagree.

Hon. Mr. Morgan: — I think I would agree with you that we'll agree to disagree. It may be something we'll be discussing in another forum in later days, but I understand and appreciate the point you're making. As you're aware I won't reiterate the points that we've made but I thank you for putting them forward.

Mr. McCall: — Moving right along through the subvotes, Mr. Minister. In terms of the LRB, Labour Relations Board, subvote (LR04), 1 million, 1 million. Care to tell us about what's happening there, Mr. Minister, or officials?

[19:15]

Hon. Mr. Morgan: — I have not a lot to report with regard to that. We consult with them periodically. We treat the Labour Relations Board as an arm of the judicial system and try and have a minimum amount of contact with them. Certainly we don't discuss with them cases or matters that are before them or talk about the decisions that they've made, but we do have discussions with them periodically about what resources are necessary and what's taking place with what their needs are.

Over the last while we've had some changes in the senior management that were there. Ken Love had been the board Chair since '07-08. He retired and the new Chair is Susan Amrud, formerly an employee within the Ministry of Justice. And then the Vice-Chair was Graeme Mitchell. Earlier in the year Graeme Mitchell was appointed to the Court of Queen's Bench during a time when Ms. Amrud was travelling in Africa and wasn't readily available to come back, and all of a sudden we were in a lurch. So we were able to re-employ or redesignate Ken Love who came back and did yeoman's duty to get things there until we sort of got smoothed out.

So we now have Susan Amrud as the Chair and Barb Mysko as the Vice-Chair also who came out of the Ministry of Justice. With regard to what their budget amounts are, most of their people that work there are appointees that are sitting on hearings and they've indicated that the resources that they receive are satisfactory for the work that they've done.

We've asked them periodically with the changes that we made to the employment Act and adjudicators and the processes that may be there, whether they need additional resources or whether they have backlogs. They indicate they do not. So we think where we need to be with where they are, the invitation that I made to them when it was Mr. Love and now again with Ms. Amrud. If there is workload that's coming up or some type of unusual applications that are taking an inordinate amount of time and you need additional resources, call us right away and we'll deal with it. The phone hasn't rang.

Mr. McCall: — Could it be that Ms. Amrud is just getting settled in and is still, you know, decent enough not to phone so early into the job? But I'll leave that aside. But certainly we thank Mr. Love for his service to the people of Saskatchewan and we certainly welcome the appointment of Ms. Amrud once again in the service of the people of Saskatchewan. Certainly did a fine amount of work over the years, particularly in the drafting of legislation, so we think that's a fine appointment to be made, a fine individual being pressed back into service of the people of Saskatchewan. So we're glad to see that.

But in terms of the metrics that the minister uses to establish whether or not there is a backlog, anecdotally certainly word comes up about whether or not things are proceeding in a timely manner through the LRB. So the minister has asserted that there is no backlog problem. What sort of metrics does the minister use to determine that?

Hon. Mr. Morgan: — I have the registrar from the Labour Relations Board here, so I'll certainly let him provide any statistical information as to the number of applications and perhaps timelines to go through them.

I thank you for your comments regarding both Mr. Love and Ms. Amrud. When I was in another life, Dennis Ball was the Chair for the Labour Relations Board. And when he came in everybody thought, how could this person possibly be from one political persuasion and do a good job? And he was regarded as a superb board Chair and went on to become a very competent Court of Queen's Bench judge. I don't think Ken Love aspired to become a Queen's Bench judge but certainly did every bit as well of giving fair and impartial decisions. And I never heard a complaint about the quality of any of the decisions that came

from him.

And with regard to Ms. Amrud I have every bit of the same amount of confidence in her, and my experience with her over the last 12 years is that she's not shy. If there's an issue that she needs some support from, I'm sure she'll pick up the phone and ask. But Mr. Bayer is here and I'll let him answer some questions with regard to caseload or case times.

Mr. Bayer: — Thank you, Minister. Fred Bayer, registrar for the Saskatchewan Labour Relations Board. If it's alright, I'd just give you a recap on where we're standing as far as applications for the past fiscal period, and we'll start from there.

Mr. McCall: — That would be great.

Mr. Bayer: — What you'll be seeing in our annual report for the period ending March 31st, that we had a total of 192 applications come in under what we call part 6, which is the traditional work that the board had done and has been doing for over the last number of years.

In addition we've had one application that comes to our office for the purposes of essential services, and that is not technically part of the Labour Relations Board but rather part of the Essential Services Tribunal, for which the chairperson happens to be the individual charged with the oversight of that particular issue.

In addition we've had 58 matters come to the board, spanning appeals from both occupational health and safety and employment standards challenges provided for under part 4 of *The Saskatchewan Employment Act*. This compared to the previous year: we had 224 applications as opposed to 192 this year, and 73 under occupational health and safety and employment standards the previous year as compared to the 58 this year.

Mr. McCall: — Thank you for that. Any inkling as to time to completion from start of file to completion?

Mr. Bayer: — As the minister pointed out, we had some changes at the upper level with the introduction of Chair Amrud in March of this past . . . just over a year ago. Again, Chair Love was gracious enough to come and help bridge across when Justice Graeme Mitchell left us.

There were a number of matters that were in progress when Justice Mitchell departed, and those matters totalled approximately 12 and they involved various parties, unions, and employers. And in addressing them, many of them were completed as far as the hearing process, but had yet not been put to paper. And the legislation doesn't provide for the ability for that to occur, and the Court of Queen's Bench Act, as I understand it, doesn't allow Mr. Graeme Mitchell to complete those decisions the moment he is appointed.

As such, the parties on those 12 matters were given options, and those options were then considered and responded to. Some of those options included the ability for the panel, void of that individual, Justice Mitchell, sitting with a new panel Chair or Vice-Chair, listening to the audio-digital recordings, reviewing the evidence, and then proceeding in authoring and creating the determination. That was one option. The other option was to

completely seal the matter and start afresh. And there's pretty well an even split on where we're going on that. And with Vice-Chair Mysko now on board since February, it's certainly allowed us to proceed and get these matters pushed through the python as it were.

Mr. McCall: — Well good luck with the donkey. In terms of the python though, what sort of additional time under consideration has this meant for each of these 12 cases? Is it double the sort of normal time to completion or what are we talking about?

Mr. Bayer: — What has effectively happened is we placed the options in October to the parties as to the event of Justice Mitchell's departure. And many of them responded within a few months, some within a few weeks, and some still haven't responded because they're still trying to work their way through in responding to us. So effectively we have no control as to that time span. It's dependent on counsel for the parties. To your point, it has extended the time period and that'll be reflected in our annual report to ensure transparency as to those timelines.

Mr. McCall: — Well thank you very much for that and again, I'll refrain from any further python references. But again, we await the annual report and wish you the best of luck in the work ahead.

Hon. Mr. Morgan: — I believe we have a very calm and a professional Labour Relations Board in our province. Staff has been there for a long time and I think they do an exceptionally good job at impartiality and rendering decisions in a timely manner. The appointment of Justice Mitchell, I believe, left some 17 decisions outstanding, I think is the number, and I think are working their way through them as expeditiously as they can. And I think we'll try and be as hands-off as we can and let the process take its course.

Mr. McCall: — No, certainly we look forward to that. But as the Justice minister would probably say in this instance, you know, justice delayed . . .

Hon. Mr. Morgan: — Is justice denied. And I've been contacted by some of the people that were waiting, and I'm glad to see that the appointment of Vice-Chair Mysko has started to move some of those things along. So your point's well taken.

Mr. McCall: — Moving along through the subvotes, (LR05), labour relations and mediation. If you could tell us about what's happening there.

Ms. Usick: — Sure. Labour relations mediation is a really small subvote, and there is a minor change of \$4,000 reduction in salaries just due to some vacancy management.

Mr. McCall: — What's an average year look like for the unit in terms of activity?

Ms. Usick: — Number of cases?

Hon. Mr. Morgan: — You mean the type of work that they do?

