



STANDING COMMITTEE ON HUMAN SERVICES

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STANDING COMMITTEE ON HUMAN SERVICES

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Mr. Muhammad Fiaz
Regina Pasqua

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Saskatoon Riversdale

Mr. Joe Hargrave
Prince Albert Carlton

Mr. Warren Kaeding
Melville-Saltcoats

Mr. Hugh Nerlien
Kelvington-Wadena

[The committee met at 15:30.]

The Chair: — Welcome to the Standing Committee on Human Services. My name is Terry Jenson. With us today are committee members Mr. Muhammad Fiaz, Mr. Marv Friesen, Mr. Warren Kaeding, and substituting this afternoon for Meara Conway is Ms. Nicole Sarauer, and substituting for Mr. Joe Hargrave this afternoon is Mr. Travis Keisig.

First I'd like to table the following document: HUS 21-29, Saskatchewan Advocate for Children and Youth: Correspondence regarding Bill 101, dated March 15th, 2023.

Today the committee will be considering the estimates for the Ministry of Labour Relations and Workplace Safety and the Ministry of Social Services, followed by consideration of Bill 101.

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

Subvote (LR01)

The Chair: — We will first consider the estimates for the Ministry of Labour Relations and Workplace Safety. We will now begin with consideration of vote 20, Labour Relations and Workplace Safety, central management and services, subvote (LR01).

Minister Morgan is here with his officials this afternoon. I would ask that officials sitting at members' desks please refrain from opening the desks. I would also like to remind officials to please state their names before speaking at the microphone, and there is no need to touch the microphones. The Hansard operator will turn it on when you are speaking to the committee.

So at this time, Minister Morgan, please introduce your officials and make your opening remarks.

Hon. Mr. Morgan: — Thank you, Mr. Chair, and thank you to the committee members. It's a pleasure to be here today. I want to introduce the officials that I have with me today.

I have Greg Tuer, deputy minister for Labour Relations and Workplace Safety; Sameema Haque, assistant deputy minister; Pat Parenteau, executive director of corporate services; Phil Germain, CEO [chief executive officer] of the Saskatchewan Workers' Compensation Board; Jonathan Swarbrick, registrar of the Saskatchewan Labour Relations Board; Crystal Nett, CFO [chief financial officer], Workers' Compensation Board; Julia Lacell, director of legal and policy, Workers' Compensation Board, who has had to step out for a minute or two and will be back.

I'm also joined by my chief of staff, Morgan Bradshaw, and upstairs I've got Mike Aman, who will be watching to make sure whether we need anything and will bring it down should we do need anything.

Since being appointed as the Minister of Labour Relations and Workplace Safety in 2010, I've had the opportunity to see first-

hand the important role the staff and this ministry play.

Before I begin discussing this year's budget allocation in the ministry, I would like to take a moment to reflect on the lives lost, the families and communities that have been forever impacted by a workplace injury or a fatality. In 2022, 39 workers tragically lost their lives while on the job. These workers cannot be thought of as just numbers. They are individuals with a family, loved ones, friends, co-workers, and they were valuable members of the community. Next week, we will be remembering these workers on Day of Mourning and immortalize their names into *Hansard*.

While the number of workplace fatalities remains unacceptably high, our injury numbers are improving. In 2022 Saskatchewan's total injury rate decreased . . . 5.04 per cent from the 2021 rate, down to 4.33 per cent. Workers' Compensation Board claims also decreased this year by over 3 per cent despite the number of workers covered by Workers' Compensation Board increasing by nearly 2 per cent.

Mr. Chair, all workplace injuries are preventable, and proudly 90 per cent of the workplaces in Saskatchewan have achieved Mission Zero this past year. However this means that 10 per cent of workplaces did not achieve Mission Zero, and we must continue working to improve workplace safety until every worker comes home at the end of the day. And that work is reflected in this year's budget.

This year the ministry's budget of \$20.674 million will support the continued education and enforcement of Saskatchewan's employment laws and allow the ministry to continue its important work in keeping Saskatchewan's workplaces healthy and safe.

This year the budget includes funding for improvements to the asbestos registry. The budget includes \$100,000 in funding towards a new asbestos registry to ensure that we can identify where asbestos is located in public buildings and keep workers safe when doing repairs or renovations.

In 2021 Saskatchewan Workers' Compensation Board accepted eight asbestos-exposure fatality claims. Over a five-year period there were 82 occupational disease fatality claims accepted, of which more than half were a result of asbestos exposure. That's why it's necessary for the ministry to ensure the registry is working and an appropriate IT [information technology] platform is in place to support it.

Funding for medical certificates. The ministry received \$15,000 to address the increased costs associated with medical certificates which are necessary for the Office of the Workers' Advocate to provide assistance to injured workers.

Funding for occupational health and safety. As the economy grows and diversifies, there is a greater need to ensure safe and healthy workplaces. To ensure all workers are going home safely at the end of the day, the ministry has developed a five-year fatalities and serious injuries strategy which identifies the resources needed to help reduce the total and time-loss injury rates. This year they will use \$20,000 to convert two occupational health officer positions into senior officers. These senior officers

will be responsible for training and overseeing new officers and participating in complex workplace investigations.

Legislative review. Ensuring that we have fair and balanced employment laws that encourage economic growth and investment in Saskatchewan is also a priority for our government. Reviewing the parts of *The Saskatchewan Employment Act* is not only a legislative requirement but ensures that we are meeting the needs of a modern workplace. The ministry is looking to begin the process of reviewing employment standards provisions during the 2023-24 fiscal year. The ministry will continue to find efficient and effective ways to engage stakeholders in this legislative review process.

Transfer of budget. This budget also includes a transfer of \$180,000 to the Ministry of Justice for a dedicated prosecutor for occupational health and safety cases. This is an important position, particularly in ensuring employers are held to account for serious injuries and deaths in the workplace.

Mr. Chair, I'd like to conclude by saying that the staff in this ministry are passionate about making a difference in the lives of others. They are all doing their part to ensure that everyone they serve benefits from growth in our province, and I'm very appreciative of their efforts. That includes my introductory comments and, Mr. Chair, we would be happy to answer questions.

The Chair: — Thank you, Minister. Before we get started with the question portion, just want to recognize that we have Terry Dennis substituting now for Mr. Hugh Nerlien. So with that, I will open the floor to questions. Ms. Sarauer.

Ms. Sarauer: — Thank you, Mr. Chair. Thank you, Minister, for your opening remarks. And I just want to start off with this opportunity by thanking all of the officials for being here this afternoon. I know it takes a lot of work to prepare for afternoons like this, and I do very much, as do all the members of the committee, appreciate all the work that you do in the preparation for this afternoon.

As I am relatively new to this portfolio, I am taking this also as an opportunity to learn more about the ministry and the work that you do, so please forgive me in advance if some of my questions seem a little basic. It's in order for me to better understand the important work that all of you do on behalf of the province.

Let's start by going over just in fine detail the line items of the budget. There aren't any major increases or decreases throughout the budget this year, but I'm wondering if you could perhaps walk through it in order of the votes and just explain the changes. Although they are minor, there are still some changes that I would like to know what's happening.

Hon. Mr. Morgan: — I'll mention a couple of them, but then I'll ask the officials to give you a bit more detail. Both *The Workers' Compensation Act* and the employment Act contain statutory provisions that provide that certain provisions of the legislation go through a review process.

The Workers' Compensation Act has got provisions that call for creating a committee of review over so many years to do hearings and do meetings to review the legislation. And over the years,

they've made recommendations to increase the insurable earnings, change the processes for how the board works, raised issues with regard to the length of the time that it took for appeals to be heard, and how the process at WCB [Workers' Compensation Board] operates. I know that some of them have done fairly extensive interjurisdictional reviews.

I think the underlying Meredith principle of being an insurer rather than someone that seeks blame has been fundamental to all of the processes that they've followed. But they've I think come back with meaningful changes and, for the most part, I think those changes have been accepted. And as you're aware, the legislative changes that are before the House now are all ones that are there.

I'll mention a few of the things that are in the line items, including the asbestos registry. We have had, over the year, what I think are unacceptably high numbers of asbestos injuries and we've had a lot of public interest in it. Unfortunately the public interest hasn't developed towards a lot of safer practices. So the asbestos registry was one method of having information available so that a person could go online and seek information about a particular government building — for example, this one — to determine whether asbestos has been used.

Asbestos was used initially in a lot of new buildings and then was used in later years for renovations and updates, so it's very difficult to tell by when a building was built as to whether it's likely to have asbestos in it. So the role of the registry was to identify, okay, this would have asbestos here, or there, or whatever the situation was.

When the registry started, we discussed with other provinces; no other jurisdiction has taken us up on the offer that we would give them our technology. I'm somewhat disappointed that other areas of the country haven't used it.

We're now sort of into another phase of asbestos claims. Initially the asbestos claims were from people that had contact with asbestos during construction decades earlier. What we're seeing now are asbestos claims for people that are involved in remediation, or the next generation, and a growing number of claims where the asbestos content has come and affected firefighters. So that's sort of an ongoing issue.

Hopefully the changes to the registry will make it easier to use and more accessible, and we hope that we're able to see a reduction in the number of asbestos claims. And we know that that's an area that we think there should be more work done on.

We also have got the start of some of the legislative reviews. I think I mentioned in the opening remarks that labour standards employment centres would be the next phase of that legislation. The employment Act is done through reviews that are done year by year with different sections that are there.

So anyway, with sort of those as being sort of the highlights that are there, I'm going to turn it over to the officials to go through it on a bit of a line-by-line basis. I would make the offer that if you wish to interrupt, please feel free.

Mr. Tuer: — Thanks, Minister. Greg Tuer, deputy minister, Labour Relations and Workplace Safety. So maybe the easiest

way for me to do this is I'll go through sort of what increased, what decreased. And some of this will be restating what the minister already said. Probably helpful to do it this way.

[15:45]

So our budget saw increases of \$353,000 to begin with. So we received almost \$200,000 — \$198,000 — increase for salary and operational pressures. So that's \$35,000 for salary pressures in our communications branch; \$45,000 for salary pressures in our labour relations and mediation branch; \$110,000 for salary pressures in the Office of the Workers' Advocate; and \$3,000 for statutory increase to the minister's salary.

Included in that is that \$100,000 that the minister spoke to about building and maintaining a new asbestos registry. The current technology is getting to the end of its life, and so we need to create a new one. \$20,000 in operating funding for legislative reviews, so as the minister mentioned, that will be for the upcoming employment standards review.

\$20,000 increase to convert two occupational health officers to senior officers. And so the thinking around that is a year ago we felt we were kind of at the right level in terms of our staffing in occupational health and safety, assuming that we were going to see more economic growth and in particular in terms of the employers in the province, making sure that we were laying the foundation to have those senior officers that are there to be able to train any new officers we have take on some more of those complex files. So this is really for me, sort of foundational work to preparing for that.

As the minister mentioned in his opening comments, there's a \$15,000 increase in the Office of the Workers' Advocate. And that's just . . . We've seen an increase in the costs for medical opinions from doctors. And that's foundational to them doing their work, so we needed to make sure they had that money in their budget.

In terms of decreases, as the minister mentioned, we had two reviews that we undertook last year, that being the review of *The Workers' Compensation Act* committee of review, as well as the occupational health and safety part of the Act. And so combined — so those two reviews are complete — combined that comes out to \$275,000. So that's money that we don't need going forward, so that was given back.

We also had three vacant positions in program branches that we abolished, and so there's funding associated with those. There was \$110,000 in labour relations and mediation, \$60,000 in employment standards, and \$50,000 in the Office of the Workers' Advocate. So there's some ins and outs related to those.

And then also as the minister shows, there was a — or mentioned earlier — there's a couple of transfers here as well. So they'll show as a decrease, but really it's money going elsewhere in government. And so the first is \$180,000 that you'll see come out of occupational health and safety, but that's money that's gone to Justice for the funding for a dedicated prosecutor. That's a long-standing agreement we've had with Justice, and frankly it just didn't make sense for them to be billing us for those services. And we had the money and it was going back and forth all the time, so we thought for simplicity's sake . . . They've got the

lawyers; we had the money. Now they've got the money and we've got an agreement that they will continue to support our prosecutions.

And the last piece is a \$23,000 transfer to SaskBuilds and Procurement, and that's just due to consolidation of some of their project delivery and real estate services. So those things on a high level are kind of the ins and outs of our budget.

Ms. Sarauer: — Thank you for that detail. It provided an answer to the question that I had when I initially was looking at the estimates. I noticed that it seemed when you look at the numbers that there was a slight . . . well there is a slight decrease in the line item for salaries at OH & S [occupational health and safety] and employment standards.

I think I understand it now, but just can you be clear on the record as to what that means? You've mentioned there were three positions that have been abolished. There are no decreases in anybody's salaries. Are there any other positions that have been abolished in addition to that? Just so that I have a full picture of why there is the decrease at the salary level.

Mr. Tuer: — Absolutely. Yes, so three of our program branches we abolished vacant positions, the first being labour relations and mediation branch; the second, employment standards; and the third, Office of the Workers' Advocate. And so beyond that, I guess important to say those were all vacant positions. There were no staff incumbent in those positions, so it was just a straight abolishment of vacants.

Ms. Sarauer: — Why were those positions abolished?

Mr. Tuer: — I guess frankly, part of that was making sure that our budget reflected the work we were doing in the ministry. So when we got our envelope, we took a look at what our priorities are, and one of the biggest priorities being occupational health and safety. And so we made sure that we had the appropriate resources going to occupational health and safety and just — my words — rightsized the other branches to make sure that we fit our budget.

Ms. Sarauer: — You had mentioned that a position within occupational health and safety was being elevated. Correct?

Mr. Tuer: — Two.

Ms. Sarauer: — Two positions. Can you provide some more detail around that?

Mr. Tuer: — So we have two occupational health positions that will be reclassified to senior officer positions. And again, the thinking there is to make sure that we have adequate supervision, oversight, training, and development for our new officers as well as make sure that we have capacity to investigate some of the more complex cases that come our way. And then again for that, I think as we look down the road, should we increase the number of officers that we have in occupational health and safety, making sure that we have adequate capacity in that leadership group to take on the new officers and do those things I just mentioned.

Ms. Sarauer: — That was going to be my next question, whether or not there was . . . you were going to then fill the junior

positions that were gone now that you've elevated those folks into senior positions?

Mr. Tuer: — Currently right now we have five vacant positions in occupational health and safety, and so a couple of those will turn into seniors and then we will staff the remaining vacants.

Ms. Sarauer: — How many other vacant positions are there within the ministry?

Mr. Tuer: — Thanks. We have a vacant position in our communications branch. That's a communications consultant. The permanent incumbent in that position is on a temporary, definite leave of absence to another ministry, so we're in the process of staffing a term in that case.

In our corporate services branch, we have a vacant policy analyst, and so we're currently in the process of staffing for that. I think I mentioned occupational health and safety. And nothing more in employment standards.

I guess we have, similar to the communications branch, we have one in the deputy minister's office as well, but the permanent incumbent is elsewhere so we're just holding that vacant while that person's off on another assignment.

Ms. Sarauer: — You had mentioned that there's some increase here to deal with salary pressures. Could you speak a little bit more about that?

Mr. Tuer: — Thanks. Yeah, so in those branches I listed, really what that stems from is the staff in those branches primarily . . . they've been fully staffed for a long period of time. The staff are at the top of their ranges, and so as we've had our economic increases, our budget didn't have capacity in order to pay for all of our staff. So through the budget process this year we asked for additional funding to make sure that we actually had the money to pay everyone.

Ms. Sarauer: — Are you finding any challenges with recruitment or retention in your ministry?

Mr. Tuer: — It depends on the occupation. I think where we're finding difficulties is bringing in term staff, people to come work for a six-month term when somebody's on a leave of absence or things of that nature. So we've tried to focus at times on internal. So yeah, I guess I'll leave it at that. Kind of really does depend on the occupation.

Ms. Sarauer: — Let's talk about the occupational health and safety branch in a little bit more detail. Can you provide an overview as to what your staff within that branch do?

Hon. Mr. Morgan: — In simple terms, they do inspections around the province, and where there has been a violation, they will refer the matter to the prosecution, have a prosecution undertaken, complete the thing. They've got some additional training that's taken place where they've had police officers come in and tell them about continuity of exhibits and the process they would need to do to have a successful prosecution undertaken.

