

STANDING COMMITTEE ON HUMAN SERVICES
Tuesday, March 10, 2020

MINUTE NO. 56
4:27 p.m. — māmawapiwin náyati room (Room 8)

1. **Present:** Herb Cox in the chair and members Muhammad Fiaz, David Forbes,* Hon. Todd Goudy, Everett Hindley,* Cathy Sproule,* and Nadine Wilson.

Substituting Members

David Forbes for Nicole Rancourt
Everett Hindley for Larry Doke
Cathy Sproule for Danielle Chartier

2. The Committee Clerk presided over the election of an Acting Chair. Mr. Cox was nominated for the position. There being no further nominations, it was moved by Mr. Goudy:

That Herb Cox be elected to preside as Acting Chair of the Standing Committee on Human Services for the meeting of March 10, 2020.

The question being put, it was agreed to.

3. The committee considered Bill No. 200, *The Saskatchewan Employment Amendment Act, 2019*.

The Minister of Labour Relations and Workplace Safety and the following officials appeared before the committee and answered questions:

Witnesses

Hon. Don Morgan, Minister
Donna Johnson, Deputy Minister
Ray Anthony, Executive Director, Occupational Health and Safety
Sameema Haque, Executive Director, Employment Standards
Pat Parenteau, Director, Policy
Nataliya Mazokha, Senior Policy Analyst
Chantel Levy, Policy Analyst

4. The questions being put on clauses 1 to 12, they were agreed to.
5. During consideration of clause 13, it was moved by Mr. Goudy:

Amend Clause 13 of the printed Bill in section 4-7, as being enacted by that Clause:

(a) by striking out subsection (4) and substituting the following:

(4) A failure by an adjudicator to comply with subsection (1) or with an order made pursuant to subsection (3) does not affect the validity of a decision.

(b) by adding the following subsection after subsection (5):

(6) This section applies to all appeals or hearings that:

(a) were commenced before the coming into force of this section and for which written reasons have still to be provided on or after the coming into force of this section; or

(b) are commenced on or after the coming into force of this section.

The question being put on the amendment, it was agreed to.

The question being put on clause 13 as amended, it was agreed to.

6. The question being put on clause 14, it was defeated.

7. During consideration of clause 15, it was moved by Mr. Goudy:

Amend Clause 15 of the printed Bill in section 4-10, as being enacted by that Clause:

(a) by striking out subsection (1) and substituting the following:

“(1) The director of employment standards and the director of occupational health and safety have the right:

(a) to appear and make representations on:

(i) any appeal or hearing heard by an adjudicator; and

(ii) any appeal of an adjudicator’s decision before the board or the Court of Appeal;

(b) to appeal any decision of an adjudicator on a question of law or a question of mixed law and fact; and

(c) to appeal any decision of the board on a question of law”;

(b) by adding the following subsection after subsection (2):

“(3) The record of an appeal is to consist of the following:

(a) in the case of an appeal or hearing pursuant to Part II, the wage assessment or the notice of hearing;

(b) in the case of an appeal pursuant to Part III, any written decision of an occupational health officer or the director of occupational health and safety respecting the matter that is the subject of the appeal;

(c) in the case of an appeal pursuant to Part V, any written decision of a radiation health officer or the director of occupational health and safety respecting the matter that is the subject of the appeal;

(d) the notice of appeal filed with the director of employment standards pursuant to Part II or with the director of occupational health and safety pursuant to Part III or V, as the case may be;

(e) any exhibits filed before the adjudicator;

- (f) the written decision of the adjudicator;
- (g) the notice of appeal to the board;
- (h) any other material that the board may require to properly consider the appeal”;
- (c) by renumbering the existing subsection (3) as subsection (4); and
- (d) by renumbering the existing subsection (4) as subsection (5).

The question being put on the amendment, it was agreed to.

The question being put on clause 15 as amended, it was agreed to.

8. The questions being put on clauses 16 to 21, they were agreed to.
9. The question being put on clause 22, it was defeated.
10. During consideration of new clause 14, it was moved by Mr. Goudy:

Add the following Clause after Clause 13 of the printed Bill:

Section 4-8 amended

14(1) Subsection 4-8(2) is amended by adding ‘or Part V’ after ‘Part III’.

(2) Clause 4-8(3)(b) is repealed and the following substituted:

“(b) serve the notice of appeal on all parties to the appeal”.

(3) Subsection 4-8(4) is amended:

(a) by adding the following clause after clause (b):

“(b.1) in the case of an appeal pursuant to Part V, any written decision of a radiation health officer or the director of occupational health and safety, respecting the matter that is the subject of the appeal”; **and**

(b) by repealing clause (c) and substituting the following:

“(c) the notice of appeal filed with the director of employment standards pursuant to Part II or with the director of occupational health and safety pursuant to Part III or Part V, as the case may be”.

The question being put on the new clause, it was agreed to.

11. During consideration of new clause 22, it was moved by Mr. Goudy:

The following Clause is added after Clause 21:

Coming into force

22(1) Subject to subsection (2), this Act comes into force by order of the Lieutenant Governor in Council.

(2) Section 13 comes into force on assent, but is retroactive and is deemed to have been in force on and from April 29, 2014.

The question being put on the new clause, it was agreed to.

12. It was moved by Mr. Fiaz:

That the committee report Bill No. 200, *The Saskatchewan Employment Amendment Act, 2019* with amendment.

The question being put, it was agreed to.

13. It was moved by Ms. Wilson:

That this committee do now adjourn.

The question being put, it was agreed to.

14. The committee adjourned at 5:06 p.m. to the call of the Chair.

Anne Drake
Committee Clerk

Herb Cox
Acting Chair