Mr. McCall: — Yes. But is there a particular number of conciliations, mediations, that the unit is brought in on? How does that typically play out in an average year, or the year in

question?

Hon. Mr. Morgan: — Yes. They do the workplace conciliations, and that number's been relatively consistent. In new ones, it's gone from 2013-14, 19; 30 in '14-15; 31 in '15-16; 35 in '16; 23 in '17-18. So it will depend on a number of contracts that are open, number of issues that arose pursuant to the contracts.

And then there's . . . They're trying to use best practice and interest-based techniques, so that's gone from 7, 5, 9, 7, and 4. New workplace mediations: 25, 18, 38, 47, 37. New grievance mediations: 15, 12, 13, 22, 19. So there's a variety. And then they do a number of different training events and a variety of other things.

So they try and measure it by overall caseload which includes all of the things. And some of them, as you'd be aware, would take far more time than others, so it's difficult to sort of . . . But in '13-14 it was 81; '14-15, 86; '15-16, 130; '16-17, 140; '17-18, 136. So it's reasonably static. It had gone up a little and now appears to have levelled.

Mr. McCall: — Okay.

Hon. Mr. Morgan: — We have a good group of people that work there. Some they do in-house; some they do by way of appointment of external people. And they do a variety of different things trying to work through assisting the parties to get a contract. And sometimes it's with regard to workplace issues, grievances that would have otherwise gone to the LRB. So it's, we think, a really good resource that produces . . . As I say, the best results are things that the parties have negotiated rather than that have been imposed upon them.

Mr. McCall: — Well we're back to agreeing, Mr. Minister. Amen to that.

Hon. Mr. Morgan: — Well, let's continue that way.

Mr. McCall: — All right. The Workers' Advocate.

Ms. Usick: — So there was \$193,000 net increase there. And in salaries there was 180,000 increase and that was for two FTEs and an approved three-year pilot project with SGI. We also had a minor reduction of 7,000 in vacancy management there for the total net salaries of 173,000. And then in operating we had an increase of 20,000 and that was in relation to the operating costs for some of the two FTEs for that pilot project.

Hon. Mr. Morgan: — I could give you a little bit of background information. The appeal process within Workers' Compensation Board had gotten unacceptably long so we made some changes to some of the personnel, and we're down to what we think is relatively close to optimum.

[19:30]

The appeal process through WCB takes between 90 and about 110 days, and that is about enough time to give the appellant the opportunity to obtain some additional medical information to get ready to meet with the Workers' Advocate. And that system seemed to have been working, we thought, relatively well.

The Ministry of Justice is also responsible for the Automobile Injury Appeal Commission, which is the claims that are made by people that were hurt in motor vehicle accidents. And it was created following the introduction of no-fault insurance. It was the escape valve for people that had been injured in car accidents. So we had some of the people that had gone back and forth between the two entities, and they seemed to be different. The automobile insurance ones were taking a year or more to complete.

So we started asking questions as to why one would take significantly longer than the other one, and it was difficult to get a clear answer. But more of the people went to the auto ones with a lawyer. Nothing against the profession that I'm trying to recover from, but there seemed to be more of a formality that was there and the people took more time to get ready and to go ahead.

And so we thought by bringing in the work of the Workers' Advocate — who by the way is excellent — we could try and do something that would make it better for the people that were appellants under that process by trying to speed it up and trying to streamline or identify where it is. So that's why the additional two people have come in. So they're not really part of the work that's done under this ministry even though that two positions are there as part of our budget, but they're being funded largely by SGI. So that's sort of the history of where we're at, and it's probably too soon to be able to give you much of an indication as to how that's ultimately going to play itself out.

Mr. McCall: — And I guess that the minister or the ministry would retain latitude . . . If two isn't sort of sufficient to cover off what is properly more related to the work of SGI and properly funded thereby, this will be examined on an annual basis with the budget process. Or how will that go?

Hon. Mr. Morgan: — If it works itself out and it sort of continues on an ongoing basis. So far SGI hasn't said no to anything; neither has WCB. I think both WCB and SGI want to do what's right by way of the workers and people that are injured in accidents. So both of them have not turned down the request or even inclined to reduce it. So I suspect we would get whatever additional resources that we want.

I can give you a little bit of background on it. We started looking at the auto injury ones October 1st of '18. So the statistics through to the end of the fiscal year March 31st: so 57 individuals contacted the Workers' Advocate, 29 signed authorizations requesting services, and 25 of those have been assigned to an appeal adviser. So we'll be looking at carefully how that goes and what the people that we've got with the Office of the Workers' Advocate can do to help us streamline that process.

I've also had some discussions with some of the tribunal members — once again respecting their independence — and the questions I've asked is, what can be done to speed this up? Is that process too formal? Is there structural differences that are there? The entities should be very similar in the results that they produce because they're doing exactly the same type of thing. They're dealing with injured individuals and their ability to function either in the workplace or home and what compensation they are entitled to, both of them setting aside fault for the injury. So they should have the same type of expertise and be asking the same type of questions. So anyway I think it's a good initiative and I'll

be . . . I thank the officials for being flexible enough to work across two ministries.

Mr. McCall: — We'd again second that thanks. Does the minister or officials have any sort of general observations in terms of the — in my time — around casework? Certainly when I first started as a MLA, some of the most heart-wrenching, ugly kind of casework you could get would be around matters that is the daily business of the Workers' Advocate. And earlier on, also related to the no-fault insurance and cases that worked out or did not. Certainly no-fault seems to have worked out. It seems to have settled down and I think there's a similar trend to be observed in terms of WCB casework. There seems to be more sort of escape valves as the minister has talked, more timely responses.

Does the minister have any observations in terms of how things are going, and is something like the Workers' Advocate having the desired effect in terms of getting people service from this important institution?

Hon. Mr. Morgan: — Yes. The Workers' Advocate's here so I'm going to ask her to come and maybe answer and give you a bit of background. If your MLA office is similar to mine, we used to have a number of unhappy people with Workers' Comp coming in. As MLAs we can't second-guess or lobby for anyone so all I think we can do is collect the information, give it to them, and ask them to review it and to look at it. We don't ask for anybody to reverse or change a decision. We give it to them saying, based on this, what can you do?

The Workers' Advocate role has been I think well fulfilled by Denise Klotz, who takes that information and then can actually go out and advocate and lobby, get the releases signed, get the medical information. And what I think is a better position, and I hope you would agree, that I would rather not have MLAs second-guessing or dealing with that, that that should be dealt with in the hands of somebody that's a professional and understands and can lobby for them.

So I'm hoping that that continues to work as well and that that's something that we don't see as much of. But my sense is the same, that we're seeing less of it, certainly still seeing some. But I'll let Denise give you some background as to the type and nature of the work she's doing.

Ms. Klotz: — Hi. Denise Klotz, Office of the Workers' Advocate. We do get a number of referrals obviously on the casework and the injured workers whether . . . well so with WCB or even with the SGI under no-fault. They're under a lot of financial, physical, and psychological distress and so the ability for our office and the knowledge that they have to be able to address those issues and concerns for those clients and then get them into our system for assistance from the staff that are knowledgeable, we've established numerous service standards to ensure that they're in in a very timely manner. They get assigned to a case and they get to talk to an advocate pretty much like within I think about seven days is what we're averaging right now. And to get that information first hand and to help them through their case and assess their case is really beneficial for the clients that get referred to our office.

So I'm not sure exactly . . . What was your specific question?

Mr. McCall: — Are we getting better all the time, or where are we at?

Ms. Klotz: — Our office, if we're getting better all the time? I would say that we're getting better all the time. Our service standards, we started capturing those in 2015, and we went from 87 per cent, where all of our staff were achieving all of their standards on their casework, to 95 per cent this year. So that's to the benefit of the service to those injured workers that we're providing the service to.