There has in the past been support for the idea of random

inspections. So the term "random" was not, I think, an appropriate term. What random was sometimes seen as, oh, well you walk into an accounting shop that's had 25 years in business without a claim or anything that's there. So they are becoming more focused, and visits will now be seen as often unannounced or unanticipated or a follow-up visit where something has happened.

The goal is to try and work with employers to develop good workplaces. So they will target, in a given different field, what the risks are, what type of employers have had bad history, and those are the ones who will be getting more direct attention from the officials as they would go about their work.

So instead of going out to a place, spending two or three hours and then just randomly stopping at places along the way, their work is directed at areas where they know there are a likelihood of an offence or where a direction given to an employer to fix a railing or safety cover or something, that they would make sure that there was a follow-up to see to it that that happened. And I know they cover a lot of miles.

They also get the call-outs where there's been a serious incident, where there's been either an unsafe occurrence, a significant injury, or a fatality. They'll go out. They would not ordinarily go to a motor vehicle accident or one where it was regarded as natural causes — some people will have a heart attack and pass at work — but where there's involvement on the part of the employer or something that needs to be investigated further, then those are the ones that would go out. But I'll certainly let Greg provide a more in-depth answer than that.

Ms. Haque: — Good afternoon. Sameema Haque, assistant deputy minister for the Ministry of Labour. Occupational health and safety branch's overarching mandate is workplace safety, reduce the injury rate. We do a variety of activities under that umbrella. There is educational activities. There are speaking engagements, providing presentations related to legislation. There is also compliance activity related to the legislation that we have, which there are a variety of tools that they use, inspections, and then up to prosecution should there be a serious injury.

Then within our inspection regime, as the minister mentioned, we do a variety of streams of inspections. So there are inspections that are complaint-driven. When there is a complaint that's received by a branch, an officer inspects and investigates that. There are inspections that are driven by notifications that are prescribed in the legislation. So for example, if there is a high risk asbestos remediation project, there is a notification requirement to the ministry and an officer will undertake an inspection and follow up on that to ensure that all safety measures are in place in accordance with the legislation.

We also do officer-initiated inspections which, as the minister mentioned, they are data driven but they are not based on any complaint. So if there's a history — there's a high-risk sector when there's lots of construction happening — then we'll have our officers out and doing inspections on those kinds of projects.

[16:00]

We also have streams of . . . Through our WorkSafe partnership, which is a partnership with WCB, Workers' Compensation

Board, we get claims data. Employers that have high injuries, claims, and sort of a record where there has been repeated similar injuries or simply a higher injury rate, we do inspections for those. They are in our priority employer program.

There is an education stream, advising them of their legislative requirements, as well as WCB prevention team brings in other tools, best practices, that they advise the employers on. And we do repeated inspections, and the goal again is to improve the safety culture to bring them into compliance. As well as where there is a serious injury or fatality, we do an investigation and that can lead to a prosecution, should there be a blatant disregard of the legislation.

We also have summary offence ticketing as part of our regime as well. So there are prescribed areas where if a non-compliance is observed, some officers are designated as peace officers and they can issue a ticket. And then that ticket goes through the court process should it be challenged. So those are our streams.

Ms. Sarauer: — Thank you so much. How many total FTEs [full-time equivalent] are within this branch?

Ms. Haque: — Specifically officers, or are you looking for . . .

Ms. Sarauer: — I'm looking for total and then I was going to move on to officers right after that. So feel free to answer both questions in anticipation of my future question.

Ms. Haque: — Just one second. So we have 68 officers, 13 administrative staff, which do a lot of data entry and other related work, and we have 13 management staff in that branch.

Ms. Sarauer: — If I read the estimates from last year correctly, the *Hansard*, you had 69 last year. Why was there a decrease this year?

Ms. Haque: — It's just the designation, whether they're called an officer. So for example, our health standards person who is looking at the standards that are issued, CSA [Canadian Standards Association] standards for safety, they are reviewing those and ensuring that any standard that's issued by the industry and is acceptable and is approved by CSA is acceptable within our legislation and employers are actually allowed to use that. They are designated as an officer, but they are actually an engineer so they are truly a management person. It's just the optics of what we call them. There has been no change in the FTE numbers.

Ms. Sarauer: — There is no increase or decrease in number of officers?

Ms. Haque: — No.

Ms. Sarauer: — Are there any general trends that they were seeing in their inspections in the past year?

Ms. Haque: — There's always trends, industry-specific trends that you can see. But it's hard to generalize it to an overall safety trend. Certainly I think there is a level of acceptance as far as education and those resources are concerned, and we have a close partnership with not only WCB, but we also work with all the safety associations to provide tools. Of course COVID had its

own impact and there was more awareness in regards to public health issues and those hazards and how to manage those hazards.

Those would be the more general trends, I would say, in the recent time. But industry-specific issues always arise.

Ms. Sarauer: — Any common issues? And you can break it down by industry, understanding that they're all quite different, but any common issues, challenges, that various industries are seeing? Or inspectors are seeing within various industries?

Hon. Mr. Morgan: — The three areas we're focusing on . . .

Ms. Haque: — Yes, so those are overall, like, are common issues when we look at, that employers are facing, and these are what we focused on in our serious injuries and fatalities strategy. So give me one second. I'm just going to bring some common issues up.

So when we look at common issues across all sectors, motor vehicle crashes are one of the leading causes of acute, fatalities. So here we're not talking about simpler, smaller injuries. We're talking about like life-impacting injuries. Asbestos remains an issue that we continue to do a lot of campaigns on. Falls, fall prevention is another important area. Industrial ergonomics seems to kind of ebb and flow, and I think pandemic, and you know, people working from different locations has had some implications associated with their ergonomics. Machinery safety, again it is an ebb and flow as well and it depends which sector has what kind of equipment.

Violence is a growing issue in some specific sectors and of course, overarchingly, if you look at across all sectors, mental health is one that is definitely a growing trend as far as safety is concerned.

Ms. Sarauer: — Do more . . . oh, sorry.

Hon. Mr. Morgan: — When we looked at fatalities, there was a challenge with the small number of fatalities to try and find a trend or common themes. So Sameema identified the common themes for injuries and where there'd been . . . The number of fatalities we have is small enough that it's difficult to find statistical patterns.

We had one year where we had two electrocutions but then we went for years without. So to go out and try and say okay, this is a problem . . . And then we had one year, I think, where we had two aircraft crashes, so we had people killed in aircraft which is, you know, something that has not happened since.

So the ministry has looked at data from other jurisdictions and other provinces to try and find out okay, is there trends in this? Is there trends in that? We have done some work with Sean Tucker from U of R [University of Regina] to try and find trends or where best the resources that are there.

I think the comment that I would make on injuries is that the larger employers are sometimes referred to as the low-hanging fruit because those ones will have a lot of safety training, a lot of planning within. And it's the very small businesses, the one, two, and five employee ones where there's inadequate training, no

training at all, or whatever. Some of them are excellent, but those are the ones that will be harder to deal with.

I think I've mentioned at estimates before, I live in a relatively new area of the city and I would drive home and I would see people doing roofing with no harness at all, or the harness just draped over there so that if somebody did come, they could run and hook it up. Well no good whatsoever. Either you're not wearing it or it's not hooked up. But no doubt it's easier and faster not to be wearing it when you're doing roofing. So that'd be not surprising, an increased number of falls from some of those employers. So I know that's the area that's been an area of concern for the occupational health and safety officers as well as for prosecutions.

Ms. Sarauer: — I did want to ask more about the fatalities and serious injuries strategy which, now we're speaking about it a little bit. So more broadly, could you talk about when that started and the work that's ongoing?

Hon. Mr. Morgan: — Yeah. There was a three-year program that was there that brought some significant benefits. And it's hard to say how much were legitimately because of work done by employers and employees, and how much was a reduction caused by COVID. There was so much less activity during COVID. But we know that since COVID is not a significant factor anymore that our numbers have increased.

So I'm going to let Greg go through some of the specific numbers that are there. But we know that the five-year plan is a plan to identify the problem areas and try and focus on the problem areas that are there. So I'm going to let him go through what the targets are and what the outcomes are that are expected.

We did a fairly significant kickoff to the plan where we had people from industries, people from SFL [Saskatchewan Federation of Labour], and people from sort of across . . . with the idea being that people would know that there was a new plan in place, that they needed to refocus and start to look and become engaged on workplace safety. So the hope and expectation is that the plan will drive numbers down over a period of time.

Mr. Tuer: — Thanks, Minister. So the minister mentioned the previous three-year strategy. And so this is a WorkSafe initiative, so this is the partnership between Labour Relations, Workplace Safety, and the Workers' Compensation Board. A big part of the work they're doing is sort of on the prevention side . . . [inaudible] . . . the regulator come in with the enforcement.

So the initial fatality and serious injury strategy ran from 2019 to 2021. And I'll just walk through, I guess, some of the key achievements there. One of the key areas of focus was around asbestos awareness. And so as an objective, they wanted to improve general asbestos hazard awareness to 39 per cent from 19 per cent. So this was based on a baseline study that was done.

So by the end of December 2021, a follow-up survey was conducted regarding asbestos awareness in the province, and the survey results indicated an increase in awareness to 33 per cent; so you know, above what the goal was there.

Motor vehicle crashes. So again that is transportation, as Sameema mentioned earlier. The objective there was to reduce

work-related motor vehicle crashes by 30 per cent from the 2018 baseline. The outcome was just short of that objective; however there was a 25 per cent decrease over the period of that strategy.

Firefighter cancer exposures was also an emerging area we were looking at at that point. So the objective there was to improve firefighter cancer prevention controls by 50 per cent. The result — so we did an initial audit in 2021 to take a look at the progress that we've made — on average, scores have jumped by more than 100 per cent in terms of the awareness and the prevention methodologies that they're using there.

Falls from heights, Sameema also mentioned that. Our objective there was to reduce falls-from-height injuries by 30 per cent from 2018. Our result was those injuries have reduced over the three-year span of the strategies. Again we didn't meet that 30 per cent, but we did see a 19 per cent decrease. So we set some pretty lofty stretch goals for ourselves there, and we were able to address that.

So kind of maybe just broadly some of those targets and outcomes again: asbestos exposure, we wanted to improve awareness from 19 per cent. It improved to 33 per cent in the follow-up. I mentioned the motor vehicle crashes. We were able to reduce those by 25 per cent . . . or sorry, they did reduce; can't take full credit for that. Firefighter cancer, so improving the firefighter cancer controls by 50 per cent. Our follow-up work found that it was 100 per cent. Falls from heights, I mentioned the goal was 30 per cent. We were able to see a 19 per cent reduction there.

In the health care — and so health care is one of the three sectors that we're focusing on in our new fatality and serious injuries strategy — the goal there was to reduce serious injuries by 10 per cent. We saw a 5 per cent decrease. So health care is a large employer, so 5 per cent is significant but we didn't quite make our goal there.

In the transportation sector, which is another sector that we're continuing to focus on, the goal there was to reduce serious injuries by 10 per cent. We reduced them by 3 per cent, or they were reduced by 3 per cent.

Psychological injuries, the goal there was to reduce the duration of the psychological injuries by 20 per cent. And the outcome was overall durations were reduced by 17 per cent, which includes a 25 per cent reduction for public safety personnel in their claims.

And in the manufacturing industry, the goal there was to reduce serious injuries by 5 per cent, and we saw a decrease of 8 per cent in that sector.

So going forward, the new fatality and serious injuries strategy, we're going to continue to focus on three sectors: that being construction, transportation, and health care. And hopefully through partnerships of ourselves and the safety association's other technical experts and institutions that we'll be able to continue to drive those down.

Ms. Sarauer: — Thank you. I try to separate to make sure that my questions are targeted to the officials that are in front of me so there isn't a bunch of jumping around, but I see how integrated

and married really everything that's happening within the ministry is, including WCB.

I noticed that WCB reported their top injuries for 2022. The vast . . . far outweighing second and third place was in first place with the Health Authority hospitals, care homes.

[16:15]

And occupations with the highest rates were nurse aides, orderlies, and patient service associates. So I can understand why that is a part of the top three industries that you were looking at in this strategy as well.

Hon. Mr. Morgan: — The vast majority of the health-related injuries are caused by lifts, sprains, and falls. So the Health Authority has, over the last number of years, committed a lot of resources to making sure there was lift equipment and training. And I think if you go into most of the facilities you'll see the equipment that's there. And the issue is whether enough people are trained and whether the direction has been that they actually have to use the equipment.

I know during my mom's last period of time in a care home, at the beginning when she went in there, the lifting equipment was not used very much. It was there towards the end. You know, you'd walk past the same bulletin board that said there was training for it and it was always used at the end. So I regarded that as a good sign. So I'm hopeful and optimistic that that kind of a message continues to get in and do it.

A lot of our health care workers are no longer baby boomers in their 20s. They're now people that the average age is somewhat older. And these people have maybe spent the last number of decades lifting incorrectly or lifting when they shouldn't have been lifting and are susceptible to injuries because of it. So I think we want to take every step to make sure that those people can do their job safely without longer term results or consequences from it.

But there's no doubt it's an ongoing issue. So I met with some of the senior officials at SHA [Saskatchewan Health Authority] to try and have some discussion just saying, you know, this has to be a continuing priority. This is not an option. This is something that has to happen. And I think at a senior level they understand the importance of that, and I think their mandate has to be to make sure it works down so that the front-line workers get the benefit of that.

Ms. Sarauer: — As you well know, it is a very high-stress occupation where recruitment and retention is a huge challenge, so ensuring that those jobs are as safe as possible is incredibly important. So appreciate that that's clearly at the front of mind for the ministry.

You mentioned in the overview the move toward unannounced site visits. Could you provide a number for how many unannounced site visits have occurred and whether that's an increase or a decrease from years previous?

Ms. Haque: — So we refer to them as officer-initiated visits, and so in the last fiscal year up to February 28th is what I have data for. We had 888 officer-initiated visits. To compare that to the

previous year, it was 1,353.

Ms. Sarauer: — 1,353?

Ms. Haque: — But that's a full year's information, and I have one month less for this year.

Ms. Sarauer: — Do you think there would be 500 more visits in that other month?

Ms. Haque: — Not 500, but close. Close enough, right?

Ms. Sarauer: — Is there a reason why there may have been a bit of a decrease from the year previous?

Ms. Haque: — Not really, I wouldn't say. Like increasingly we are data driven, so it is a better resource utilization for us for officers to look at the intelligence that they have in regards to the safety performance of the employer when they do the visit, to get information around the employer's current practices. I think that just that little bit of research that they do before they go out tips them into more of a direct stream rather than officer initiated.

But there's no strategic direction one way or the other. We do want officers to do some research. And I would say an additional element to that is also ensuring that the officers are safe, that they do some research as to where they're going, where the location is, what kind of PPE [personal protective equipment] they might need to do the site inspections, if there's protocols at the site, that they are prepared and they check it.

Ms. Sarauer: — How many . . . You also mentioned that there are complaints-initiated visits. How many complaints were made to OHS?

Ms. Haque: — So we had complaints in the last fiscal year. The complaints-related inspections were 567 for the full fiscal year, 2021-22. And this year for us it is 700 up till February 28.

Ms. Sarauer: — Do you also keep track of the timeline from when the complaint was made to when the visit occurs?

Ms. Haque: — Usually it's very, very quickly. There is no lag time in there.

Ms. Sarauer: — There's no delay.

Ms. Haque: — There's no delays. Like officers are assigned a geographic area, and there's multiple officers for the area. And as the complaint comes in, it's assigned to the officers. And our goal is the officer gets out as soon as possible.

Ms. Sarauer: — Do you keep track of the outcomes of those visits?

Ms. Haque: — Yes, we do in regards to some inspections lead to just an officer's report where there's no non-compliance found. Some lead to a notice of contravention. The next . . .

Ms. Sarauer: — Do you have a number for those?

Ms. Haque: — Yes, absolutely. So notices of contravention, are you looking for just information for this fiscal year or a

comparison against?

Ms. Sarauer: — Both, yes.

Ms. Haque: — Okay. So notices of contravention for the last fiscal year were 1,831; and this year, 1,746, one month less. And compliance undertakings last year were 262; this year 187. Officer's report, 2,414 last year; this year, 2,935. Note to file is 248 for last year, and 383 this year.

So overall, all kinds of these reports, 4,755 for last fiscal year, and 5,251 for this year. The number is more because there's more inspections this year.