We recovered, on successful appeals . . . 1.7 million was given to injured workers on successful appeals just in their back pay that they got on successful appeals. Our actual success rate in appeals was 59 per cent. That's on the closed cases. We're all about trying to get the best decision, earliest possible time, so we also do a lot of appeals right back to the operations level, and then the multiple levels of the appeal process at WCB. So we're making a lot of gains on that front.

Mr. McCall: — Well again, thanks. What you're stating lends some detail to what is I think a general observation, that the situation is improving, that the service is being provided in a more timely manner to people that are often under pretty significant duress. The minister and I were in vehement agreement on this, like some of the most difficult casework you can encounter in this job is through Workers' Comp.

Hon. Mr. Morgan: — Some of these are really horrific situations. I think probably as MLAs we probably have the same thing that we tell people, that you need to prove essentially two things: one, that you were injured; and secondly, that the injury was caused by your employment. We've, in a number of the situations, we now have presumptive coverage for PTSD [post-traumatic stress disorder] and for a number of the cancers that firefighters . . . So it maybe makes it a little easier.

But that's the message that we need to get to workers, is you need to prove the two things. Easy with a fall where there's a broken leg, but a lot harder with a soft tissue injury or something that's exacerbated by aging or pre-existing conditions. Those are the tougher ones. And I think that's where Denise's office is doing a really good job, so I thank her for that.

Ms. Klotz: — I would also add that one of the biggest roles I think our office serves for the injured workers is really helping those individuals move on beyond the decision that they receive from WCB because, you know, they're the decision makers ultimately. So helping them understand that whole process and where the decision lies and the reasons for that as much as they're written in the actual decision, us being able to help those individuals move beyond those decisions I think is one of our most important roles for these individuals.

Mr. McCall: — Well said again. You've got a lot of folks that are under significant duress and to get a little bit of that power or gain back some of your humanity instead of feeling like you're being ground in the gears of this giant machine is invaluable. So again thank you very much for the work that is ongoing.

I guess in terms of the presumptives, there's other legislation on the agenda tonight where we'll get into sort of presumptive-type questions. But not to be presumptuous, but I guess this would be

a good time to ask the minister in terms of experience around the addition of PTSD into the workings and the experience with the different presumptives as they have been layered into the insurable injuries.

Hon. Mr. Morgan: — The presumption that we've added to cancers has certainly provided some comfort to people that are suffering from those cancers. The connection that we use is one that's statistical based that people that are in those professions have a higher incidence of those cancers than the general public. So if you're in those professions and you get one of those cancers, you're there.

So we've now covered a variety of different amendments that were done at different times. We now do a primary site brain cancer, primary site bladder cancer, primary site kidney cancer, primary non-Hodgkin's lymphoma, primary leukemia. In 2005 we amended it to include primary site ureter cancer, primary site colorectal cancer, primary site lung cancer, primary site testicular cancer, and injury to the heart that manifests itself within 24 hours after attendance at emergency response.

So we've added a number of them, and you'll see from the amendments that you'll see coming later on in the bill we've added more. So we'll continue to watch what takes place with those professions where those workers, often who are the ones that will keep us safe and protect our lives, are putting their own lives at risk. So to those workers, I'm hopeful that they will continue to use their own protective gear to minimize risks, and to the extent that they become ill because of them, that we want to ensure that we give them the benefits that they have.

Mr. McCall: — I'm sorry to be sort of jumping around here, Mr. Minister, but in terms of the labour standards or occupational health and safety standards, the assessment of impairment as it relates to the legalization of marijuana, how is that impacting the work of Labour Relations and Workplace Safety?

[19:45]

Hon. Mr. Morgan: — We did not include anything in our legislation that requires testing. The expectation is that employers will adopt a policy where workers are not impaired at work and that they'll have a policy where a worker would be obliged to self-disclose.

So we've looked at what's taken place in other jurisdictions. None of the other jurisdictions have imposed specific legislation on it that you can't come to work on an impaired basis. So far we feel we want to do more, but we're not sure exactly what we want to do. Since the legalization of it, there has not been an uptake in impairment-related accidents. As a matter of fact, we seem to have very few accidents that are related to it. The ones where there is an impairment issue is usually a motor vehicle accident. Usually it's not the worker; it's somebody else that they've been involved in a collision with.

So we want to continue to monitor and work and see what's taking place in other jurisdictions. There was some discussion about whether we should mandate something with regard to higher risk professions, but the Supreme Court has really limited the ability to do random tests or even tests as a condition of employment periodically. So we don't have the option of saying,

okay we're going to random test our workers in our province.

Mr. McCall: — Okay. Is there any plan for broader consultation with the employers, workers on these matters?

Hon. Mr. Morgan: — We've sent out letters to employers specifically asking for some clarification or their position on the duty of workers to disclose any form of impairment, the duty of employers to accommodate workers that have made a disclosure, and the duty of employers to have a workplace policy on impairment and testing. We have an advisory committee meeting coming up that's made up of union leaders and employers, and that's on the agenda to try and see whether there's anything more specific or more direct we can do.

With the whole legalization of marijuana I think we all worry about it. So far there was a limitation of supply at the beginning. I'm not a marijuana shopper so I don't know, but what I'm told by Minister Makowsky, who is also not a shopper, but a regulator . . .

Mr. McCall: — Are you asking for a friend, Mr. Minister?

Hon. Mr. Morgan: — What we're told is that there was extreme shortage of product initially so the usage was probably far less than what we expected. We know the police have indicated that there's been virtually no one charged under the marijuana driving law, and I'm hoping it's because people are not driving after they've used marijuana. But time will tell on that.

But I worry about it in the workplace for somebody that's using a crane or lifting equipment or somewhere where there's safety issues. So obviously we'll continue to do public awareness and public information, but I think we probably need to work with employers to develop some more specific policies on it.

Mr. McCall: — As it stands right now, what role does impairment generally play in work-related injuries as currently construed?

Hon. Mr. Morgan: — I think the number would be negligible if there's any. I'm going to ask Mr. Anthony.

It's not significant enough to be a statistical issue. He indicated just now it may be something that would turn up in an autopsy or something, but whether that would have related to or anything . . . But we're not aware of instances yet, but obviously we're mindful of and watching for it.

Mr. McCall: — Okay. Thank you for that. And again we'll rely on the minister and officials for continued updates as the file evolves. And again, Minister, please bear with me. Certainly there'll be some overlap with the three pieces of legislation we have to consider later here tonight, but just to make certain that I'm getting as many of these questions placed as I can.

There have been changes made as regards, for example, leave provisions around domestic violence, interpersonal violence. And certainly there is a . . . My colleague the member from Regina Douglas Park, along with many other voices in the community, are calling for provision of paid leave as another means by which people that are experiencing domestic violence can seek to get out of the problems that they're experiencing.

What is the state of consideration in terms of the government's thoughts on the provision of paid leave?

Hon. Mr. Morgan: — We've looked at, we made the initial decision to have unpaid leave. And at that time there was a variety of different things that were taking place across the country. We approached the idea that we had 10 unpaid days. Manitoba has got five days paid, 17 weeks unpaid. Alberta has got 10 days of unpaid. Ontario, it's five days paid, 15 weeks . . . So it seems to be a variety. Newfoundland and Labrador, nothing. Federal, nothing. Nova Scotia, nothing.

However there seems to be ongoing discussion amongst employers and amongst the other jurisdictions. So it's something that we've decided to do some further consultation and some discussion on. When we initially made the decision that we were going to follow the Alberta and Manitoba practices, we met with the employer groups in the province. And the employer groups at that time said, we want to provide this, but we don't want to be legislated to do it. We wanted to be able to say to the employee, we're doing this voluntarily. We think it's the right thing to do. They felt that if they said to the employee, we have to do this and we're resentful of it. They wanted to be able to say, we're doing it because it was a right thing to do.

I haven't had people coming to me saying, I have a problem with this. Although in the House today the critic raised the issue and I take that seriously. So it's something we want to have more discussion with.

The other thing that we did in that regard was we made changes to the residential tenancies legislation to allow for a person that's a victim of domestic violence to have a lease terminated. We've checked back with the Office of Residential Tenancies and they're saying that there's been virtually no uptake on it, only one or two if any applications at all. And I asked them, would that be because people aren't aware of it, people aren't using it? And the response was likely the landlords are just doing it voluntarily. They either know that's the legislation that's there, or they know that they have a tenant that's in a bad situation. And they're just accepting it and doing what they regard as the right thing to do.

I suspect in a lot of cases that's taking place in workplaces, but we probably need to look at it again and review what's taking place in other jurisdictions and have some more discussion with employers. So that's a long answer to say that we're looking at it.

Mr. McCall: — Okay. One last on that, Mr. Minister. When you'd had the discussions with employer associations and they wanted the ability to voluntarily implement paid leave in circumstance of domestic abuse or interpersonal violence, does the minister have any knowledge of how many employers have brought in such benefits?

Hon. Mr. Morgan: — I'm not. I don't know whether employers keep stats on it. We don't unless there's somebody that's come in and made an inquiry. I'm hoping that employers are just doing it on a voluntary basis. This is an employee that's going through a personal issue, and they provide the support the same way they would if somebody was going through a health crisis or something else. But no, I have no numbers at all.

Mr. McCall: — Well again we welcome the changes that have been made. We welcome the increased diligence on the file, but certainly this is a pretty significant front taking on what is a very significant problem for Saskatchewan people. But you know, certainly in terms of the quality of life in Saskatchewan for all people, to have this as one of the places where we lead the nation is something that is a concern, I think, for all of us.

So with that, Mr. Minister, I think I would turn to the Chair and just perhaps welcome a five-minute recess.

The Chair: — Soon.

Mr. McCall: — Not to presuppose what the Chair might get up to, you never know. You never know. But anyway, at this point I would say, as regards to the consideration of the estimates, thank you to the Minister and to officials for the consideration of these estimates. And certainly I may have some recurring themes coming up under the legislation yet to be considered, but for this stage of the game, thank you very much.

Hon. Mr. Morgan: — Thank you, Mr. Chair. I'll thank the committee members and the officials after we complete the other three items that are on the list. But I'd like to thank everybody so far.

The Chair: — I would like to thank the minister and officials and the member for their debate and questions on estimates.

Introduction of Guests

The Chair: — Before we adjourn this part of the committee, and before we take a recess, I would like to point out to you that we have two members of the Australian delegation visiting with us this evening. As many of you know, the Saskatchewan branch of the Commonwealth Parliamentary Association participates in an interparliamentary exchange with the Parliament of Western Australia. The delegates arrived on Monday and will be here for two weeks.

This week, the delegates will be observing proceedings of the Legislative Assembly and committees. Next week the members will accompany MLAs into their constituencies to focus on our guests' special interest areas, while the staff will remain in Regina and receive briefings from the Legislative Assembly staff.

With us this evening, we have Mr. Shane Love, Member of the Legislative Assembly, and, I believe, a representative of the agricultural area.

And we have Mrs. Christine Kain, the Clerk Assistant of Committees of the Legislative Council. So Western Australia has the lower house and the upper house, which is known as the Council, and Mrs. Kain is the Clerk Assistant of Committees of the upper house. So I'd like members to welcome them here this evening.

Hon. Mr. Morgan: — I think on behalf of all the MLAs we'd like to join with you and welcome these people. I note that in their legislature they sit in a semicircle rather than two sword lengths apart, and I'm disappointed that they missed that high excitement that we have in our question period and hope they're

enjoying the theatrics.

The Chair: — Well they do have question period and they also have something they call grievance, which allows a member to bring forward an issue of questions to a particular minister, and that may go for 10 to 20 minutes. And ministers at that point generally give positive responses to the queries, so it's not like question period.

At this point we will take a five-minute recess.

[20:00]

[The committee recessed for a period of time.]

The Chair: — Okay, I would like to call the Human Services Committee meeting back to order. And if I can find my paper here, one of the Australian, another Australian delegate joined us. Yes, and I don't know what happened to it. We have with us Martin Aldridge, part of the Western Australian delegation. Like to welcome you, Martin.

Bill No. 139 — *The Foreign Worker Recruitment and Immigration Services Amendment Act, 2018*

Clause 1

The Chair: — Okay, we will move to the next section. We will now begin considerations of Bill 139, *The Foreign Worker Recruitment and Immigration Services Amendment Act, 2018*, clause 1, short title.

We have Minister Morgan here with his officials. I would ask that the officials please introduce themselves before speaking at the microphone. Mr. Minister, please introduce your officials and make your opening comments.

Hon. Mr. Morgan: — Thank you, Mr. Speaker. I will be brief. I am joined tonight by Donna Johnson, deputy minister; Sameema Haque, executive director, employment standards; Pat Parenteau, director of policy, labour relations and workplace safety; and Nataliya Mazokha, senior policy analyst.

This evening we are considering amendments to Bill 139, *The Foreign Worker Recruitment and Immigration Services Amendment Act, 2018*, or FWRISA. The original Act came into force in 2013 and was co-administered by the Ministry of Economy and Labour Relations and Workplace Safety. LRWS [Labour Relations and Workplace Safety] assumed responsibility for the Act in the 2017-18 budget. The amendments introduced last year are a result of a review undertaken by the ministry in 2018.

I'd like to note that foreign workers who are employed in Saskatchewan are protected by employment standards and occupational health and safety standards. They have the same protections as every other worker in the province. What FWRISA does is discourage unethical practices and protects foreign workers from exploitation and mistreatment during the recruitment and immigration process. It also builds transparency and accountability to immigration consultant and recruitment services.

Mr. Chair, last summer, last November, we introduced an amendment to establish a new process to make appeals under the Act. The attempt is to establish a fair and transparent process which is easy to understand. The new appeal process is similar to the processes used for appeals of employment standards and occupational health and safety decisions. Those processes are based on the principles of administrative fairness.

Once this amendment comes into force, all appeals will be heard by an independent third-party adjudicator. The procedures for an appeal are provided for in the new legislation, as are the powers of the adjudicator. Our goal in making this change was to ensure that the process was fair and transparent for everyone involved. We have also clarified in the Act, the director's authority to request information from a third party when investigating a possible violation. This will allow us to seek information from, for example, financial institutions when conducting an investigation.

Mr. Speaker, FWRISA was introduced to protect vulnerable workers. This amendment strengthens the Act, thereby strengthening our ability to ensure unscrupulous parties are not taking advantage of foreign workers or immigrants. It also levels the playing field for the 400-plus active recruiters and consultants operating in the province and over 3,400 employers that are registered, the majority of whom are looking out for the best interests of their clients and employees.

With that, Mr. Chair, we are prepared to answer your questions.

The Chair: — Thank you, Mr. Minister. Are there any questions for the minister? I recognize Mr. McCall.

Mr. McCall: — Thank you very much, Mr. Chair, Mr. Minister, and officials. In terms of the legislation, there are just a number of questions I'd like to ask in terms of setting the context in which the legislation is coming forward. But could the minister or officials state for the committee the current number of temporary foreign workers in the province presently and if there's a possibility to characterize the different sectors that they're working in.

[20:15]

Hon. Mr. Morgan: — We have a number of temporary residents that are present in Saskatchewan and I'll give you some of the background. A lot of them are students who are study permit holders and there was, as of December of 2014, 4,939 and that has gone up to 9,461 as of December 31st, 2018.

We have temporary resident permit holders, which is usually around 80 per year; work permit holders which are, in 2014 was our peak, which was 12,008; then it went to 9,742; 2016 was 10,404; the end of this last calendar year 8,951.

The temporary foreign workers with the LMIA [labour market impact assessment] program, anyway has now fallen from 3,427 in 2014 and is now down, gradually gone down to 557. The international mobility program participants is staying relatively static at 8,581 in 2014, is now 8,394. So the LMIA program is temporary foreign workers with labour market impact assessments. And then the IMP is the international mobility program.