Ms. Sarauer: — Sorry, can you repeat for the . . . [inaudible].

Ms. Haque: — The number is higher because there's more inspections this year. So they are directly related.

Ms. Sarauer: — Right. Do you also have stats on how many files were sent to prosecutions?

Ms. Haque: — Yes, we do. For OHS last fiscal year, 29 files were sent to Justice; and this year up to February 28, 26 files were sent to Justice. Seventeen prosecutions were initiated last year; this year 21 prosecutions were initiated. Eleven convictions last year, and 13 convictions this year. Of course there's penalty amounts as well.

Ms. Sarauer: — Yeah, could I have the penalty amounts as well?

Ms. Haque: — Yes. I'll read off the big, long number for last year: 1,545,600.

Ms. Sarauer: — And for this fiscal year?

Ms. Haque: — Up to February 28th, we have 847,500.

Ms. Sarauer: — Do you also keep track of the length of time it takes for a charge to move its way through the system?

Ms. Haque: — We don't track it once the charges . . . like once it's in the courts, right. I think we track it to ensure that it's routed in an appropriate manner to the Crown.

Ms. Sarauer: — Remind me. Did you say \$100,000 for the prosecutor, the dedicated prosecutor?

Mr. Tuer: — 180.

Ms. Sarauer: — 180. I was going to say that. I was wondering about whether or not that amount was sufficient. So thank you.

As you well know, Minister, a few years ago there was an expansion of the protection provisions in the legislation. I'm thinking about the sexual harassment provisions and the like. Has the ministry been keeping track of whether or not there have been an increase in claims, and if so, could you provide some detail?

Hon. Mr. Morgan: — There was, as you're aware, an new initiative and there's a significant number of complaints that have come forward and have been dealt with. So I'll let Greg or somebody give the information on it.

Mr. Tuer: — Thanks, Minister. So since the new legislation was introduced — and I don't have a total here — the number of inquiries related to the expansion, so that was complaints concerning whether it was volunteers or students or contractors, we've only had three inquiries from people identifying as being in those groups. And there have been zero investigations conducted based on those inquiries. Of course we continue to do a number of investigations broadly into issues related to harassment, but so far from the expansion we haven't seen any complaints.

Hon. Mr. Morgan: — If I could give a bit of a clarification, you asked about the timeline on prosecutions. There's a prosecution log that's maintained, and it puts names of unconvicted defendants on it. But that log is provided to us in a context of whether there's a delay that would prevent a charge from going ahead, and sort of the status of them that were there, so that the ministry can be aware of whether there's adequate resources being provided. And we have in the past asked for additional support from Justice by way of additional prosecutorial support. But it is logged, and so far as I know, I'm not sure of any in recent past that have been struck for delay.

Ms. Sarauer: — But there have been ones that were getting to a point where you had requested for some additional support from Justice to have it resolved?

Hon. Mr. Morgan: — Not necessary for a specific file, but when there's a number of them that are on there that are pending Justice review, then I had gone back to the Justice minister at times and said, we need to do some additional review. At times it was me, so we were able to commit the resources that were there.

Ms. Sarauer: — Thank you for the clarification on that earlier question. I appreciate it.

Hon. Mr. Morgan: — Yeah, I just didn't want to . . .

Ms. Haque: — That is what we track, that it gets to the Crown prosecutor on a timely fashion. Until it's in court system, we don't react to the outcome.

Ms. Sarauer: — Moving back to the harassment piece, I'm thinking you might have more you want to add, or is . . .

Mr. Tuer: — Yeah, just as it relates to the prosecutor, we actually . . . I mentioned the transfer of funds. I'm told in about 2018, we actually added an additional prosecutor because of the number of files that we were forwarding to Justice for review. And so the second prosecutor is shared between occupational health and safety and employment standards. So overall we have two prosecutors dedicated to the work of the ministry.

Ms. Sarauer: — Sorry, so the \$180,000 is for two prosecutors or for one? Okay. Where does the other prosecutor come from? Is it just Justice?

Hon. Mr. Morgan: — Justice. It was already there.

Ms. Sarauer: — Already gone to Justice. Got you. Okay, now I understand.

Moving back again, sorry, to the expanded provisions around

volunteers and the clear definitions around sexual harassment. I think just so that I can mentally go back to that, I think you just said that there were three inquiries and no claims made. Is that correct?

Mr. Tuer: — Yes.

Ms. Sarauer: — The project titled Enough Already, is that funded through OH & S?

Hon. Mr. Morgan: — I'm not sure which project you're referring to.

Ms. Sarauer: — It provides education opportunities for employees and employers around harassment in the workplace. Am I completely out to lunch here? I think there are two staff people?

Ms. Haque: — Our officers provide presentations to employers at their request and provide training. We also have resources in the form of videos that we've provided to stakeholders as an educational tool. But I'm not aware of any project.

Ms. Sarauer: — Then that's all in your workplace sexual harassment . . .

Hon. Mr. Morgan: — It's not a project that's with a dedicated budget. It's done within the resources of the ministry and it's a service that's provided.

[16:30]

Mr. Tuer: — That's a federal program.

Ms. Sarauer: — Oh, it's federally funded. Ah, I see. Thank you. So there's no involvement with the province?

Hon. Mr. Morgan: — Other than we would follow with whatever they . . .

Ms. Sarauer: — You mentioned in addition to, of course, charges being laid, or in the alternative of charges being laid, there could also be tickets issued. Do you have stats on how many tickets were issued?

Ms. Haque: — In the last fiscal year we had 23 issued, and this year we've had 40 — four zero.

Ms. Sarauer: — Minister, you mentioned in last year's estimates that your ministry had a consultant in to review how the ministry could better address fatalities. I don't know if this was in addition to the fatalities and serious injuries strategy or if you were just mentioning that.

Hon. Mr. Morgan: — I would have mentioned the context of that. An external consultant was brought in for the early stages of developing this.

Ms. Sarauer: — Thank you. You also mentioned that the ministry was working to post the outcomes of any investigations — in particular, when serious incidents occurred — online so it'd be accessible to the public. Has there been work on that?

Mr. Tuer: — On the WorkSafe website, there are summary reports for serious injuries and fatalities. And so people can go to that and get the identified information about specific cases that have occurred. Typically there's a lag there until a matter has made its way through court, and so I think the most recent ones we have right now go back to, I think it's 2020 or 2021.

Ms. Sarauer: — You mentioned the work that the committee of review did. Could you speak a little bit more about the recommendations made and what were accepted and what weren't?

Hon. Mr. Morgan: — This actually was a fairly thorough review that was done. The review usually consists of a number of people. This one was chaired by Louise Greenberg . . . was Ministry of Advanced Education, and had taught at U of R.

Anyway they reviewed and went through a process involving social media, electronic media, and they sent letters to some 271 organizations, and they informed through WCB some 6,000 claims that the process was under way. Ninety-six submissions were received from 35 individuals and 61 organizations.

So some of the things that were included in the recommendations were amending the definition of "worker" to include students while in the work-based learning program and including executive officers that would be eligible for voluntary coverage, increasing the minimum and maximum awards payable for permanent functional impairment, arranging for and covering the costs associated with transporting a deceased worker's body back to the home location. I was actually surprised that that wasn't already covered.

And they created a new death benefit to the estate of a deceased worker who has no dependents providing for equitable compensation to worker's dependent children or other dependents regardless of whether the injured worker had received benefits for less or more than 24 months before the worker passed away from a non-work-related injury. So these would be long-term pensioners, people that had workplace health issues.

Amending the privacy provisions to mirror *The Health Information Protection Act* and to provide for administrative penalties where breach of privacy occurs. Improving the medical review panel process by simplifying the requirements in the Act. Clarifying the psychological injury provision to provide quicker supports and creating a requirement for all decisions to include reasons similar to other tribunals. So essentially there would be a body of jurisprudence with de-identified names or information and so that people can say okay, well this is typically covered or not covered.

So the report was . . . Cabinet approved the release November 2nd of '22 and solicited feedback on the recommendations. The ministry commenced public engagement end of November 2022. New releases and additional stakeholders were informed. And then you'll be aware of what's taken place on legislation since.

Ms. Sarauer: — Does that, the legislation that's before us, does that conclude the legislative changes that will be occurring as a result of this review, or are there more to come?

Hon. Mr. Morgan: — Some were brought forward early as you're aware, and the remaining ones will be brought in the fall.

Ms. Sarauer: — And you mentioned that employment standards is next?

Hon. Mr. Morgan: — Yes.

Ms. Sarauer: — Could you speak a bit about the . . . what that work will look like?

Hon. Mr. Morgan: — Yes. It's a different process than it is under Workers' Compensation. Workers' Comp is sort of a global review process so therefore a committee of review is struck, where the different sections of the employment standards Act would be reviewed largely and internally because it's done sort of section by section or division by division. So I'll let the officials probably give you better background than I can.

Mr. Tuer: — Certainly. As the minister said, the process for the committee of review is set out in *The Workers' Compensation Act*. So there's a formal process with the committee that is struck and the process they undertake.

For the parts of our legislation, so for employment standards, we're just in the process right now of developing a discussion paper. Typically the process we've done when we've reviewed parts of our legislation will be to publish a discussion paper and send out to the known stakeholders. We'll send an invitation to comment and then it will get put up on Saskatchewan.ca for anyone from the public to review. So what we're doing right now is just kind of going through our own analysis of what are the types of issues that we're seeing, the types of complaints we're receiving in employment standards. Is there anything new, sort of, in that realm that might be an emerging issue that we need to take a look at?

And so the goal is — likely it will be this fall — we'll send that out, invite the participation, and then similar to our other processes, pull together a bit of a report, a bit of a summary with the goal to introducing legislative changes, if appropriate, down the road, likely the next year following.

Ms. Sarauer: — Since we're talking about employment standards branch, could we start by speaking more broadly about the work that that branch does?

Ms. Haque: — So employment standards branch is largely what . . . We are complaints driven, claims driven. When we get a claim, it's processed. The officer investigates it and it can lead to . . . Our goal is always to bring people into compliance and get the appropriate monies collected for the employee. At times it can lead to a collection order, and then we actually proceed with collection activities to collect monies.

So if interested in stats, I have stats for the past two years. We had 1,443 complaints opened last fiscal year and 1,582 complaints this year, so fairly steady. Complaints resolved, again like, 1,447 were resolved last year and 1,470 this year. Sometimes because of the fiscal year-end, it can overlap and so the complaints are received in the previous year and go into the next year.

I can speak to some trends, if that's what you're looking for, what kind of complaints we get.

Ms. Sarauer: — That would be great.

Ms. Haque: — So our complaints, our top area is unpaid regular wages. That's what we get. So 601 of those last year, 664 this year. Pay instead of notice is our second-highest area where we get complaints: 514 last year, 563 this year. The next is overtime-related complaints. We had 294 last year and 308 this year. Annual vacation is another one, about the same as overtime: 294 last year, and 312 this year. Public holiday-related claims: 131 last year, 199 this year. Injury- and illness-related ones as well, where there is some leave-related issues: 50 last year, and 108 this year. And another one typically for us is illegal deductions: 71 last year, and 170 this year. So those are our top areas.

Ms. Sarauer: — So typically, a member of the public who has an issue with an employer and is not unionized would contact employment standards to have that issue be resolved.

Ms. Haque: — So they can file a claim with us and then an officer . . . We have a couple of processes. If it's a simple matter, there's an early resolution track that they're put on. And if something requires an in-depth investigation, an employment standards officer would conduct an investigation and attempt to resolve the matter.

Ms. Sarauer: — I'm looking at the *Saskatchewan Labour Rights Report*, which I'm sure you're all very well aware of, that was written by Dr. Andrew Stevens and Angele Poirier in March of 2023. And it had mentioned wage theft as being one of the challenges experienced by workers in Saskatchewan. Could you speak more broadly about — and I'm not sure if you're looking at this, but perhaps you are — how we compare to other jurisdictions in terms of this challenge for workers?

Ms. Haque: — Employment standards is an area where jurisdiction-to-jurisdiction comparison is very challenging because it's very different, often provisions that may lead to issues.

What I could speak to is that not only are we complaints driven, but if there is an employer that we see frequently that has issues, where we've received more than one complaint from the same employer, we do look at those — for lack of a better word — “repeat” offenders and conduct a fulsome audit of all their processes. So this leads to going beyond the particular worker that's complained and looking at all their processes. It can lead to prosecutions as well, so we do have some employment standards related to prosecutions in there. And collection orders are issued that are broader than one employee as well. So a variety of outcomes can come out of it, but repeat offenders are looked at through our compliance interview.

Ms. Sarauer: — Do you find a number of repeat offenders in the province?

Ms. Haque: — So I mean files that we've . . . last year that we reviewed were 170 and this year about 200.

Ms. Sarauer: — So sorry, those were repeat offenders?

Ms. Haque: — Those were the files that went through a full review and audit. Doesn't always mean that there is an issue, but they . . . we had more than one complaint from employees of that particular employer.

[16:45]

Hon. Mr. Morgan: — There might be multiple complaints regarding an employer where they've miscalculated or they were unaware of something, so then a review is done and then there's a large number of employers or a significant number that would be dealt with. Hopefully most of those are rectified or those are dealt with. I think the vast majority of employers want to comply with the law and pay what the requirements are for their employees.

Where there's a problem area is where an employee does not come to labour standards early on. They're told whatever by the employer, oh, don't worry; I'm working through this; I'm working on that; trust me — whatever the reasons are. And then by the time the employee does come forward, it's now months of arrears rather than days or weeks, and then the business is in the process of failing and then, you know, there isn't recovery.

But in the situations where the employees come early, that's where the best recovery comes. And I think the processes and the officials at LRWS [Labour Relations and Workplace Safety] are very quick to respond and to try and deal with those issues as quickly . . . [inaudible].

Mr. Tuer: — If I may. So the minister, you know, mentioned the vast majority of employers wanting to come into compliance. I think that is one of the trends that we see in employment standards, and have devoted a fair bit of resources and energy to doing webinars and other educational sort of processes to help build that understanding.

But sort of to the minister's point, we do track . . . We have a statistic we call compliance prior to enforcement. And so that's where we've received a complaint. We've done our investigation, as Sameema mentioned, and so typically someone has unpaid wages or hasn't been paid their overtime appropriately or whatever the issue might be. And so it remains pretty static. It's 92, 93 per cent of our complaints where we found that it's a valid complaint, employers are coming into compliance and paying and rectifying going forward. Sameema mentioned, or I think you asked sort of the return visitors to employment standards. And so last year we did 70 reviews of what we call high-claim employers, so if they've been back multiple times, often, or if they've been back with the same issue or we've been out and talked to them. So there were 70 of those last year. This year, most recent fiscal year, we completed 55 of those reviews.

Ms. Sarauer: — I'm curious to know now. Obviously we're talking about, as you had mentioned, the very small minority of employers that aren't complying and aren't actively trying to comply, but perhaps haven't hit the stage of moving the file to prosecutions. Is there any sort of mechanism, like a public naming-and-shaming kind of thing, or is there any other type of recourse that can be done or has been considered by the ministry?

Ms. Haque: — Not that I can think of. I mean, we have 81 per

cent of our wages are collected, wages ordered, collected voluntarily. And then remaining are the ones that go to collection orders. Now most of these employers are small employers. Often the challenge is the lack of sophistication in regards to running the payroll system, and errors associated with that, because they're not using an electronic system of doing calculations. These are manual calculations, manual records, manual registry entries. So there can be issues with that.

Education is a tool that we believe in, and it's continued to work very well. We have very few employers that have those problems. Where there are problems, we have proceeded with a prosecution. I think it's challenging to proceed with a prosecution with any sort of a public endeavour that can undermine the outcome of a prosecution.

Hon. Mr. Morgan: — I think the goal is to collect the money for the employee. And you know, there's a range of tools that are available. I went through the most recent prosecution log that I've got and there's, whatever, several . . . 30-some that involve injuries or OH & S things. There's only three that will involve employment standards and they're fail to pay wages within 14 days at the end of employment — all of them are. And I think in all of those cases they're a small employer, and the businesses have failed or are in the process. I don't have particulars as to the amount of the claims from any of those.

Ms. Sarauer: — Thank you. That was going to be another one of my questions was prosecution numbers. I was thinking more not just about the goal, of course the important goal of collecting wages for employees, but also the goal of ensuring that no other employees walk into a situation similar to those employees, when I was talking about any sort of public-facing recourse that could be. That's all I was thinking about is preventing that situation from happening again.