I'll let some of the officials give you more information on what those programs are like. A lot of them are administered through different ministries. But anyway those are the rough numbers. If you have further questions, I'll let Ms. Haque answer them.

Ms. Haque: — An explanation of the numbers?

Mr. McCall: — Yes, that would be great.

Ms. Haque: — So the total foreign workers, which are the work permit holders, are 8,951 at this point. I guess I should make a correction — not at this point, as of December 31st, 2018. Because there is a process involved, once a foreign worker employer is registered, then they make an application through the Ministry of Immigration and Career Training to get a labour market assessment. And what that process involves is the employer has to show that they have advertised the position and not been able to recruit within Canada. That is to essentially protect the Canadian labour market.

Then they go through a process of being approved through that labour market assessment. They are then able to then go in and recruit an international foreign worker. And the foreign worker then has to meet the Immigration Canada, the Service Canada requirements to be able to immigrate. And that is very much country dependent. Immigration Canada has requirements, security requirements, credentialing requirements, that are country specific. So there is a huge lag time in between our approval process and when the foreign worker comes in.

And so therefore it's difficult to, at any given time, give an accurate number of how many foreign workers are actually in Saskatchewan. We do six-month, essentially, calculation of data based on landing dates which we obtain from the federal government. And so based on that, the last number I have is from December, which is 8,951.

Mr. McCall: — Thank you for that. In terms of affording protections to these workers, how many language groups would be represented? And again this is perhaps presumptuous, but is English as an additional language, is that a barrier in terms of equipping people to know what their rights and responsibilities are under the Canadian regime, Saskatchewan law? And what sort of, I don't know, translation of materials or use of translators, what's the experience been like with the ministry in that regard?

Ms. Haque: — Often there is some capacity for these foreign workers to speak the English language and comprehend it simply to go through the process and to be able to, you know, get employment. And that's at the discretion of the employer. Of course if they're, you know, serving the customers over here, the employer is interested in ensuring that there's some level of competency with these foreign workers. So I would say that there is a level of competency and comprehension of English predominantly.

That said there can be some challenges, especially through the, you know, on the employment standards side because they all have the employment standards protections as well. So there can be some challenges in regards to determination of benefits. And if there's an appeal process through the employment standards site, not the FWRISA site, but we deal with them through a variety of venues.

At times we've had, you know, Open Door Society provide translators. We've had relatives and other people come in for translation and those are essentially personnel that the claimant chooses to have them represent them. And also we've also had . . . There is a survey done of the public servants that have different language abilities and we have essentially that information available to us and we can seek some assistance from our fellow public servants to provide some translation services.

Mr. McCall: — What is the range? Which sort of language groups are we talking about?

Ms. Haque: — I wouldn't say that there's a predominant trend of one language or the other. Saskatchewan still has a fairly small number of foreign workers, but there is really no trend that I have noticed in regards to essentially a particular language that we need translation services for because predominantly our experience is that there is language capacity.

Mr. McCall: — So the English language capacity is there. It's not an issue otherwise in the experience of yourself.

Ms. Haque: — Not in the experience I would say.

Hon. Mr. Morgan: — I think the important thing is that our workers recognize when there is a barrier so that they need to be able to communicate with the worker. And if the worker is challenged with regard to the English language skills, it's a greater potential that the worker may not understand or be able to have communicated with the employer as to what the worker's rights are or not. So those are the ones I think our staff will focus on, is where there's somebody that is more prone to be capable of being taken advantage of. So as I'd indicated in the remarks, the workers have all the protections of the other pieces of the legislation as well as what's in this Act.

Mr. McCall: — No, certainly in terms of when you think about vulnerable workers, it's hard to think of folks in a more vulnerable situation in a lot of ways. That being said, what sort of . . . What's the experience at present in terms of complaints coming forward or oversight regulation being provided by the ministry or people self-reporting? What is the experience in that regard?

Ms. Haque: — So I guess there's a couple of venues that this question's got. If you are asking particularly in regards to FWRISA-related matters, our issues are, you know, the validity of the business that's established and has that been open long enough and those kinds of things, and the financial viability of the business that's applying for the, employer registration. As far as the consultants and recruiters are concerned, there can be issues in regards to, you know, appropriate communication with the client. So those are the kinds of issues that we see as far as FWRISA violations are concerned.

If your question refers to more vulnerable workers and employers and their protections under *The Saskatchewan Employment Act*, there can be issues in regards to illegal deductions, for example deduction of rent, deduction for uniforms. Those kinds of things are what we see. Miscommunication in regards to hours of work especially if the employee is essentially in sort of a tenancy situation with the employer, how long are they at the employer's disposal for in hours of work? So those are generally the issues

that we see with these workers.

Mr. McCall: — For both employment standards and, forgive me for this, FWRISA — I'd like to see the minister try that — but in terms of the two kinds of complaints or infractions that might be accounted for, could you characterize for us what's happened over the last couple of years? And how those will be better addressed with the legislation before us here tonight?

Hon. Mr. Morgan: — Fortunately there's not a lot of complaints or issues that are arising. We require the registration of the services, the companies that are providing the immigration services. There's a prohibition in there that they can't charge fees to the workers; they can only charge the employers fees. So we've had situations where workers were being charged fees that shouldn't have been charged fees, and that was because the workers wouldn't have known they weren't supposed to and the employer was doing something unethical. Fortunately those seem to be minimal and it's working as it should be.

The workers that are coming back into the province now, sometimes they're working in construction, sometimes they're working in the ag sector. The ag sector are often the same workers coming back every year and are working at the same employer and there's an ongoing relationship that seems to work. The changes that are in this legislation are an appeal process and likely wouldn't affect a worker as much as they would somebody providing the service, where they were going to suspend their licence or levy a penalty or an administrative penalty. So it's largely directed at the service providers rather than the individual workers just to try and have a transparent process for people that would have complaints levied against them, similar to what they would have under employment standards for not paying a worker.

I would like to think that workers in our province are never taken advantage of, but there are certainly situations that arise and that's what the purpose of this legislation is, is both to prevent it and to provide a remedy when it does.

Mr. McCall: — Absolutely. In terms of recruiters, what sort of infractions are on the record as it stands right now? And then if you could describe for the committee . . . Or the service providers, as the minister is characterizing them. How would the existing sort of infractions, the approach of the enforcement regime, change under the new legislation?

Ms. Haque: — So as the minister explained, there are very few issues in regards to this legislation at this time. The concerns that we've seen have been mostly administrative in nature such as the viability of the business. Employers indicated that they are working at XYZ address and, employing XYZ number of employees, and we are just validating that and not finding the information that they've provided in their application is accurate, and therefore not processing their registration.

And you know, that can lead to a challenge from that particular employer in regards to our decision to cancel an existing licence or not to issue a registration to that employer. And in those cases, our current process is essentially we consider the matter again. The appeal is to the director who has made the original decision. So this change actually establishes an administratively fair process wherein a third party's looking at the evidence and

making a decision on that appeal.

Mr. McCall: — Thanks for that. Are you modelling it on another jurisdiction and their experience?

Ms. Haque: — We are modelling this right now as per how the process is set up in employment standards and OHS. There is not a lot of precedence right now in regards to legislation associated with foreign workers across Canada. It's very new.

Mr. McCall: — Indeed. I guess with that, Mr. Chair, I am satisfied for now. I don't want to get too far down that road. But again thank you, Minister, and officials.

The Chair: — Okay, are there any more questions from committee members? Seeing none, we will proceed to vote on the clauses. Clause 1, short title, is that agreed?

Some Hon. Members: — Agreed.

The Chair: — Carried.

[Clause 1 agreed to.]

[Clauses 2 to 14 inclusive agreed to.]

[20:30]

The Chair: — Her Majesty, by and with the advice and consent of the Legislative Assembly of Saskatchewan, enacts as follows: No. 139, *The Foreign Worker Recruitment and Immigration Services Amendment Act*.

I would ask that a member move that we report Bill No. 139, *The Foreign Worker Recruitment and Immigration Services Amendment Act, 2018* without amendment. Mr. Steinley. Is that agreed?

Some Hon. Members: — Agreed.

The Chair: — Carried. Mr. Minister, do you have any closing remarks on this bill?

Hon. Mr. Morgan: — I do not, Mr. Chair.

The Chair: — Mr. McCall, do you have any comments?

Mr. McCall: — Not at this time.

The Chair: — Okay. Mr. Minister, do you need a recess to change officials?

Hon. Mr. Morgan: — We have them here, Mr. Chair, and we are ready to go.

Bill No. 153 — *The Saskatchewan Employment (Leaves) Amendment Act, 2018*

Clause 1

The Chair: — Okay. We will begin consideration of Bill No. 153, *The Saskatchewan Employment (Leaves) Amendment Act, 2018*, clause 1, short title. Minister Morgan is here with his

officials, and I would ask that the officials please introduce themselves before speaking into the microphone. Mr. Minister, please introduce your officials and make your opening comments.

Hon. Mr. Morgan: — Thank you, Mr. Speaker. I am once again joined by Donna Johnson, deputy minister; Sameema Haque, executive director, employment standards; Pat Parenteau, director of policy, Labour Relations and Workplace Safety; and Nataliya Mazokha, senior policy analyst.

I am pleased to offer opening remarks concerning Bill No. 153, which amends *The Saskatchewan Employment Act*. This bill enables Saskatchewan workers to access longer job-protected leave. Some of these changes are the result of amendments to the federal employment insurance program. Other changes, such as those to maternity and adoption leave, are the result of this government listening to the needs of new parents.

Parents will now be able to take 19 weeks of maternity and adoption leave. In addition, expectant parents can start maternity leave 13 weeks before their due date instead of 12. Parental leave has also increased, allowing new parents to have job protection while fully accessing the EI benefits that are available. If the parent who gave birth is using the full amount of maternity and parental leave, they can take 59 weeks of parental leave compared to 34 weeks. A parent who does not take maternity leave can now take a parental leave of 63 weeks instead of the former 37 weeks.

We've also expanded critical illness leave to allow workers to take up to 17 weeks off work to care for a critically ill or injured adult family member. Again this aligns with a new federal EI program that provides up to 15 weeks of benefits.

Finally we have expanded interpersonal violence leave to include survivors of sexual violence regardless of whether or not the survivor had a relationship with the person who perpetrated the violence.

Unrelated to employment leave, section 6-82 is being amended to enable a health sector employer to also be the designated employer's organization. This is precipitated by the creation of the new Saskatchewan Health Authority.

Mr. Chair, with those remarks I would welcome questions respecting Bill No. 153.

The Chair: — Thank you. Are there any questions or comments? Mr. McCall.

Mr. McCall: — Thank you very much, Mr. Chair, Mr. Minister, officials. I guess the two sort of general headings for the discussion to ensue . . . If the minister or officials could provide to the committee what the estimation is for the uptake on the different benefits that are enumerated throughout the legislation. What's anticipated in terms of people that will be taking the leave? What's the dollar value involved? That would be good. And certainly these are provisions that the official opposition looks upon quite favourably and are glad to see them here today.

Hon. Mr. Morgan: — I'm not sure how much background we've got on what the uptake might be. We're providing this as

a leave. There is not a cost to this to the GRF [General Revenue Fund] because the employers are largely private sector employers and the time off is largely unpaid leave. So we're not sure that we would have a lot of uptake. The parental leave will be consistent with the number of families that are taking maternity or paternity leave already, and it's an extension of the times that are there. So it would be difficult to characterize, but I'll certainly let Ms. Haque.

Ms. Haque: — So we have some information, but it's certainly difficult to predict how many of these leaves. Based on statistics in 2017, the maternity benefits were given to 2,384 recipients and parental benefits were given to 391 men and 5,188 women, with a total of . . . and sick leave benefits were given to 648 men and 895 women. And this is based on Stats Canada information.

Other than that, it's very difficult for me to predict what the uptake would be. We hope that for the interpersonal violence and those kinds of leaves there is very little uptake and there's more uptake on the maternity leave as the province grows.

Mr. McCall: — Thank you for that. And just for the record, it will be coming into effect at the passage of the legislation or coming into force. When will that . . . just for the record, Minister?

Hon. Mr. Morgan: — I'm expecting that it will likely come into place on Royal Assent, which will likely happen during this session. There's no regulations that are needed for this, so I'm assuming that it will come into place within the next few weeks.

Mr. McCall: — Thank you for that. I guess we move on to the second heading of discussion, and it's . . . As the minister is acutely aware, all matters, labour relations within the public service these days, are somewhat matters for great interest in terms of what the intention is of particular pieces of legislation.

So I guess a few things to ask of the minister. He'd been good enough to respond to correspondence that I had forwarded to the minister from one of the largest health care provider unions in the province. And they had concerns about the opening up of the employment Act and what this meant for the Dorsey regulations in terms of the division of labour in the health care sector, the relation of that measure to bargaining that is going on right now. Votes are being counted, like literally right now. Could the minister describe the intent of section 6-82 as regards these matters and address the concerns on the record that have been provided to him in writing previously?

Hon. Mr. Morgan: — Yes. I'm aware of the correspondence that's been sent by I believe it was SEIU-West [Service Employees International Union-West], and I think it was a request for a meeting. I'm mindful of sort of the nature of the type of request. I think we always want to be open and accessible to any of the employee groups in the province.

However given the current state of negotiations, I'm reluctant to have political interference or the perception of political interference. So we'll take that one under careful advisement as to what kind of a meeting we would want to have and the timing of the meeting. I've got an enormous amount of respect for the officials at SEIU-West and would like to have some kind of a dialogue or work through some of the issues that are there. I'm

not sure that I want to do that at this point in time.

The provision that's in the legislation here dealing with section 6-82 allows for the amalgamation into a single health authority, and this deals only with the employer side and allows for the designation of a single entity for representing the employer. It does not deal with employee rights or who would or would not represent employees. And I would not want to make a comment on what the outcome of those discussions or negotiations are, because I know those are under way right now and may well be the subject of applications to the Labour Relations Board, and I think it would be inappropriate.

But what this section does is deal with the employer side. I don't know if that helps you or not.

Mr. McCall: — It does but I guess I'd continue to perhaps press for something a bit more categorical in terms of . . . Again, the intent of this particular measure in the legislation is just for the employer side and, in the minister's opinion, has no effect or impact on the question of the employee side in terms of the transition to a single health authority.

Hon. Mr. Morgan: — A simple reading of the section indicates that it deals with, allows for a single employer representative to be designated for the health care sector or those ones that were spread across the various health authorities before. It does not speak to the employee groups, and as you're aware they were represented by . . . some by SEIU, some by different public sector unions. And those are issues that I leave to the Ministry of Health, Labour Relations Board, and the employee groups to work their way through those issues. But when there is consolidations or changes, those things happen.

Mr. McCall: — Are there regulations that will arise from this particular measure?

Hon. Mr. Morgan: — The only assurance that I can directly give you is there's certainly no intention to remove the right of those employees to be represented by a union. There's no intention to try and create a situation where the employees were unrepresented. It's a matter to be determined as to who would represent them.

I'll give you a situation that occurred two or three years ago. The Co-op bought a number of the existing Safeway stores. So the workers that were employed in the Safeway stores were members of one union, and Co-op was represented largely by another union. So the employees had to make decisions who would represent them, and there was a variety of different applications. As a result of it, you now have Co-op stores in Saskatoon, some represented by RWDSU [Retail, Wholesale and Department Store Union], some represented by UFCW [United Food & Commercial Workers]. And it will, you know, be for them to work out how seniority, how things work out. And that's how that situation worked out.