Hon. Mr. Morgan: — I think when the complaint comes in, the employment standards staff would go out to review that claim and then would likely review the payroll for all of the employees that are there and identify whether they . . . [inaudible] . . . And usually if it's not an issue of a mistake or a misunderstanding, the business is in enough trouble that they're probably not hiring anybody new at that point in time.

Mr. Tuer: — We do release a news release when we do prosecutions and that does name the employer; it names which provision of the Act that they were offside and the amount of what the fine is. So in employment standards last year we had two prosecutions. We don't do the same volume as is done in occupational health and safety. So those do get posted.

Hon. Mr. Morgan: — And you're likely aware that in these cases, a director's liability exists. And that's when the employer is charged, usually the director is, you know, charged as well.

Ms. Sarauer: — How many FTE's are within the employment standards branch?

Ms. Haque: — 38.1

Ms. Sarauer: — 38.1. Any change from last year?

Ms. Haque: — One.

Ms. Sarauer: — One. Increase or decrease?

Ms. Haque: — Decrease that was mentioned by Greg.

Ms. Sarauer: — Okay. Moving on to the Labour Relations Board. I'm wondering if you could speak generally about the work that you're seeing through there — the file numbers, timelines, that sort of thing. Looking for stats.

Hon. Mr. Morgan: — Yeah, I have the registrar from LRB [Labour Relations Board] here and will certainly ask him to come and join us and give background. I treat the LRB as a judicial entity and don't go there and don't have regular communication with the Chair or the board members. So I think in the over 10 years that I've had this portfolio, I don't think I've been to their office more than three or four times in total, and usually it's because somebody's going or leaving. But it's not my practice to become involved in the day-to-day operation.

When I do have discussions with the board Chair, it's to reassure them that, should there be inadequate resources or a wave of complaints over a specific issue or something, if there's a resource issue, they're to contact me immediately. The reality of it is, the last two board Chairs have had the practice of turning some money back at the end of the year. And I don't regard that as necessarily good nor bad, but I think it is a sign that they regard themselves as appropriately resourced and are doing what they're supposed to.

So first off I'd say, you know, their independence is incredibly important. And of the people that we've had that have worked there since we formed government, and since I've had the portfolio, I think have done remarkably good work. I read a number of the decisions that have come out of there, and my sense is that they're doing what they're supposed to be. We're not hearing a number of complaints from either side, they don't like what the LRB is doing on this or doing on that. So by and large, we regard it as something that's functioning as it should.

I also look at and I'm aware of any judicial review applications that come forward. And anyway, I'll certainly let you direct them to the registrar.

Mr. Swarbrick: — Hello. Jonathan Swarbrick, registrar at Labour Relations Board. So with regards to the role of the Labour Relations Board, it has a number of responsibilities under *The Saskatchewan Employment Act*, primarily part IV dealing with appeals — primarily actually with part VI, industrial relations and labour relations in the province, and then some responsibilities that flow from part VII, Essential Services.

The board receives a number of applications each year. It's how it proceeds with the matters before it. I can tell you that in the 2022-23 fiscal year, the board received 175 applications with regards to labour relations under part VI of the Act. And it rendered — sorry, I'm just doing some quick math — 203 dispositions of matters, which includes matters who . . . [inaudible] . . . were granted before the board, dismissed, or withdrawn by the applicant prior to a decision being rendered.

The board hears its matters in person in Regina and Saskatoon, or virtually since the pandemic. The board heard hearing days for a total of 91 days in the previous fiscal year, obviously only

during business days.

We also hear appeals that flow from adjudications under part II and III of *The Saskatchewan Employment Act*. In those appeals were only seven filed in the previous fiscal year and of those, or of the board appeals that are there, we granted two and dismissed one.

Ms. Sarauer: — With respect to the numbers you gave for applications received and dispositions made, how does that compare to previous years?

Mr. Swarbrick: — I can tell you that the number of applications filed with the board in 2021-22 was 174. And for disposition — I'll just be one moment — and the board disposed of 176 part VI applications in the 2021-22 fiscal year.

Ms. Sarauer: — Do you also have an estimate of — because I'm assuming you're also tracking this — timelines from application received to hearing to decision being rendered?

Mr. Swarbrick: — We do. So for a labour relations matter before the Saskatchewan Labour Relations Board, the average days to decision, which would be from the date it was heard to the date that a decision was rendered, would be 59 days.

Ms. Sarauer: — Do you also have the date the application was made to the date the hearing occurred?

Mr. Swarbrick: — Not on hand. I would have to find that information for you.

Ms. Sarauer: — Okay.

Mr. Swarbrick: — The information I'm giving you right now is information that may appear in our annual report, and so that information's still being compiled.

Ms. Sarauer: — If you do have it and you could provide it at a later date, that would be greatly appreciated. Are there any issues with backlogs or anything like that at this time within the board?

Mr. Swarbrick: — No.

Ms. Sarauer: — Okay. Any trends that you're seeing in terms of applications being made?

Mr. Swarbrick: — The pandemic severely reduced the number of applications the board heard, and we are seeing a return to the normal number of applications heard on an annual basis and filed on an annual basis.

Ms. Sarauer: — Thank you so much. Appreciate that a lot. Minister, thank you for your comments about respecting the independence of the board. I would never assume you to do anything differently. Happy to hear that you're open to providing them more resources should they see any challenges with backlogs in the future.

Let's move on to Workers' Compensation Board. I know we've spoken a little bit about the work that they do already, but I do have some questions specific to them.

The Chair: — So just — sorry, Ms. Sarauer — just before the officials take their seats, I just want to put it on record that we have two committee members that have taken their seats. So just to let the committee know, Mr. Hargrave and Mr. Nerlien took their seats at 4:40 p.m. Back to the floor for you.

[17:00]

Ms. Sarauer: — Okay, thanks. I'm very curious to learn more about the auto-adjudication work that the WCB is looking into implementing. Could you provide some more detail about that?

Mr. Germain: — Phil Germain, CEO of the Saskatchewan Workers' Compensation Board. So what we've done . . . Several jurisdictions around North America have implemented the concept of auto-adjudication for claims dating back into the '80s that were specific to workers' compensation. And so what we have done is we worked with our teams, our data researchers, our analysts, as well as WorkSafeBC, Washington state, to understand the algorithms that they had created for auto-adjudication.

We looked at our data and created an algorithm, and then we hired . . . First of all we ran a pilot to have non-claims staff run the algorithm beside experienced adjudicators, and found that the algorithm on certain claims was almost 100 per cent accurate. So what we're trying to do is use the concept of auto-adjudicated claims with people to prove it out first so that there are no unintended consequences. And assuming that it is as accurate and continues to be as accurate as it has been so far, then we will have it as part of our new claims IT system.

So for now it's not auto-adjudicated in the sense an IT system is making those decisions — people are still making those decisions — but we do plan to put it in the new Workers' Comp system when we implement it.

Ms. Sarauer: — It's currently being reviewed, I suppose. There's nothing that isn't being double-checked by an actual claims adjudicator?

Mr. Germain: — That's right. The process is being quality assurance checked regularly. We actually hire university students right now to run that process, and we are over 99 per cent accurate. Of the claims that we've put through that process, we've only had one appeal related to them, based on the latest data that I have, which is not the same as our traditional adjudicators. So this process has really improved our ability to make accurate, quick decisions.

Ms. Sarauer: — I'm curious about the timeliness, the change in terms of the delay that this is likely resolving. Can you speak a bit about that?

Mr. Germain: — Yes, so if you go back prior to the auto-adjudication pilot, we had about 1,800 claims sitting in the queue waiting to be adjudicated. Within a few months that immediately went down to about 1,300. And we've been staying around 12 to 1,300 since the pilot, and we expect that to speed up once we have an IT system that's making these decisions 24 hours a day, seven days a week.

Ms. Sarauer: — Are you disclosing what types of claims are

going through the auto-adjudication process?

Mr. Germain: — Right now we're still working on the definition. It's in constant review. Right now we call them low-complex or low-risk claims for now. We're trying to be very safe about this process, and as we learn more about it, we'll apply them potentially to more complex situations.

But when you think of a low-complex claim, it can be straightforward: broken arm, the worker reported it, the health care provider reported it, and the employer reported it. We get all that information and it's easy to make the decision, even though the injury's severe.

Ms. Sarauer: — Could you provide more examples of what would be considered a low-complex claim?

Mr. Germain: — Again that's kind of the nature where the injury is obvious. So we've got medical, we've got the worker that's reported it, and we've got the employer that's reported it. Those are the ones that will go through the system easily. More complex situations like psychological injury, soft tissue injuries, those aren't always straightforward to adjudicate.

Ms. Sarauer: — Do you have a timeline for when you are planning on operationalizing this without the added quality assurance check?

Mr. Germain: — So we will continue to have quality assurance checks even when it goes into the IT system. That will be necessary. Any time you use kind of artificial intelligence to make decisions, you always need a human double-checking the formula and making sure it's still accurate and appropriate and updating it. So that quality assurance process will not stop.

Phase 1 of the Workers' Comp solution, which is really the premiums insurance side, will happen between 2023 and 2025, and then the core claims side of the project will happen between 2024 and early 2026. So we hope to turn the claims side of the system on early 2026.

Ms. Sarauer: — Is this a part of your business transformation program?

Mr. Germain: — That's exactly right, yes.

Ms. Sarauer: — You mentioned briefly, but I'm wondering if you can explain in more detail, how this compares to other jurisdictions and their use of auto-adjudication.

Mr. Germain: — Well the experience that we have is, we know WorkSafeBC has been using auto-adjudication for several years so we met with them. Washington state, which is one of the few states in the United States that is similar to Canada, they have . . . It's mandatory workers' comp similar to ours. And they have been auto-adjudicating since the '80s, so they had a lot of experience in terms of what works and what doesn't work. So we've been able to meet, primarily those two organizations, to learn from them in terms of what are they auto-adjudicating, why, what did their algorithms look like. So we're trying to learn as much from their experience as possible.

Ms. Sarauer: — Thank you for that. Personal interest of mine so

I appreciate you going into detail on it.

We had already spoken about this a little bit, but now that you're here, I'm wondering if you could provide some more information about the . . . Your report states pretty clear that the top five rate codes with injuries, the number one by far was Health Authority — hospitals, care homes. And top five occupations with injuries, the number one again by far was nurse aides, orderlies, and patient service associates. Can you speak a little bit more about what you're seeing in the health care sector?

Mr. Germain: — So as Greg and Sameema talked about, with health care most — and the minister — what most of the injuries are related to is patient handling. And it's complex. It's not like picking up a box. Patients will move, sudden movements, so it can be challenging, and if the equipment isn't used or isn't used properly, it can quickly lead to injuries. So patient handling is the number-one injury type or source of injury for health care. And the other types of injuries that we are looking at or issues within the industry, are psychological, mental health-related injuries, and violence.

Ms. Sarauer: — Could you speak a little bit more about that in particular, the psychological, mental health, and violence injuries?

Mr. Germain: — Yeah, so we have a comprehensive strategy. Psychological safety and violence prevention are one of — or two of those — what we called cross-cutting issues across many industries that is in this fatality and serious injury strategy.

And so in particular, a few years ago we provided additional funding to the health care safety association, SASWH, Saskatchewan Association for Safe Workplaces in Health, to adopt and adapt a violence prevention program specifically for health care that came out of Ontario. So they partnered with Ontario and then worked with industry to try and bring forward a framework and tools to help the industry deal with preventing violence.

Recently WorkSafe has also started to partner with some researchers from programs out of Australia that have seen significant reductions in violent-related injuries in some areas within Australia. And we've done teleconference with those experts and Saskatchewan Health Authority management, you know, learning more about that program. And then that individual will be actually coming over to Saskatchewan to speak to some of the health care professionals to figure out whether we can adapt and adopt that program here to help address the issue better.

Ms. Sarauer: — Could you speak a little bit about presumptive coverage for PTSD [post-traumatic stress disorder] as a psychological injury?

Mr. Germain: — Yes, so presumptive coverage for psychological claims are for all types of psychological injuries, including PTSD. And you know, once the new legislation came in we saw an uptick in reported psychological claims, which I think just . . . the legislation gave people a bit more confidence to report. We know that many people do not like to talk about their psychological injuries or whether or not they have one, so getting people to report is an important aspect of this.

So since the coverage, we've actually created a specific unit, a unit that focuses solely on psychological injuries. And that unit is evolving and learning better and better how to deal with psychological injuries, how to adjudicate them better. One of the things we've learned which is obvious in hindsight, is people with psychological injuries don't like to talk about their injury. So creating hand-offs within the system . . . preventing hand-offs within the system, really critical.

So now with a psychological injury, somebody doesn't adjudicate the claim and hand it off. They do both — adjudicate and manage the claim. So there's no hand-offs for the injured worker.

Ms. Sarauer: — Briefly mentioned earlier was around some of the presumptive coverage for firefighters around specific cancers. They, as you know, have been requesting an increase to that coverage, an increase to the types of cancers that are covered. Could you speak a little bit about their request?

Hon. Mr. Morgan: — The request has been received. We've asked people at WCB and the ministry to do a review and a comparison.

As you're aware, the presumptive coverage for cancers doesn't arise because of a medical link between the cancer and the occupation. It's a statistical difference between the general population and the worker. So we've reviewed them as they've come forward and looked at what the stats are and done a comparison. And there's variations across the provinces as to what's covered. I think it's whatever appears to be of significance in a particular province, whether there's been a higher number in a particular province or not. But it's under fairly active review right now.

The last time was three or four years ago where, I think at that point in time, virtually everything that was requested was brought forward and was covered. Now there's two or three additional ones that there appears to be some statistical information on, and I think we're wanting to have a look at those in the next while.

Ms. Sarauer: — Do you have a timeline for that at all, of when that review will be completed?

Hon. Mr. Morgan: — I don't have one. I'm guessing it won't be, you know, not something measured in years and years but probably some months.

Ms. Sarauer: — If I read your report, the WCB report correctly, we have the highest-in-the-country delay from injury to first payment. Is that correct? And if so, what is WCB doing to resolve that?

Mr. Germain: — So part of that is piloting the auto-adjudication process. If we can get adjudication, we can get payment out quicker. That change in the statistic was also related to two factors that happened in early 2022, so you'll see there was a jump from 2021 to 2022.

Two things happened in early 2022. We had several people who delayed their retirement in 2020 and 2021 and decided to retire in early 2022, so we had several staff retire in early 2022. At the same time, there was a temporary jump in COVID claims, so we

had slightly fewer staff and a dramatic increase in claims that we hadn't anticipated in early 2022. Those two things ended up delaying the adjudication and ultimately the payment of several workers.

[17:15]

That has turned around in the latter half of 2022, but the first quarter really put us statistically behind the eight ball.

Ms. Sarauer: — Are you finding a challenge with recruitment and retention of staff right now?

Mr. Germain: — Certain positions, mostly professional types of positions. We are having a lot of movement because of the business transformation program. So we are hiring additional staff to help us get through that, but we have not had a challenge hiring in our primary positions, front-line positions. It's more support staff — accountants, actuaries — where we've had some of the challenges.

Ms. Sarauer: — When you say the front-line positions, are you talking about those who are actually managing the claims and the relationships with the claimants?

Mr. Germain: — That's right. People who are dealing directly with our customers, yes.

Ms. Sarauer: — Okay. Would an increase in those individuals, an increase in those FTEs, would that help alleviate this challenge?

Mr. Germain: — The timeliness to payment?

Ms. Sarauer: — Yeah.

Mr. Germain: — More people would obviously make it easier to get that work done. Having said that though, as we make our process improvements and the new system, we also don't want a bunch of additional people hired temporarily just to get through a short-term issue. As others have pointed out, we find it very challenging hiring people into temporary positions.

Ms. Sarauer: — Are you still seeing any claims in relation to COVID?

Mr. Germain: — So for context, like I said, last year January, February, March were our three, I believe, our three highest months. In comparison, so far this year we've had 33 COVID claims. So the numbers are way down.

Ms. Sarauer: — I was also wondering about the wait times for having an appeal heard. Could you speak a little about that? I believe, if I read correctly, it's five months for the board. But I'm just wondering about how that's being monitored and what sort of work is being done to ensure that process is also timely.

Hon. Mr. Morgan: — I'll give you a little bit of context while Mr. Germain looks up the information.

The board members will indicate that it takes a certain amount of time from when the worker comes to sort of get the worker ready to do the appeal. Usually they would be required to get some

additional medical information, so the worker would have to make an appointment, see their doctor again, and then get that information in a written form. They would in most cases want to work with the advocate to try and get some assistance so they're able to present adequately and properly.

And then there's whatever time it takes to do the hearing and render the decision. I think they would indicate that five months is probably too long, but they say an appeal that's heard and a decision rendered within three months falls within what they would regard as a typical or normal standard.

Anyway I'll let Mr. Germain give you . . .

Mr. Germain: — So we have two levels of appeals. Independent from our claims area, we have an appeals department. And those appeals are being rendered in just over 28 days right now. And then our board-level appeals are about 144.

Now when we went into COVID and processes and systems kind of went out of . . . You know, they weren't normal. We saw a jump in days in 2021. They went down in 2022, or 2020, they went up. They went down in 2021 and down again in 2022.

So we're almost back down to getting close to that 90 days, and the board is making progress on, kind of, catch up as we come out of the pandemic.

Ms. Sarauer: — We spoke about timelines from injury to first payment, broadly speaking. I'm wondering if it also breaks down to challenges on types of claim. More specifically, I'm curious about the psychological injury unit and the work that they're doing. Do you have that parsed out from the broader numbers, and could you provide that to us?

Mr. Germain: — So you're right. Durations of most non-psychological claims are around just under 39 days. Durations of psychological claims are around 70-ish, little under 70.

So average days to decision in 2020 was 20 days for non-psychological claims, and 34 for psychological. So far in 2023, duration to decisions for non-psychological claims, 14; and for psychological claims, 16.

Ms. Sarauer: — 16?

Mr. Germain: — 16.

Ms. Sarauer: — Okay. Why is that different than . . . Sorry, what was the number that you had just said? It was 40-something?

Mr. Germain: — So that's the whole duration of the claim. The time to decision, to get to the decision was 34 in 2022, and so far in 2023 it's 16 days.

Ms. Sarauer: — And then payment there is . . . [inaudible].

Mr. Germain: — And then payment would come after.

Ms. Sarauer: — Okay. I'm sorry if it's in here and I missed it, but I was curious to know how many claims are made that are rejected.

Mr. Germain: — So depending on the year, in 2022 there were roughly a little over 9,000 out of 27,000 claims that we would say were unaccepted. But that needs to get broken down. The majority of those claims are what we call abandoned claims, meaning we get a piece of information, we follow up with people, but they don't return our calls; whether it's the worker, the employer, the health care provider, we get no new information. So we've got one piece of information, and as we do follow-up we're getting no follow-up. Nobody's returning our calls or letters or emails.

Ms. Sarauer: — Can you break down the numbers for those too, how that 9,000 breaks down?

Mr. Germain: — I do. So as an example, in 2022 there was no response was 4,532 out of the 9,300 roughly. Where there was no coverage, meaning the individual was not covered by Workers' Comp, was 1,672. And where it was not work-related — the injury itself was not work-related — was 2,995 out of the roughly 27,000 claims registered with us.

Ms. Sarauer: — How does that compare year over year?

Mr. Germain: — So the not-work-related is very comparable. It's typically between 2,600 and 3,000 a year. The no response was significantly higher in 2022 than 2021, and I'm not sure why.

Ms. Sarauer: — Do you also keep track of how many of those decisions are subsequently overturned at one of the various levels, that it can be overturned at the appeals stage or the board stage?

Mr. Germain: — I don't have that specific information, but we would know how many claims . . . One of the number-one appeals is the decision made. So roughly at the board level, 30 per cent of claims are overturned at the board level, and I do have those numbers.

Ms. Sarauer: — 30 per cent of claims that have been . . . are overturned at the board level?

Mr. Germain: — So in 2022 there were 256 appeals to the board.

Hon. Mr. Morgan: — But those would be for everything.

Mr. Germain: — Everything, yes. And 114 accepted, 165 denied. Of those, 32 were withdrawn. And there were still some pending final decision. And I don't have the percentage. Initial acceptance, there was 90 total claims around initial acceptance and 39 of those were accepted. So the overturn rate to your point is roughly 35, 40 per cent.

Ms. Sarauer: — Does that strike you as a bit high? Or is that standard for your industry?

Mr. Germain: — When we look at appeals, first and foremost, the appeals are made just on the information that's provided, so those numbers can fluctuate up and down. When we do look at appeals across Canada, our — what you would call acceptance or denial — rate isn't really dramatically different.

Hon. Mr. Morgan: — I'm wondering if Mr. Germain might tell

us that, you know, the total number of applications in a year and then how many go through the appeal process. And then it gives sort of an overall context of, you know, how many would be accepted than the number of appeals. And I think your sense is whether that's a high or a low number on the percentage of acceptance on the number of appeals.

I don't have an answer and I'm not sure there is one. If you had a high level of acceptance on the appeals, you would wonder whether the process is too difficult and whether you should change the process. Or if it's too low, you wonder whether or not enough people are applying whether it's to their . . . So I don't know, on a percentage basis, what it should be. But if you look at the total number of applications for the year of all claims.

Mr. Germain: — Yeah, it's over 27,000 in 2022 and 356 of those were appealed to the board level.

Hon. Mr. Morgan: — So we're talking, you know, a small percentage of a small percentage go through the appeal process and are initially rejected. And some of them, because there is no time limit, they may come back three months, six months later with some additional medical information or whatever the particulars they might need, to go through the process to get accepted. So I've had the same sort of thought process as to what's a reasonable number and what's an acceptable number, and I don't have an answer.

Ms. Sarauer: — Yeah, I hear you. I don't really have a thought other than . . . Yeah, it's hard to know what the outcome of that is. So thank you, thank you for that. And thank you, Minister. I agree. I don't know if it highlights anything in particular or not. It's a bit difficult to know, but I appreciate the conversation very much.

I wanted to ask about the Workers' Advocate and Fair Practices Office, if you could provide some explanation as to the work that they do. I understand that the WCB funds their work.

Mr. Germain: — Yes, we fund . . . So the Workers' Advocate is part of the Ministry of Labour Relations and Workplace Safety and we fund that through the premiums.

[17:30]

And the Fair Practices Office is in our office, but they report directly, or she reports directly to our board of directors. So there's an independence there on both of those functions.

Ms. Sarauer: — So what does the fair practice officer do? I understand who they report to, but what are they actually looking for and what sort of information are they providing?

Mr. Germain: — So the Fair Practices Office listens and responds to concerns raised by workers, their dependants, employers, external service providers. They look at resolving fairness issues, perceived fairness issues, and trying to determine have we applied our policies and practices in a fair manner. They identify recurring fairness issues, report them to WCB, assist us in making potential policy or procedural changes. So there's quite a bit of work that small office does.

They promote the Fair Practices Office very well. We've actually

saw an uptick, and a lot of that is connected to very good promotion. And so the Fair Practices Office provides us with a monthly report detailing the types of requests and concerns that they get, and we work whether or not there's system changes that we can make.

Hon. Mr. Morgan: — I think I would comment that the Fair Practices Office might be seen as two things. One, as a coach for the worker; and secondly, as a conduit for information to go back to the Workers' Compensation Board so they can decide are they doing things adequately, as a separate function from the Workers' Advocate, which has a role more as providing counsel and advocacy for a specific appeal rather than on a general thing.

The Workers' Advocate, I think, does remarkably good work on claims that have been difficult or challenging or whether there's unusual medical information or something else. And I think she does the good work of getting those claims resolved, or at least having the worker understand why a claim can't be accepted or whatever additional information they might be. So they've got, in the last year, 262 new appeals, but they've got, you know, a process that they're following through and then recovering back pay for injured workers because it's a successful appeal. So I think they're doing a remarkably good job.

Ms. Sarauer: — So the Fair Practices Office is looking for more systemic challenges and recommendations, whereas the Workers' Advocate is advocating for individual cases?

Hon. Mr. Morgan: — I think the Fair Practices does two things. One is looking for the systemic problems and that, but also dealing with, okay, what do we need to do for this one before it goes through the claims process, or the appeal process, rather.

Mr. Germain: — Right. So they'll be an independent voice to explain to an employer, an injured worker, or maybe a family member whether or not they've been treated fairly. Is the interpretation, the decision that they've got within the legislation and the policy? And sometimes they will coach them that they need to go to the Office of the Workers' Advocate, sometimes.

Ms. Sarauer: — Okay. I think I understand it. So the Fair Practices Office would often or sometimes refer things to Workers' Advocate if it's getting to that advocate stage, but the Fair Practices Office can be a referral for somebody if they don't understand the process and need to be walked through the process.

Mr. Germain: — Yeah, or if they feel like they haven't been treated fairly. The way we communicated with them, was that appropriate.

Ms. Sarauer: — Okay. Something that's not like appeal level . . .

Mr. Germain: — Right.

Ms. Sarauer: — But requires some sort of internal advocacy, I suppose.

Mr. Germain: — Yeah. Was our timeliness, was our timeline fair, right.

Ms. Sarauer: — Yeah. So can decisions be overturned based on those sorts of things despite not going through the appeal process?

Mr. Germain: — The FPO [Fair Practices Office] can't necessarily overturn, but they will come back to our . . . within the organization and provide findings or issues, and based on that we will review decisions based on potentially new information that we've received.

Ms. Sarauer: — Do you have stats for the Fair Practices Office? I think you just said there's one FTE. And then I'm curious to know how many FTEs and then files, and generally speaking, recommendations that have been made to the board and accepted or rejected over the past year?

Mr. Germain: — So there's three FTEs, and two of them are part-time. Two of them are 0.5 or 0.6, one in Saskatoon, one in Regina, and then the fair practices officer herself. So she has two in-scope staff reporting to her.

And in 2022 they received 513 inquiries. Within 2022 they resolved 504 of those inquiries. Four hundred and sixty of those were calls for worker/worker-related; 32 were employer/employer-related; and then 20 other types of questions, could be just somebody curious about the WCB or something.

Three hundred and sixteen were related to the decision or decision-making process; 60 were communications and the service they provided — was it appropriate, adequate service — 43 were timeliness; 102 were just looking for general information; 42 were related to the relationship they had with the person they were dealing with at WCB; and then there were 14 that were categorized as other.

Ms. Sarauer: — Before I move on to asking questions about the Workers' Advocate, I want to pause that and get to a couple questions that I wanted to make sure that I got to before we had some time . . . or before our time ran out.

Minister, as you know, a few years ago, I believe, the legislation was changed to allow for paid leave for survivors of intimate partner violence. Has the ministry been keeping statistics on whether or not, or inquiring as to whether or not that provision is being utilized?

Hon. Mr. Morgan: — To the extent that the employers know about it and provide it, then we wouldn't know about that. But I think I would ask Sameema to come back and to provide an answer whether there's been any complaints in that area. Or Greg.

Mr. Tuer — Sorry, could you repeat the question? We kind of couldn't hear it back at the . . .

Ms. Sarauer: — Sure. I had mentioned that a few years ago there was, as you know, the change to allow for paid leave for survivors of intimate partner violence. I'm just curious to know if that provision's being utilized. I understand the ministry may not be able to know every time it is being utilized, but if there is any way that the ministry has been able to do any sort of work, either through complaints or inquiries into the office or any type of information, as to whether or not the broader public even

knows that this exists.

Mr. Tuer: — So I guess the short answer is . . . So I think as the minister may have indicated as we were walking up here, we're not aware when an employer is granting the leaves that employers are eligible for under our Act. We're not aware of any complaints related to individual employees not being provided that. It's certainly not a trend that we're seeing. It hasn't risen to that level. But we can do a little bit more digging because we don't have that level of detail in our statistics here.

Hon. Mr. Morgan: — When we did the . . . Oh, you go ahead.

Ms. Haque: — I have confirmation. We have had no complaints of this nature.

Hon. Mr. Morgan: — When we did the consultation on that section, the employers that we talked to at the time said, of course we should be doing this already. This should be a matter of common sense to do it. And I think most of them were sort of wanting to be leaders in making sure that it happened.

Now whether, you know, the worker that's been a victim has actually come forward to the employer and asked for it and then . . . But we're not aware of any employers that have been asked and then have not provided it.

Ms. Sarauer: — That's not to say that it hasn't been utilized. It's just that the ministry simply wouldn't know if it had been utilized successfully.

Hon. Mr. Morgan: — Yes, absolutely.

Ms. Sarauer: — When the change happened of course there was some public engagement with that change in terms of stakeholder outreach that the ministry did, but then some news media that was generated as a result of the change. But subsequent to that, has the ministry considered any sort of educational outreach with the public to ensure that both workers and employers understand that this provision exists?

Mr. Tuer: — I would say employment standards has a pretty robust educational program. Not many weeks go by where they're not out doing information sessions or webinars with specific groups. And so a lot of what they do just talks about broad overviews of employment standards, and that absolutely is a topic that's included in those information sessions.

Since it was implemented, I don't know that we've done anything specific on that leave itself, but we certainly . . . It's included in our education to employers and to workers about what their rights and responsibilities are.

Ms. Sarauer: — More broadly, paid sick leave is something that we have been calling for for a few years now, especially during COVID. Is there any work that the ministry is doing on that issue at all?

Hon. Mr. Morgan: — Not at the present time. Our province has the highest number of paid holidays and other resources that are available. At this point in time, it's not something that's under active consideration.

Ms. Sarauer: — As I'm sure you're well aware, Minister, the CBA [Canadian Bar Association] national branch has recently passed a resolution calling for the end of the use of non-disclosure agreements in employee harassment situations. Is the ministry looking into this as a potential legislative change for the future?

Hon. Mr. Morgan: — In a broader issue of non-disclosure agreements, I've had some discussions with the Minister of Justice, and that may be better to pose a question to them. But we're not doing any active work on it at this time.

Ms. Sarauer: — Okay, we'll do that. Is the ministry doing any work reviewing the legislative calculations for minimum wage at this time, understanding that we've sort of . . . With your announcement about a year ago, we've stepped outside of that legislative process. You indicated in the estimates last year, Minister, that you wanted to ensure that the politics was taken out of minimum wage calculations, and then the announcement was made — welcomed, of course. But I'm just wondering about what sort of work is being done.

Hon. Mr. Morgan: — Yes, in spite of our best efforts to keep the politics out of it, we have gone forward with the \$1 a year increase. So that will increase it to \$14 later this year and then to \$15 next year. And there's no consideration beyond that. The position we took at that time was that we would go back to a calculation-based model upon reaching the \$15.

Ms. Sarauer: — What will that result in? I'm not sure. I'm no mathematician, so I'm not sure what that would mean subsequent years if you've jumped to \$15 . . .

Hon. Mr. Morgan: — The calculation, it will be based on a percentage increase, and it will be midway between the increase in the consumer price index and the average hourly wage. So one is a leading indicator and one's a lagging indicator. And it sort of takes the . . . oh, it's only just if there's a dip or something in consumer price or something. So it was designed to be somewhat broader than a simple X number of percentage. So that was why it goes across those two markers.

Ms. Sarauer: — Turning back to this *Saskatchewan Labour Rights Report*, the report mentioned that the wages in Saskatchewan aren't keeping up with inflation. The inflationary pressures, is that being considered at all by the ministry in future calculations for minimum wage?

Hon. Mr. Morgan: — We've taken steps to take more workers off of the tax rolls in our province than in any other jurisdiction. At the time we formed the government, we raised the threshold for a worker before they're paying income tax to . . . It had the effect of taking some 112,000 workers off of the tax rolls completely. And then we've looked at the work that we do around having the lowest utility cost bundle in Canada. And I see you smiling, but I mean that's . . . We regard affordability as significant.

[17:45]

And I understand the position that Professor Stevens is making, but we will continue to work with workers and we will look at what the costs are for utilities, what the costs are for insurance,

as well as what the tax position is in our province, as well as what the cost of living is in our province compared to other jurisdictions. We are well aware of the recent inflationary spike, and we're watching carefully as to the effect that things might have on our citizens.

Ms. Sarauer: — Thank you, Minister. You almost didn't directly answer my question, but then you sort of answered it at the end so I'll move on mostly because of the time. I did want to ask questions about the Workers' Advocate in specifically the work that they do.

Can you explain how many FTEs are there? You've already mentioned the number of appeals — 262 — but I'm curious about the FTEs and their workloads.

Ms. Haque: — 11. There are 11 FTEs.