And I'm not able to comment as to how it will work out in this particular sector, but successorship rules apply and everything else would apply. And that's the rule of the Labour Relations Board or the parties, to try and work their way through. But there's nothing in this legislation that deals with that issue.

Mr. McCall: — Should a time arise where this legislation is employed somehow, or this particular amendment is employed in aid of undoing Dorsey or promoting runoffs amongst the unions in terms of representation votes and the like, what would the minister say at that time?

Hon. Mr. Morgan: — I'll be candid with you. I'm not aware of how there would be an impact. Otherwise, you know, I can't speak for the issues that somebody might try and raise. I know it was intended for the purpose of consolidating for a single employer on that side, and I'm not able to comment what people might argue or advance. But I'm not aware of anything, nor have I been privy to any discussions on it.

[20:45]

Mr. McCall: — Okay. Well thank you for that, Mr. Minister. And short of reading the correspondence into the record, I thank the minister for his answers to the question. And with that, Mr. Chair, I think we can proceed.

The Chair: — Are there any more questions or comments from committee members? Seeing none, we will proceed with the vote on the clauses. Clause 1, short title, is that agreed?

Some Hon. Members: — Agreed.

The Chair: — Carried.

[Clause 1 agreed to.]

[Clauses 2 to 13 inclusive agreed to.]

The Chair: — Her Majesty, by and with the advice and consent of the Legislative Assembly of Saskatchewan, enacts as follows: *The Saskatchewan Employment (Leaves) Amendment Act, 2018*.

I would ask a member to move that we report Bill No. 153, *The Saskatchewan Employment (Leaves) Amendment Act, 2018* without amendment. Ms. Wilson. Is that agreed?

Some Hon. Members: — Agreed.

The Chair: — Carried.

Bill No. 165 — *The Workers' Compensation Amendment Act, 2018*

Clause 1

The Chair: — Mr. Minister, on Bill 165, do you need to bring in new staff?

Hon. Mr. Morgan: — Mr. Chair, I'm joined by the same officials: Donna Johnson, deputy minister; Peter Federko, CEO [chief executive officer] of the Workers' Compensation Board who has been here through the evening.

Mr. Chair, I would mention with regards to Mr. Federko two things. This is his last appearance before this committee because he's soon to retire, so I'd like to thank him for his appearance. He appeared last time before the committee and it was noted in *Hansard* that he appeared without a tie and I think *Hansard*

should reflect that he is wearing a tie this evening, and we thank him for the fact that in his last official outing that he has decided to dress appropriately.

I'm also joined by Pat Parenteau, director of policy, Labour Relations and Workplace Safety, and Nataliya Mazokha, senior policy analyst.

This evening we'll be discussing Bill 165, *The Workers' Compensation Amendment Act, 2018*. Mr. Chair, on December 4th, 2018 we introduced Bill 165, which expanded the presumptive coverage for professional firefighters to include six new cancers: prostate, skin, breast, ovarian, and cervical cancer, as well as multiple myeloma. I'd like to thank the Saskatchewan Professional Fire Fighters Association for working with us to develop the amendment.

Bill 165 also introduced an amendment to increase the composition of the Workers' Compensation Board to include a full-time chairperson, two full-time members representing workers and employees, and four part-time members again equally representing workers and employers. The addition of four part-time members is based on *The Workers' Compensation Act* committee of review's recommendation. The committee of review heard concerns that board members focused on hearing appeals, which did not provide them with sufficient time to dedicate to board governance. This was also raised to the ministry during subsequent consultation. We believe that increasing the size of the board will allow it to hear more appeals in a timely manner.

Another change removes the exemption from the freedom of information and privacy Act. In doing so we are enabling workers to access their claim file while ensuring the information remains protected. This was an issue identified by the committee of review and the Information and Privacy Commissioner, who also helped us develop the solution.

I want to advise yourself and the public, Mr. Chair, that it is our intention that a House amendment will be moved extending occupational disease presumptive coverage to volunteer firefighters as well. Firefighters make a conscious decision to put their own health and safety at risk when they enter that career. Any firefighter, either professional or volunteer, making a WCB claim for the newly introduced presumptive diseases would need to meet the minimum employment periods and exposure requirements set out in *The Workers' Compensation General Regulations, 1985*.

With that, Mr. Chair, we are ready to answer questions.

The Chair: — Thank you, Mr. Minister, and I'm glad to see Mr. Federko has recovered, that his collarbone is in much better shape than it was previously. We will now begin consideration of Bill No. 165, *The Workers' Compensation Amendment Act, 2018*, clause 1, short title. Are there any questions? Mr. McCall.

Mr. McCall: — Thank you very much, Mr. Speaker. Mr. Minister, officials, certainly we'd add our voices in congratulation, and by we I mean of course myself on behalf of the official opposition. I've not got my imaginary friend here although, you know, it's good to see the member from Melfort across the way.

But Peter Federko, that's a record of long and distinguished service to the people of Saskatchewan. And to make up for his, you know, having to wear a necktie tonight, I think he's got some interesting facial hair and hair growth plans at the ready. But I look forward to seeing how that all works out. But in truth, we thank Mr. Federko for a tremendous amount of service to the people of Saskatchewan and wish him all the best with this next chapter.

To the legislation itself, Mr. Minister, I guess first a question that perhaps would have been better addressed under the estimates, but again please bear with me; I'm new here. In terms of a situation that was brought forward by my colleague, the member from Saskatoon Centre, when he was serving as the Labour critic as regards dependent contractors, particularly postal drivers, he had raised this with yourself in estimates in May of 2017, I believe it was. Pardon me, May 3rd, 2017. And regarding dependent contractors and concerns around WCB premiums, he had done up a briefing note for you. Is there anything in this legislation that will affect that circumstance? And is there any sort of update that you can provide to the committee as regards to that class of worker and the concerns raised with you by my colleague, Mr. Forbes?

Hon. Mr. Morgan: — There is nothing in this legislation that changes or alters the situation. Independent contractors are covered on a voluntary basis. If they choose to obtain coverage, they are at liberty to do so. If they choose to regard themselves an employer and not be covered, that's their right to do at the present time as well.

Mr. McCall: — So no change from when it had been raised with you by my colleague?

Hon. Mr. Morgan: — No. I mean the policy that's in place and continues to be in place is that workers' compensation is a program established for the protection of workers. And if a person becomes an employer or an independent contractor, they may or may not be a worker, so at that point in time we don't think it's appropriate for us to dictate who is or who is not. So those individuals would be able to elect whether they want to obtain the coverage or not, and we certainly don't decline the individuals when they ask for the coverage.

Mr. McCall: — Okay. Well we certainly may be coming back with further questions on that front, Mr. Minister. But to the legislation itself, certainly we are very supportive of the expanded list of presumptives, and we certainly thank the minister and officials for the advanced briefing that was given to us on the legislation and particularly as regarded the presumptives.

And as the minister is saying, in terms of firefighters, a volunteer, professional, normally when the trouble is happening we're all running the other way. They're running into it. And for that we owe them a tremendous debt. So anything that we can do to improve their peace of mind around health, treatment of diseases as they arise, we're very much in support of that and glad to see that here today.

When we discussed it at the time, in terms of the establishment of the presumptives, we had been provided some assurance that there wasn't anything immediately impending in terms of

applications that would be made. Is there any sort of update on that front from the minister or officials in terms of the timing of passage of the legislation and when people might be able to avail themselves of benefits under these presumptive provisions?

Hon. Mr. Morgan: — It doesn't have a cut-off date, an active date as to when exposure or when the disease was contracted. In a lot of cases we don't know. So what's taken place since the bill was introduced, Workers' Comp is treating it as if it was in force from that time. They are accepting whatever claims might be there. So it's treated as if it's in force now. I don't know whether any claims have come, but they're carrying on. So the time between being introduced and now has not prejudiced any particular workers.

Mr. McCall: — Thank you for restating that for the record. And certainly your highly capable officials had related that message earlier but always good to get it on the record.