Ms. Sarauer: — Are you keeping track of their average file loads and the amount of work that each FTE has?

Ms. Haque: — There's a process that's established within the branch in regards to file assignment. Of course different files have different complexity. There is a senior advocate that looks at the file. There's a triaging process. Assemble the information, provide it to the client. And of course there's some files that are considered no basis where there is no grounds to do any further work. So there is a significant number of interactions with the client, and that determines how the caseload is assigned.

Ms. Sarauer: — Can you speak a little bit about the stats around the files that . . . or I guess the inquiries that are made? You had mentioned there are a number of files that are deemed no basis, so I'm curious to know how many inquiries made or requests . . .

Hon. Mr. Morgan: — Sure.

Ms. Sarauer: — For assistance, I suppose, and then files, and then what happens with those.

Hon. Mr. Morgan: — I can give you some background. I don't know if I've got the same information you do or not, but there was 1,456 workers that were assisted. A lot of them would be the nature of an inquiry. New files that were brought in were 328. Of those, 285 were assigned. Some would have been dealt with through giving advice or guidance or whatever. The average time to assign a file was some 27 days.

Two hundred and sixty-two appeals were filed. The appeal success rate — and that includes closed files — was 71 per cent. So they were . . . [inaudible] . . . 52 per cent dealt with an initial review and appeals. Anyway there was actually 66 per cent of them were . . . actually had the tribunal or went and gave direction or assistance at the appeals board. And they keep track of the amount of money that they recovered from WCB for back pay, and it was \$1.4 million.

Ms. Sarauer: — You just gave me a lot of numbers there, Minister, so forgive me. The 27 days . . . I'm looking specifically around timelines and delays. Can you reiterate what the 27 days meant?

Hon. Mr. Morgan: — That was the average time to assign the

file. And then they would not assign a file until the worker had received a written decision from WCB — I don't know how long that might take, but if the worker was unhappy with the outcome of WCB — until WCB had rendered a decision in writing.

Ms. Sarauer: — There's an appeal period, right? There's a timeline requirement for when an appeal is allowed. Is that 30 days?

Hon. Mr. Morgan: — Yeah, there is no timeline.

Ms. Sarauer: — There is no timeline.

Hon. Mr. Morgan: — No. That's one of the things about the workers' compensation system. It's never final. If your situation changes or whatever, you know, you find all of a sudden that you've got additional problems relating to the injury or get additional information as to how the accident or the incident happened. You can go back any time.

Ms. Sarauer: — Right, but that's different. If you disagree with the decision though, and there's no new information or you simply disagree with it, you think they made some sort of an error, is there a timeline for that?

Hon. Mr. Morgan: — No, no timeline.

Ms. Sarauer: — No timeline? Okay. So from the decision that's received to the file assignment, that's an average of 27 days?

Hon. Mr. Morgan: — Correct.

Ms. Sarauer: — Are there any stats around delays subsequent to that in terms of decision . . . or the work that's done after the Workers' Advocate takes over the file?

Hon. Mr. Morgan: — I do not have anybody here from the Workers' Advocate. So I'm not . . . I don't think that's information that we have.

Ms. Haque: — We can provide a little bit of information. So it depends. The advocate has to review the files. If a medical opinion is needed, then they write for that, and it might take a little while for the medical opinion to be received. So it depends on all kinds of information. There might be assessments needed. There might be multiple medical opinions needed.

Each case is individual and has individual needs and requirements as to what's required to proceed forward with the appeal. It is difficult to generalize a timeline because . . . But I do want to assure you that there's a lot of interaction with the client. Even during the assignment process there's questions being answered. There's back-and-forth communication and explanation of steps.

Ms. Sarauer: — I guess where I'm going, and what I'm thinking about in terms of this discussion as well as just the general conversation around the timeline from injury to first payment is, from the worker's perspective, they just want to get their money. And they need to get their money as soon as possible so that they can continue paying their bills and, you know, paying their mortgage and feeding their families, for example. So that's why I'm asking about these broadly speaking questions around the

timelines.

Hon. Mr. Morgan: — I understand what you're asking. The Workers' Advocate, it's part of the appeal process; it's not sort of in addition to. So you'd receive the information of the five months for an appeal to be completed that Mr. Germain indicates now is probably closer to 90 days which is the . . . [inaudible] . . . So that would be inclusive of whatever assistance that the Workers' Advocate gave for that period of time. So they're sort of part of that appeal process, not in addition to. And I understand the concern you're raising about the length of time for a worker that's aggrieved to be able to go through the process to get it back. And clearly from the amount of money that's recovered, it is something that Worker's Compensation Board and the ministry should be very mindful of. So point taken.

Ms. Sarauer: — I think the Workers' Advocates do incredible, incredible work navigating through this system and providing advocates in a system that, you know, is designed in the hopes that legal counsel does not have to get too involved at that WCB stage. I'm just curious whether or not there are any requests made for assistance by a worker, to the Workers' Advocate office, that is denied because of capacity.

Hon. Mr. Morgan: — Not that we're aware of. I have not recently, but have in the past, checked in and sort of have relatively open lines of communication with the Workers' Advocate. Although they're funded by WCB, we expect them to be independent and to have sufficient resources for what they need. So no, I don't believe resources would be an issue.

Ms. Sarauer: — Any vacancies in that office at this time?

Mr. Tuer: — No.

Ms. Sarauer: — Any challenges with recruitment and retention?

Hon. Mr. Morgan: — I'm not . . . I don't have an answer for that.

Ms. Sarauer: — Your DM [deputy minister] is saying no, so I'm just getting that on the record.

Mr. Tuer: — We don't experience challenges. But often, actually, what we've . . . In terms of a trend in recruitment for Office the Workers' Advocate, it's not unusual for people to come work for us who previously worked within WCB. And so with that, they bring an understanding of the system and the rules and are better able to assist those workers.

Ms. Sarauer: — I can't imagine how much . . . how that extra knowledge would be beneficial for those workers and for those Workers' Advocates.

We touched on this very briefly, but I'm wondering if you could speak a little bit . . . I'm moving . . . I'm still within the Worker's Compensation Board. I'm wondering if you could speak a little bit — understanding we're limited for time — but I did want to put a little bit on the record more about the business transformation program and the work that's being done within the WCB.

Hon. Mr. Morgan: — I don't know whether you've got some

specifics you want to ask, or whether you'd just like me to give you an overview of . . .

Ms. Sarauer: — Just a brief Coles Notes overview is what I'm looking for.

Mr. Germain: — So the Coles Notes version of the business transformation program is a collection of projects and initiatives that together will transform the way WCB is able to assist injured workers and employers.

The five main pieces to the business transformation program is reducing risk around IT obsolescence. So we've got a number of old IT systems that potentially over the next few years, if they were to go down we may not be able to get support for them. As we're replacing those IT systems, we're looking at our structures and processes around dealing with complex claims and how we can better identify up front the challenges workers and employers may have in making sure workers rehabilitate and return to work.

And then the third piece is really the fatality and serious injury strategy. How do we prevent fatalities and serious injuries from happening? And how do we get better, if a serious injury happens, at understanding how to better rehabilitate and return injured workers to work? On the IT side it's a replacement of our core workers' compensation system, our finance system, and our HR [human resources] system. In a nutshell, all of those projects together make up the business transformation program.

Ms. Sarauer: — Thank you. Okay, I've got one more question I wanted to ask around the time-loss injury rate. I understand there was an increase from last year. Could you speak a little bit about that on the record?

Mr. Germain: — So the time-loss injury rate, as the minister pointed out, there was an increase in the number of FTEs or workers working in the province and a slightly higher increase in the number of time-loss claims. So if you have more workers working, all things being the same, you're going to have more injuries. And the ratio is just a half a per cent difference between the increase in workers and the increase in time-loss claims.

Ms. Sarauer: — Thank you.

The Chair: — Thank you very much, Ms. Sarauer. Having reached our agreed-upon time for consideration for these estimates, we'll now adjourn our consideration of the estimates for the Ministry of Labour Relations and Workplace Safety. I'd like to thank Minister Morgan and his officials for being here this afternoon, and if the minister has any closing comments he'd like to make.

Hon. Mr. Morgan: — Thank you very much, Mr. Chair. I'd like to use this opportunity to thank outgoing Labour Relations Board Chair, Susan Amrud, who has worked there for a number of years, former employee of the Ministry of Justice, and someone who I think has given our province great service. And I thank her for her independence, hard work, and commitment.

Mr. Chair, I'd like to thank you and the members on both sides of the House, as well as the employees and workers from the Legislative Assembly Service, Hansard, building employees, broadcast services, security, as well as the officials that were here

today and all of the ministry that work tirelessly year-round, not just in preparation for what they do here, but for the work that they do in ensuring that our workplaces are safe and well operated.

So our population continues to grow; our business economy becomes increasingly complex. And I think they do very good work at doing what they need to do to keep our workers safe. So I thank them for that.

The Chair: — Thank you, Minister. Ms. Sarauer, do you have any closing comments you'd like to make?

[18:00]

Ms. Sarauer: — Sure. I'd like to echo the remarks of the minister by, first of all, like I opened, thanking all of the officials for all of the time and preparation it took to work on preparing for today and answering my questions. I very much appreciate it. Especially to the officials who literally spilled blood on behalf of their ministry this afternoon. Thank you so much for that.

Please pass on my thanks to your staff as well for all of the work that the ministry does, as the minister said, not just today but every single day on behalf of the people of the province. And thank you, Minister, for the conversation this afternoon, as well as to all of the committee, committee staff, yourself, Mr. Chair; Hansard; and all those who work within this building.

The Chair: — Thank you, Ms. Sarauer. This committee will now recess until 6:15 p.m.

[The committee recessed for a period of time.]

[18:15]

General Revenue Fund Social Services Vote 36

Subvote (SS01)

The Chair: — Welcome back, committee members. We will now consider the estimates for the Ministry of Social Services. We will begin with vote 36, Social Services, central management and services, subvote (SS01).

Minister Makowsky is here with his officials. I would ask that officials sitting at members' desks please refrain from opening the desks. I would also like to remind officials to please state their names before speaking at the microphone. And there is no need to touch the microphones. The Hansard operator will turn it on when speaking to the committee. With that, Minister, please introduce your officials and make your opening remarks.

Hon. Mr. Makowsky: — Well thank you, Mr. Chair. Since this is sort of, I guess, the second part of estimates for the Ministry of Social Services, I won't redo my opening statements from last time unless the committee would like me to. And officials are roughly the same, and as they come up to answer any questions, as you said, we'll have them introduce themselves. But in order to save time, I will forgo an opening statement, if that's the will of the Chair, and we can get right into questions from the

committee.

The Chair: — Terrific. Thank you, Minister. So with that, we'll open the floor to questions, and I recognize Ms. Conway.

Ms. Conway: — Thank you, Chair. In terms of my approach tonight, I'm just going to circle back and maybe revisit a couple of the topics we've already covered. We have three hours allotted tonight, so hopefully we can get through earlier than three hours. So I'll try to be moving things along.

I'm going to try again to kind of ask two questions, one about housing and income support. So maybe we can use our time efficiently. If that becomes too confusing, just let me know, and I can abandon that approach.

My first question, when you announced the extra dollar a day for SAID [Saskatchewan assured income for disability] recipients, the government claimed that that was an average increase of 6 per cent. Now I've gone through the table of SAID amounts, and based on my math, that's really a 2 to 3 per cent increase for folks on the SAID program. Can you take me through how you got to that 6 per cent for SAID recipients?

And another question, how do you determine the rents for the affordable housing portfolio, and can you provide me with the chart or table of rental rates used for affordable housing in Regina and Saskatoon?

Hon. Mr. Makowsky: — So again, your question, I think it was your first question on the income assistance side, about the 6 per cent for SAID. I've attempted to explain in this House and in other avenues that there are two areas that SAID recipients receive. There's the basic, the base benefit, and as you mentioned that's about 3 per cent as you calculated. But we also pay directly for many of the things that are available to SAID clients. A large part of that is utilities, such as electricity, home heating, laundry, sewer, water.

There's other things that are available to SAID clients that might not be in the SIS [Saskatchewan income support] program. So there are things like clothing benefit, special food items, home care services through the Health Authority, exceptional laundry costs, transportation benefits for medical purposes, potentially moving expenses, excess shelter benefits. So there are other things that are direct paid on the SIS program. The ministry has calculated that at an additional 3 per cent, which leads to a 6 per cent increase for . . . Roughly.

And of course each individual might be a little bit different, but in a general sense, in a global sense, all the clients there were seeing a 6 per cent increase for the SAID benefit this year.

Ms. Conway: — On that, Minister, I'm familiar with the additional things that the SAID program talks about. I guess what I'm getting at is, can you show your homework on how you arrived at the 6 per cent? Because the numbers that are available, the SAID rent and basic amount, it shows that this is a 2 to 3 per cent increase. What numbers are you operating off to get to that 6 per cent, and could you table those or provide them to me in some fashion?

[18:30]

Mr. Exner: — Thank you. So as it relates to the overall increase, so the SAID budget increased by 6 per cent and benefits to individuals also increased by 6 per cent. So the breakdown for that is the 3 per cent increase on the basic benefit. And then utilities, based on paying actuals, we are forecasting for the upcoming year that those will be a 3 per cent increase as well. So the adult basic benefit, or the living income benefit for SAID beneficiaries, plus the actual cost of their utilities will total 6 per cent.

Ms. Conway: — Minister, do you have any data, any numbers that you can show me that you operated off of?

Mr. Exner: — So the information that we've used goes back from September of '22 to February of 2023. So SAID clients who receive utility benefits covering actual costs have seen the following increases to their average monthly utility bills, and are, obviously, are built into our forecast. So power increased on average by approximately \$11 per household per month; energy increased on average by approximately \$16.50 per household per month; and water increased on average by \$3 per household per month.

Ms. Conway: — So those are the numbers that you were operating off of, as well as the \$30 increase to the overall SAID benefits, to arrive at that 6 per cent claim?

Mr. Exner: — That's correct.

Ms. Conway: — Thank you. I had the other question about housing. I don't know if there was time or if you want me to repeat that.

Hon. Mr. Makowsky: — Just to clarify, it was how are rents set on the affordable side in Regina and Saskatoon and what the . . .

Ms. Conway: — And if there's a chart and/or table that you could provide or table.

Ms. Michaud: — Good evening. Louise Michaud, assistant deputy minister for housing. Affordable housing rents are calculated using 90 per cent of the average market rent, based on CMHC [Canada Mortgage and Housing Corporation] survey data. It's worth noting for Saskatchewan Housing Corporation we offer affordable housing only in communities D and E, so the smaller communities. And we've actually transitioned the social housing stock to RGI [rent geared to income] in the major centres. Nevertheless we do use the affordable housing rates for organizations that want to offer affordable housing. Those would be based on, again as I said, 90 per cent of the CMHC market survey data.

Hon. Mr. Makowsky: — So based on that, we don't have a table or a chart of rents in those communities.

Ms. Conway: — Thank you. I have a couple of additional housing questions that maybe I'll try to ask now. But just before I do that, going back to the amounts that you provided me for the average SAID increases that led you to the 6 per cent number, could you provide me with what the average amounts you are paying for households in these three categories — power, energy, and water — prior to this increase? Because I need that number to kind of compare the additional dollars. I'd appreciate that.

On the housing, last session you made a commitment, Minister, to provide maintenance and rejuvenation budget information for SHC [Saskatchewan Housing Corporation]-owned units for the past 10 years. Could you provide those numbers? Could you break them down, when you provide them, between social and affordable housing units, and between maintenance and capital rejuvenation budgets in each portfolio of units, please? Would that be possible?

Ms. Michaud: — We can provide at a later date for you, the numbers for the budget amounts for capital and for modernization and improvement, but we can't break it out . . . We don't budget according to social or affordable housing portfolio. We actually determine based on, sort of . . . We do the budgeting based on the projects themselves. And the rents are typically charged . . . It's not a portfolio where that unit's going to be affordable and that unit's going to be social. So that's a breakout we can't do.

Ms. Conway: — Okay, thank you. In our last session, you noted that Sask Housing's policy respecting board appointments has been changed so that the terms are now for only two years and you can only be reappointed twice. Can you advise if that is now a government policy for all Crown corporations? That was my first question.

And then my other question with respect to income assistance. Recently there was an error and a number of social assistance recipients received large sums as a result of some zeros being added to amounts. Can you advise how many people were the beneficiaries of this error and how many dollars were paid out by accident?

Ms. Kratzig: — Hi Kimberly Kratzig, deputy minister. Just to let you know in terms of your question about Crown corporation policy, we don't have that information. We don't know if it's been established throughout all Crown corporations, but it has for the Saskatchewan Housing Corporation.

Ms. Conway: — Thank you.

Mr. Exner: — So thanks for the question. In October of 2022 we identified a processing issue that impacted the Microsoft enterprise payment system. And this was globally, not just our system. It resulted in a small number of Saskatchewan income support clients receiving a benefit that was higher than they were approved to receive. The amount of clients that received a benefit that was higher than approved was 175.

[18:45]

Ms. Conway: — The dollar amount please. And — sorry to interrupt — if you could provide the global number and then . . . Actually never mind, 175. That's fine.

Hon. Mr. Makowsky: — So due to an error as Mr. Exner talked about, an issue with Microsoft — and I'm certainly not a computer whiz — but something happened that there was a \$14 million excess payout to clients.

The ministry's worked with the banking sector to retrieve 96 per cent of that, which leaves \$596,247 still outstanding. Working closely with clients to work with them on those outstanding

dollars still out there.

Ms. Conway: — When a client received these funds and then spent them or it went somewhere else, were they kicked off social assistance? Or are you retrieving that money on the \$50 a month, or whatever the maximum repayment plan is?

Mr. Exner: — In regards to your question, with the clients that have an outstanding overpayment, as soon as we found out, we worked closely with financial institutions to recover as much of the funds as we possibly could. And we immediately contacted all clients on multiple occasions to explain the challenge that we had with the Microsoft issue and how that impacted or resulted in an excess payment to them.

From there, any clients that we were able to engage with, we continue to work with them to ask them to return the funds. And if the funds were returned, we would continue to provide basic benefits. For individuals that contacted us and had spent the money — they may have disposed of the money to meet some of their basic needs — we worked with them on a case-by-case basis to understand what that meant to their monthly budget for that month and the months going forward.

Ms. Conway: — Thank you. So this is the MiCase software?

Mr. Exner: — Yeah, that's correct.

Ms. Conway: — Okay. Linkin was originally contracted to do child protection and income assistance. It was never expanded to include income assistance, correct? . . . [inaudible interjection] . . . You just have to say it into the record.

Ms. Kratzig: — At one time Linkin was contemplated that it may move into the income assistance area. That did not happen.

Ms. Conway: — Can you provide me with an update . . . I have a running tally for what's been spent on Linkin. But just the budget for the . . . what was spent last budget year, and then what you anticipate will be spent this budget year?

Can you speak to how long you've been using the MiCase software and whether that was developed, like who . . . what the cost of having MiCase up and running is, who provides that service, and whether you've had any other challenges with MiCase?

Ms. Kratzig: — Thanks for the question. I will start with the Linkin amount. In '22-23 the budget was 2.59 million, and that is the same amount in the '23-24 budget for Linkin.

Ms. Conway: — Thank you.

[19:00]

Mr. Exner: — Your question was around the development of the MiCase platform. And just before I jump into that, just to clarify, so the Microsoft issue with the payments was related to the business central payment engine, not the MiCase solution which is another component of that system.

But going back in 2019, we were going through a procurement process where we secured MNP as the vendor to support the

development of the MiCase solution. And that was to support the new Saskatchewan income support program.

So going back to 2019 and throughout, to develop the functionality and the system to support our staff and our clients to make payments and manage their case plans, we spent just over \$24 million.

Ms. Conway: — The 24 million, that's everything to get this program up and running as well as ongoing maintenance costs? I want to be sure you're getting the global number for this program and not leaving anything out.

Mr. Exner: — In 2021-22 we spent \$1.711 million on MiCase. So that would include licences, minor and maintenance support.

Ms. Conway: — So 24 million plus that 1.7 million, that's the total you've spent with respect to MiCase.

Mr. Exner: — There'll be a '22-23 expenditure, obviously, for ongoing maintenance and support as well. But that, yes, that relates to the SIS program.

Ms. Conway: — Thank you. Remind me: the program that supports SAID, the name of it.

Mr. Exner: — SWIN [Social Work Information Network].

Ms. Conway: — SWIN, right. When was SWIN developed?

Mr. Redekop: — Jeff Redekop, executive director, income assistance. I'm going to be going by recollection; I don't have the actual numbers in front of me. But I believe the SWIN program you previously referred to is the social worker information network, was developed in the late '70s, I believe '78. And I believe, I recall — well I wasn't here — but I understand we implemented it in 1984.

Ms. Conway: — So SAID is a relatively modern program compared to that. It was brought in in 2009 for folks in residential care and then extended to folks living independently in 2012.

So you use SWIN to support this new program. Why not use SWIN to support, I guess . . . first of all, was SWIN used to support TEA [transitional employment allowance] and SAP [Saskatchewan assistance program] and the other precursors to SIS? And why develop a new program to support SIS instead of keeping with SWIN?

Mr. Exner: — Thanks for the question. I'll try not to get into too many technical details here. So when we were developing the new SIS program and thinking about, you know, our goals around providing simple, transparent, client-friendly, and sustainable programs and services for clients to support them to become self-sufficient to the best of their ability, we did conduct a review of the SWIN system, which is really . . . at that point in time it was a great tool.

It's a mainframe system that is used. So it really didn't offer us any sort of advantages when it came to how could we work with our clients differently, which was one of the principles around the new program. So thinking about it from that case-planning perspective, ensuring that we were providing supports to clients

in a different way.

So with those mainframe technologies, you don't have the ability to take an online application. Clients would not have the ability to update their information, such as family composition change or an address change. We are able to send text alerts when they're missing critical information or we need to notify the client of something.

Our clients had been asking for different modes or methods to connect with us. It wasn't always convenient for them to come to an office and work from a paper-based application. So this gave our clients a lot more flexibility to apply for benefits when it worked for them. It also ensured that our CBOs [community-based organization] and our staff could support clients to complete that application whether it be over the phone, in person, or online from somewhere else. So it's a much more efficient tool in that respect.

We're able to ensure that we're receiving the appropriate documentation before benefits go out to determine eligibility for ongoing benefits, and being able to really follow up and set those case plans and work with clients, which our mainframe did not support us to do. So it really wasn't an option at that point to really do that sort of development in that SWIN system, to really take on, I'm going to say, some of these benefits that new technology provides you with.

Ms. Conway: — My understanding is that, you know, you talked about flexibility in applying. Folks can't just go down to the ministry office and apply in person; they have to do it through the call centre. Isn't that correct?

Mr. Exner: — So clients can phone in and complete their application over the phone. Clients can come down to the office. And if they come down to the office, they can choose to use the phone and phone in to our client service centre if they didn't have access to a phone. Or if they want support, one of our workers would support them to fill out the online application in the office.

Ms. Conway: — I'm just going to read you an email I got from a CBO last week. So this isn't even just an individual; this is a CBO who took an individual trying to apply for SIS in person to the office.

A lot of my clients have a tough time applying for benefits, are even sometimes rejected because they can't get through. [On the call centre. We know this is a grave problem, the wait times.] When I take them in person, they say the only way to do it is over the phone and they, my clients, are often rejected because of the high call volumes.

Would that CBO have been turned away by mistake? Is this something you're now doing, offering applications in person if someone is struggling?

[19:15]

Hon. Mr. Makowsky: — Thanks for that question. And we've certainly heard in my time being the minister that there are challenges with people trying to get in contact via phone.

So in this budget, for the committee's information, we'll be able

to increase the FTE count 20 . . . 20 positions, I should say, for directly just what you've talked about. So 10 in the call centre to help reduce those wait times as we go forward, as well as 10 positions to be on site with CBOs to be able to have better access, better communication between CBO and clients. So those — I guess maybe Devon has a different name for them — but outreach workers, so 20 in total to help with some of the things you just talked about. And Devon was going to talk about the specific CBO in question.

Mr. Exner: — Yeah, we've done extensive engagement with a number of CBOs about how to access SIS as an example from an application perspective. So we have information on our website that walks you through the steps of registering in Sask.ca and how to set up an account and how a person can support you to do that too. So many of our CBOs do take advantage of that and support their clients to submit the application from their office rather than bringing the client down to our office because that can be sometimes a challenge for some of the clients that we serve.

So if this CBO, you know, is having a challenge, we'd be glad to reach out and have a conversation and support them to understand how they can support clients in a different way from their office. Or if they do come down to our office, we will definitely follow up and ensure that our staff are supporting folks that are coming into the office.

Ms. Conway: — Thank you. I guess what I'm getting at is the overwhelming feedback, from both CBOs and individuals on the SIS program, is this is a less user-friendly, less flexible program. And in the context of what we're talking about here this evening, you know, we have this Linkin program that was announced in 2009. The anticipated budget was \$15 million. That budget has ballooned to over \$75 million.

Originally it was supposed to apply to child protection and income assistance and disability services in the original announcement. We've seen the scope much narrower, and now we hear that SIS came with a new IT program that cost over \$24 million. And with respect, Mr. Exner, the things that you listed as things that we need to do with the SIS program, we need to do those things with folks on the SAID program too: case management, updating changes in circumstances.

And you know, you spoke about the need or this hope that this was a user-friendly program. But we're actually hearing the absolute opposite, that SIS is not a user-friendly program. There aren't many options. It's not flexible. Certainly, it's a study in contrast compared to the SAID program.

So I guess I'm concerned to hear that there's additional kind of cost along with this program when we're seeing this lack of flexibility, this lack of, you know, meeting people where they're at. You know, add things like a \$14 million mistake in terms of paying out benefits to folks on SIS. I guess I'm not hearing a very clear case for why we needed this additional IT program.

I guess I'll also come back to my original question. Beyond this \$14 million error of paying out benefits to 175 people, are there other issues you've had with the MiCase program to date? Has it been working as you'd like apart from that error?

And just one more thing. Could you clarify MNP? So were they the broker or did they develop the software? Could you clarify who developed the software for the ministry?

Hon. Mr. Makowsky: — So several questions there by the member of the committee. I guess a few things I'd like to correct, and then I'll turn it over to Mr. Exner to maybe some more of the technical points that were brought up.

Most important, I think, is the situation you mentioned with 175 clients receiving payments in error. That was not the ministry's error. That was another provider that we rely on that made that error. So in terms of who is the vendor, again it was MNP. There's a Microsoft program; MNP developed it for best use with the ministry.

So certainly you asked if there was any other situations of error, that type of thing. My understanding is there's been no major challenges with this program. Keep in mind that this does support roughly 18,000 clients every month. Millions of dollars goes through it. It has become more user-friendly over time as we develop and go along. To say that a cost, an original cost has ballooned over time, of course, there's the capital side, the upfront side, but also there is ongoing. Like, this is a living system.

So I mean if you buy a car and the cost is whatever it is. But as you go on and use it, you probably put in gas. You probably change the oil. You maybe do some repairs over time, etc. So to say that the cost of that car originally has ballooned, fair enough, I guess. If you didn't use it, there would be consequences there. If we didn't use this program, then we'd . . . I guess the alternative is hiring potentially hundreds and hundreds of people to do it back, the way things happened in the old ways, in file folders somewhere in a basement that you would have to deal with those cases as they come forward.

[19:30]

So I'd ask Devon to pick it up from where I left off. If there's something . . . Again, there was quite a few questions there. But just on the user-friendliness of the SIS program and how the MiCase software and some of the questions the member asked.

Mr. Exner: — Yeah, so along the lines of those benefits, so we talked about online. Well 50 per cent of our applications come online. So that's fairly significant when you think about the time and effort that it used to take somebody when we had our SWIN system to travel into an office. Maybe that's a bit easier in Regina. But when you're living in rural Saskatchewan, it's not as easy to come down to the office and complete that paper application. So really making things accessible, and not just for people that maybe live remotely but for those that have a disability.

Our wait times have decreased since we've launched our online service. So that's part of being more efficient than we were back when we had the SWIN system and required . . . were leveraging and using that system.

I did mention that the portal also . . . There's a dashboard for clients to understand what sort of documents they need to bring in. There are requirements of the program. So we wanted to make

it as easy as possible for people to understand what they needed to support their application to ensure that their benefits could get out to them in a timely fashion.

We very much, we pride ourselves, and our staff do a great job of supporting clients. When documentation is received, we get benefits out within five business days, which is basically our standard that we achieve on a regular basis, which was not achievable in the old programs and systems. We have more than 90 per cent of our clients on direct deposit these days. There's a lot of overhead that goes with creating cheques and processes with payments that are potentially lost or destroyed. So the security that clients have to ensure that that money is in their accounts when they need it. And it allows us to process benefits quicker as well. We're not waiting on delivery, as an example.

So you know, all in all, those are some of the efficiencies and some of the gains and some of the client service aspects that we really aim to achieve. And we're continuing to do that. I mean, the program and the overall system and platform was only introduced in 2019, and we continue to make improvements and work with our clients to understand what their needs are and look for opportunities to continuously improve.

Ms. Conway: — Thank you. You know, you mentioned this word, "accessible." I'm really going to push back on that because, again, the overwhelming feedback I'm getting about the SIS program is that it's not an accessible program. There are barriers to accessing. That it's not user-friendly. Far more than we received in terms of feedback prior to this on the TEA or SAP program. And I know your office is getting that feedback as well because I'm often copied on it or folks come to us and we send them to you.

You mentioned, Minister, that there haven't been any more major challenges, but there have been some minor challenges. Can you speak to what some of those have been?

MNP, so is this the . . . as in the consulting tax and digital services firm out of Calgary? Mary, Norman . . . I just want to make sure. I heard M-M-P, but then I heard M-N-P. M-N-P?

Mr. Exner: — Their official name is MNP. I believe at one point in the past it was Meyers Norris Penny.

Ms. Conway: — Thank you, just clarifying. And for the development of MiCase, was that taken . . . Would that be found in the Ministry of Social Services budget or the . . . Sorry, it's escaping me because it's changed.

A Member — SaskBuilds.

Ms. Conway: — Yeah, SaskBuilds. Thanks.

Mr. Exner: — So in your response to MNP, so we do work with ITD [information technology division] or SaskBuilds very closely. So they helped us, obviously, with the procurement around meeting government standards when it came to implementing a new solution to support our program. We continue to work with them as we, you know, as statements of worker costs are associated with that. So it is in our budget; so we talked about the budget number earlier.

And I think, you know, just reflecting on the comments, I just wanted to add a little more context about the comparison of how you apply for SIS and the support that you receive compared to SAP.

So in the SAP program, the application process was a little more, I guess, labour intensive. A client would call into our client service centre, so our call centre. And as you had indicated, at that point wait times were a little bit longer. We would do a quick screening with them to determine if they may be eligible. At that point they would then be booked to a regional office, and they would have to go to that regional office. That booking was approximately 5 to 10 days from the time that they called in.

The client would then come down to the office. They would fill out a paper application, which took approximately probably an hour to an hour and 15 minutes, sitting with a worker going through a paper form. The client often did not have any supporting documentation with them, so they were not able to determine eligibility right at that point. But I would suggest that on average, clients probably took a minimum of five days to bring in their supporting documentation, at which point the final eligibility decision could be made.

So we were having clients that were sitting there for lengthy periods of time. We absolutely had emergency resources available to those people to help them for a day or two, and then they'd have to come back and kind of re-initiate.

So it was causing a lot of challenges for clients and putting them at risk because we weren't able to ensure that they were getting the benefits to which they were entitled, because we needed the supporting documentation. So now our application process is much more efficient than it was back when we were administering the SAP program.

Ms. Conway: — Thank you. You mentioned, Minister, there were some challenges.

Hon. Mr. Makowsky: —What I indicated to the committee is there have been no major challenges, so clients are receiving their benefits. And I talked about how many are, and that continues.

Ms. Conway: — Sorry, Minister. I thought you said, no major challenges; there have been some minor challenges. I just wanted to explore what those were. But if everything's hunky-dory, I'm happy to move on.

Mr. Exner: — So I'll maybe just step back a little bit just from . . . There's always challenges when you're implementing a new program, new policies, new regulations, new procedures, new systems. So you know, some of those things we worked very closely with our staff and our stakeholders, around change management plans and, you know, how to effectively administer the policies and the processes.