Hon. Mr. Morgan: — You know, we're always pleased and glad to. We've got some superb individuals and I know that you'll always be willing to give them credit. I am the longest serving Labour minister in the country right now and have been for some time. And I accept the fact that you are not giving me any recognition whatsoever, and I accept that.

Mr. McCall: — If you've got seniority matters, Mr. Minister, I'd suggest you take them up with your shop steward and see what you can get there.

Hon. Mr. Morgan: — The shop steward is the Chair of this committee, and he's not particularly helpful.

Mr. McCall: — No comment, Mr. Speaker. So moving on, in terms of the legislation itself, certainly we appreciate that the great majority of this arises from the committee of review, with a couple of notable exceptions. And again these are things that we'd like to have stated for the record by the minister in terms of the intent. But in terms of the review period change, I guess that would be a good place to start, Mr. Minister, as to the purpose and as to what sort of continuous evaluation would be made of whether or not that is a good change to the legislation or not.

Hon. Mr. Morgan: — Pardon me for my poor humour earlier. But I have gone through the process with the committee of review several times as we've gone through the cycle. This was not recommended or even discussed by the committee of review but came from the officials at Workers' Compensation and within the ministry. The time period that was in the review was barely sufficient for the review process to take place, the recommendations to be made, reviewed. A lot of them required a legislative change such as increasing the maximum insurable earnings, presumptive cancers, whatever else.

So you would go through the review process. You would go through consideration of the recommendations, creation of the changes to the legislation, passage of the legislation, and then you barely had time to evaluate what those changes were and you were up against another review cycle. So by expanding it or extending it for another year, we would have the ability to better analyze the effectiveness of the changes.

So it wasn't a matter of trying to avoid accountability. It was a matter of just the nature of the recommendations, the time process to go through. It was just felt an additional year would give a better chance to review the recommendations, determine whether they were appropriate before we were back at having to analyze the effectiveness of those at that point in time.

Mr. McCall: — And again the minister quite rightly recognizes the importance of the committee of review process and the way that it has that broad sort of buy-in from the parties. Has there been any further comment provided on the legislation since it's been tabled or introduced in the House by different of the parties? And what might that have been?

Hon. Mr. Morgan: — No. The committee of review formally finishes its work when they present their report. So they're *functus* at that point, if you'll pardon the Latin term. But on an informal basis I've stayed in touch with people on both sides and all of them are sort of supportive of going ahead with the legislative changes, all of which came out of, you know . . . We acted on every recommendation that there was. So at this point in time I think everybody's doing a wait and see.

Mr. McCall: — Okay. I guess sign us up for waiting and seeing as well, Mr. Minister. I'm not sure how you'd say that in Latin, or perhaps in French, but we'll wait and see as well.

In terms of again the changes to the composition of the board, enshrining the responsibilities of the board, we think those coming out of the committee of review process, we're very interested to see what effect those have. But we're hopeful it is of course positive. And given that these are folks that know their business very well, we like the odds of that being the case.

In terms of the clarifying dependant spousal benefits to be indexed to the CPI [consumer price index], we think that's a positive development in the legislation.

So I guess the one place where I've got some questions for the minister regards the appointment of the different representatives to the board. And I know that the minister is in receipt of correspondence from the president of the Saskatchewan Federation of Labour, Lori Johb. And certainly there are concerns from the labour side of the equation as regards the appropriate or the correct use of the process as regards the appointment of the labour representative to the board, and that's as is.

And again it's stated, not as any kind of criticism or demur against the individual that was appointed to that position, but the point that is made that that is something that the labour side of the equation has been consulted on in the past. There's an expectation that that individual is something of a nominee from whatever side of the equation, and that was not followed here. Does the minister have anything to respond to in that regard?

Hon. Mr. Morgan: — I've met with Ms. Johb, and I'm in receipt of her correspondence. What we did was, we reappointed the existing individuals and took the view that it wasn't a new appointment; it was in effect a reappointment or extension of the existing ones.

Having said that, regardless of the wording of the Act, whether it

allows us to renew or extend, we haven't sent a formal response to it yet. But I think we owe it to her and to the employer side, before we renew or extend we should seek to them to confirm that they're accepting to this. They've indicated that they were supportive of the existing individual that was reappointed, but felt it was a matter of process and I would certainly attempt to do a better job in the future.

Mr. McCall: — Okay. Well I thank the minister for that response. And with that, Mr. Chair . . .

The Chair: — Okay. Thank you very much. Before we proceed, I would like to as well wish Mr. Federko best wishes in his retirement. And as far as the minister being the longest-serving Labour minister in Canada at the present time, I think he might also hold the distinction of being the oldest.

Hon. Mr. Morgan: — I would be surprised if that wasn't the case, Mr. Chair. I believe you'll be entertaining a House amendment at this point as well.

The Chair: — Okay. We will proceed with the vote on the clauses. Clause 1, short title, is that agreed?

Some Hon. Members: — Agreed.

The Chair: — Carried.

[Clause 1 agreed to.]

[Clauses 2 to 5 inclusive agreed to.]

Clause 6

The Chair: — Clause 6, is that agreed? I recognize Mr. Doke.

Mr. Doke: — Mr. Chair, I would like to move an amendment to clause 6:

Amend Clause 6 of the printed Bill:

- (a) by renumbering it as subsection 6(1); and
- (b) by adding the following subsection after subsection (1):

“(2) Subclause 28(3)(a)(i) is amended by adding ‘volunteer or’ before ‘full-time member’”.

The Chair: — Thank you. Mr. Doke has moved an amendment to clause 6. Do members agree to take the amendment as read?

Some Hon. Members: — Agreed.

The Chair: — Carried. Is clause 6 as amended agreed?

Some Hon. Members: — Agreed.

The Chair: — Carried.

[Clause 6 as amended agreed to.]

[Clauses 7 to 13 inclusive agreed to.]

The Chair: — Her Majesty, by and with the advice and consent of the Legislative Assembly of Saskatchewan, enacts as follows: *The Workers' Compensation Amendment Act, 2018*.

I will ask a member to move that we report Bill No. 165, *The Workers' Compensation Amendment Act, 2018* with amendment. Mr. Steinley. Is that agreed?

Some Hon. Members: — Agreed.

The Chair: — Carried. Having successfully completed all of the business . . . Does the member of the opposition have any closing comments? I recognize Mr. McCall.

Mr. McCall: — Just thanks very much, Mr. Chair, always great to be back being chaired by yourself and not being kicked out into the bargain. I don't know if you're slipping or what the deal is or just getting nice or something.

Anyway, Mr. Minister, officials, thank you very much for the work you do on behalf of the people of Saskatchewan, and thank you for joining us here for the consideration of these estimates and these pieces of legislation for the people of Saskatchewan. And thanks as well to my colleagues.

The Chair: — I recognize the minister.

Hon. Mr. Morgan: — Thank you, Mr. Chair. I'd like to thank you, the committee members on both sides, and the Assembly staff that work here, the people from Hansard and broadcast services. And I know this is not always something they wish to do, work evenings, but I thank them for having done it in any event.

And I want to thank the ministry officials and the officials from Workers' Compensation and Workers' Advocate and everybody that supported us through tonight. I know it takes a lot of work to get ready for things like this, to have the material that's available. They do a superb job. So I thank them for the support they've given us, not just tonight, but throughout the year. It's support given not just to government but to all of the citizens of Saskatchewan. And we are very well represented by our professional and competent civil service.

The Chair: — Thank you, Mr. Minister. I too would like to thank yourself and the staff of the ministry for being here and supporting you with all the help they can provide. I'd like to also thank the members for their co-operation this evening. And seeing as how it is not yet 10:30 p.m., I would ask a member to move a motion of adjournment. Mr. Steinley is in a rush to get out. Is that agreed?

Some Hon. Members: — Agreed.

The Chair: — Carried. This committee stands adjourned to the call of the Chair.

[The committee adjourned at 21:11.]