So you know, there are times when maybe somebody missed a step and as a result we had to make a correction and work with that client. There could be a small outage, such as there's an internet outage so our clients don't have access to our portal for, you know, a couple of hours until the internet is restored. So like, I'm going to say fairly minor things, but nothing that truly has impacted benefits going out to our clients or them receiving the

supports that they need that would be outside of kind of normal operations, I would say.

Ms. Conway: — Is there a mechanism by which they can be put in a queue or queued up and that can somehow be missed? I've been reached out to by a few people that have spoken about this . . . [inaudible interjection] . . . No. Well yeah, the folks that are on the call centre say, they're dealing with something; they'll put it in a line or a queue, and the case will kind of get dropped. And people won't get their benefits unless it's brought to your attention.

Like I don't know the technicalities, but this is certainly a challenge that I've heard about. I don't know if you know what I'm talking about.

And perhaps it's that if you don't put it in this queue, I don't . . . Maybe I'm not describing it well. But my understanding is, this is something that's come up enough that someone who knows more about the program than I do would . . . this should jog, hopefully, what I am talking about.

[19:45]

Mr. Exner: — So within the system to support staff when documents are coming into the office, so they're electronic. So the SIS program is completely paperless. So all documents are electronic, which is a significant improvement over SAP where it was all paper-based and required lots of effort around managing all of that paper and ensuring it made it onto client files. So that's one of the efficiencies that we have with the new system.

So I would say it's not a system issue; it's probably a procedural error. If we accidentally placed a document into work queue or workflow that it wasn't appropriate, so we may have had to redirect that and then kind of get that moving on the right path. So I would say it's not necessarily a system error. It could have just been an uploading error by . . .

Ms. Conway: — Human error.

Mr. Exner: — Yeah. Which, you know, we all do and we have. You know, we misplace a piece of paper or in SAP, you know, a document ended up on a different worker's desk and it was there for a couple of days. So you know, we work with our staff to ensure that we are meeting within standards and when clients contact us, you know, we're able to find those documents really quickly because they are electronic. They are in our system. We're not running all over the office looking for those documents.

Ms. Conway: — Thank you. And I guess I want to be clear. My biggest concern with the SIS program is really the insufficiency of rates. Again, you know, we did go over this a bit last time. A single person, even with this latest increase gets, someone here in Regina at least, gets 345 to live off. So that's food, transportation, clothing — really everything they need to survive — and then 630 for shelter.

You know, Minister, you talked about, you know, this isn't the only source of income. For a single person, they don't have the child tax benefit. This is often pretty much it.

I mean, again it's really this historic cut to utilities that I think are just really hurting people, especially with the, you know, steep and continued rise in utility rates. Just so I understand the program, do you expect clients to pay their utilities out of the 345 they get for living or the 630 they get for shelter, single individuals on the program?

Hon. Mr. Makowsky: — Yeah, so what I'd say to the committee — and some of these comments I had last time we were here in terms of the SIS program or income assistance as a whole — so we take a whole-of-income approach. And so there are other benefits available through different mechanisms, as well as there . . . Well since I've been the minister, there's been exemptions. And I can think of the affordability tax credit last fall that came forward, \$500 that it was fully exempted for clients.

And so the income available is not just from the province. And again, I've explained this before. Income assistance is meant to be a top-up. The Maytree report has indicated we have some of the most generous benefits. We rank fairly high in the different categories there. So for those not familiar with that, it's a third-party group, I guess you'd say, that looks at income assistance rates across the country. And so that compares favourably to other provinces.

And at the same time, we have some of the most affordable housing in the country. So we've been able, in the last couple of budgets, to increase the SIS rates twice, you know, in the last two budgets. So that is important to note in terms of the two different categories of IA [income assistance] for the SIS program in Regina and Saskatoon.

You mentioned the two areas, the adult basic benefit and the shelter benefit; clients have the ability to choose how they make those utility payments.

Ms. Conway: — So going into conceptualizing the program, you don't have an opinion as a ministry where utilities are going to be drawn from, that living amount or that shelter amount.

Mr. Exner: — So ultimately the clients have choice around their benefits and what they spend the money on. Utilities is part of the shelter benefit. And I think I'd referenced this last we had talked, just around how we work with our clients and the new approach around helping them establish a monthly budget — so understanding what their needs are, what their expenses are, and what income they have coming in — and supporting them in decision making and what works for their situation to ensure that the funds that they're receiving meet their needs.

Ms. Conway: — Thank you. Minister, SIS is not meeting people's needs: 345 for a single individual for living, 630 for shelter. Those single individuals, you know, you keep saying this is combined with other income sources. Often single individuals don't have other income sources. Your government cut the rental housing supplement. The Saskatchewan housing benefit is not available to most of them.

A single mom with two kids: 345 to live, 1,030 for shelter. That's with the extra buck a day. A single mother with three kids: 345 again to live, no extra dollar to live; 1,205 for shelter. A single mother with 10 kids: 345 to live — 345 to live — from your

government and also \$1,205 for shelter. Yes, we have a federal child tax benefit. It cannot fill that gap. It cannot fill that gap and that is why we're seeing our child poverty rates increase.

Today at the SUMA convention, the Saskatchewan Urban Municipalities Association considered as a priority motion, a motion to immediately ask your government to increase SIS rates because they're not meeting the needs, and homelessness is growing across all communities of all sizes.

Given that motion, given the feedback you're hearing, will you reconsider this increase of \$1 a day and give people on the SIS program more, enough to meet some basic needs, given the feedback that you're hearing?

[20:00]

Hon. Mr. Makowsky: — Just for the committee's information, I want to make clear that earlier in my comments I talked about the whole-of-income approach, and that's the case for singles but also single people with children. So for example, the member talked about the benefits, the provincial benefits. There are other benefits available as well. So for example, in Saskatchewan one adult with two children would receive \$2,771 per month; with three children, 3,463; and with four children, a single person, 3,979. So it's significantly higher than what the member had referenced earlier in her comments.

So over the last two budgets as well, as I mentioned, we've been able to make some strong investments into the SIS program — \$60 this year; 55 last year. And those living in northern areas that don't have natural gas, I believe, alternative heating requirements also saw a \$30 increase. I also note, compared to older programs — I know that's been referenced by the committee, older programs — this program allows for exemptions for income earned, so that is new and that's available to clients.

Again I reference that whole-of-income approach to calculate the benefits. So \$620 million this year were budgeted for income assistance to help those most vulnerable, Mr. Chair, as well as — again, I think I've reiterated in this forum, but others — some of the most generous rates by comparison with other provinces as well as some of the most affordable housing that we have here in the province of Saskatchewan.

I think we're always reviewing programs, looking at programs, and that has resulted in increases and exemptions. And so I will continue to look at things.

Ms. Conway: — Minister, just for the record here today, do you take issue with how I've represented the SIS rates? Like are you saying that those are not correct, or are you referring to benefits factoring in? Say, the child tax benefit. I just want to be clear on the numbers that you just quoted.

Hon. Mr. Makowsky: — Yeah that's right. So I just want to give a fulsome look at what a client might receive. There's of course provincial, but there's federal, there's exemptions as well. So that . . . What you said I believe was accurate on the basic benefit and the shelter benefit. But again, the design of income assistance is the whole-of-income approach, and you know, that is what is the basis of the, I guess it'd be fair to say, of the income assistance programs.

Ms. Conway: — Minister, I have a couple . . . just two remaining housing-related asks. I believe these are just things that could be provided to me together with the other items you've committed to providing. I'm wondering if you can provide me with a list of positions, titles, and an organizational chart for the housing division within the Ministry of Social Services, plus an organization chart or listing of the housing authority structure that is used to manage the housing units, including the list of housing authorities and regional housing authorities.

I'm wondering if you can provide me with that as well as the audited financial statements for the Regina and Saskatchewan housing authorities for the past 10 years, plus the 2023 and 2022 approved budgets for each of these two housing authorities. I don't suppose you have that today, but I'm just hoping you'll provide it to me at a later date.

Hon. Mr. Makowsky: — My understanding is we are able to get those. We don't have them with us here tonight, but we can commit to getting those to the committee.

Ms. Conway: — Thank you, Minister. I have a couple more social income assistance-related questions, but I think I'll move on. I'll ask maybe one more and then move on to some other areas and come back if there's time.

You mentioned Maytree earlier. Maytree, as far as I can tell, according to Maytree, our dependency rates on social assistance continue to rise in this province. Can you speak to that? Can you speak to what's responsible for that?

I guess my other question is, has there been a historical relationship between unemployment rates, income security utilization, and EI [employment insurance]? And have things changed? And if so, why?

[20:15]

Mr. Exner: — Thank you. So yeah, you know, trends are definitely noticeable as it relates to the economy and the labour market, you know, access to EI, and who's benefiting from those programs. So those are trends that we monitor and look at.

So you'd asked a question about dependency rates. There's one thing that I wanted to note around dependency rates. So in Maytree, in their report they look at census data across Canada. So they do not differentiate between individuals that are receiving provincial income support versus receiving federal income support on-reserve.

So our dependency rate in February of 2023 — so this is data that's consistent with the caseload and beneficiary information we provided at the last committee meeting — was 5.7 per cent for SIS and SAID.

And that compares with 2018-19. The dependency rate for our core IA programs, so pre-SIS implementation — which would include SAP, TEA, and SAID — was 5.9 per cent.

Ms. Conway: — Can you provide a breakdown of dependency rates going back to 2007 please. And is anyone still on SAP or TEA? Because I got the beneficiaries on SAID and SIS last time but I didn't get that, if it exists.

Mr. Exner: — We don't have dependency rate information going back to 2007, so we can attempt to get that.

Ms. Conway: — What do you currently have it going back to?

Mr. Exner: — 2018-19. So the numbers I provided.

Ms. Conway: — So you'd just have to crunch some numbers because you don't have that readily available?

Mr. Exner: — I will have to go back and ensure that we have the data to support those numbers going back that far.

Ms. Conway: — Okay. Just as far back as you can reasonably go. It doesn't have to be 2007. I just assumed it was something you tracked. But you know, 10 years would be great.

Mr. Exner: — And in regards to your question around SAP and TEA. Yeah, so we worked effectively with all of our clients upon the implementation of SIS through a lengthy transition period supporting them to transition to the new program, if they needed ongoing benefits and supports from the ministry. Those two programs effectively closed as of August 31st, 2021. So there aren't any individuals currently in receipt of those two programs or on those two programs.

Ms. Conway: — So that . . . oh, boy, I thought I just wrote it down. That 57,334 individual beneficiaries is the number for everyone on core assistance programs in Saskatchewan?

And just a reminder before I forget, I had asked for the average that SAID clients pay for power, energy, and water prior to the \$30-a-day increase. So just so we don't lose that in the plot . . . Thirty dollars a month, sorry. I wouldn't want you guys to get more credit than you do.

Mr. Exner: — If I could just clarify the number you were referencing. The 57,000, is that the number?

Ms. Conway: — Sorry?

Mr. Exner: — Is that the number you were looking for?

Ms. Conway: — Yeah. I thought you had said there were . . . Well I guess in terms of the global number of individuals on core income programs, as you called it — I'm thinking that includes SAID and SIS — individual beneficiaries right now, or as recently as you can give me.

Mr. Exner: — Yeah. So under SAID there's 22,942 beneficiaries, and under SIS there's 34,932 beneficiaries, for a total of 57,874 beneficiaries on both programs.

Ms. Conway: — I switched my three and my nine in one of those numbers, so thanks for that. I'm glad I asked.

I just want to move over to child protection for a moment here. I think what I'm going to do is kind of list some of the data points I'm looking for, because I don't think it's a great use of our time to try to dig those up now, and then I'll maybe go into my more substantive questions.

I don't think there's going to be any challenge around getting

these numbers, but I'm looking for the number of children in care. And I'm hoping to break that down as much as possible. So children in the PSI [person of sufficient interest] program; 16, 17; in foster homes; in group homes; under section 9. I'm sure you have ways of categorizing that, so I'd really love to see a breakdown to the extent that you can provide that.

So I'm looking to learn how many children are in foster care . . . sorry, the number of children in foster care; the number of foster homes; the number of foster homes that have been designated overcrowded; and of that subset, the number of Indigenous foster care homes; and the percentage of children in care that are Indigenous.

I believe those are my . . . like I'm trying to just think of like the black and white numbers. If I think of anything further, I'll let you know. But I don't expect those right now, but I'm guessing that's something you track and can provide.

Sorry, I also had the number of Indigenous-run group . . . like the number of group homes but also the number of Indigenous group homes. And I believe that's it.

Ms. Kratzig: — For a point of clarity, if we have some of this tonight, would you like it tonight or do you want it all after as a package of information?

Ms. Conway: — I don't need it right now. I guess what I'd like to know is whether the number of children in foster care is trending upwards, whether the percentage of Indigenous children in foster care is trending upwards, and maybe some substantive commentary on those trends.

Sorry, the other thing I should have said is the number of children who experienced injury and death in care.

I understand that the Children's Advocate has not released her annual report yet, but that's going to be any day now. I don't actually know the extent to which you guys are kept in the loop or know what's coming, but I'm wondering what you expect to see there. I know that in the last couple of years we have seen again that trend going in the opposite direction of what we'd like to see.

So if you could speak to where you are expecting that trend. And just again maybe provide some substantive commentary around any trend that you're seeing in that category.

[20:30]

Ms. Eberhardt: — Tobie Eberhardt, assistant deputy minister for child and family programs. So we've got a lot of that data that we can get to you later. I guess I'll just sort of talk about the trends and sort of the story.

And we are seeing, over the last couple years, the number of reports of alleged abuse and neglect has increased significantly. So for example, as of March 31st . . . Oh, I guess I was going to tell you numbers, but you know, about 20,000 reports we've got in the last year. And so we're doing a really good job of getting our staff out there and investigating those in a timely way and really putting all our focus in providing support on the front end.

So the number of families who we're able to help safely support the children at home has increased over the last couple of years. It's sort of plateauing now, but that's sort of our first big effort. And you know, we've invested a lot over the last couple of years and we're investing a lot this year, and providing new services to families to really try to keep children at home and put all our effort in at the front end.

The number of children in care is also increasing. You know, we know the families we're working with have very complex challenges. We know there's addictions and mental health. And so what we're finding is that, while we are still working well at getting children back at home, some children are staying in care longer. And I think that's because the families are finding that the issues are, you know, more significant they maybe were 5 or 10 years ago.

You had asked about foster homes, and we have seen a decline over the last few years in our number of foster homes. And this is a trend that's seen across the country. We partner with Saskatchewan Foster Families Association in recruiting and training and supporting foster families. And so we have seen some stabilization in that, that we're quite pleased with. And we are working around sort of making that more specialized foster home. And in the last couple of years, we've implemented sort of a . . . It's called the PRIDE [parent resources for information, development, and education] levels of pay, where we're compensating foster parents for additional training and supports as they take more complex-needs children.

One of the other things you had mentioned that I just want to talk about is around Indigenous children in care. And so our statistics on the percentage of Indigenous children in care has gone up. It's not that we think that the actual number of children has increased. What's happened is we put a lot of effort in, in identifying children that come into care to see whether or not they have the right to be registered to a First Nation or Métis Nation-Saskatchewan, and we've added additional resources.

And so we're really working closely with our First Nation partners to get the kids registered so that they have their connection to their home community and all the rights that go with that.

Ms. Conway: — I just have a question about that. Because each year I come back to estimates that's what I hear, is that the percentage of Indigenous children in care is going up, but it might just be that we're keeping track a little better.

I guess, I mean this is anecdotal, but I was speaking to someone who was in government in the '90s. And they talked about, you know, the first time they were able to give, you know, chiefs lists of all the Indigenous kids in care that were members of their First Nation. Like this is something we've been tracking for a while. At what point are we going to be able to call this a statistic reality that we need to face? That, you know, the percentage of Indigenous kids in care continues to increase versus oh we're just tracking this better.

Like do you have a sense of . . . I guess I'm struggling with hearing that response, and I'm wondering, is there an end to that? And I guess, why is the assumption that the percentage of Indigenous kids in care isn't just high and getting higher? I mean,

we know that's happening in carceral settings, for example. Minister, can you speak to that?

Ms. Eberhardt: — So I think that, you know, we do recognize that there is an overrepresentation of Indigenous children in care and overrepresentation of Indigenous families that we work with. And we know, you know, a lot of the challenges that some of the families have faced that bring them to our door through, you know, intergenerational trauma and how that's impacted them and the impact of residential schools. So we recognize that.

I think that, you know, the number, when we talk about the number, it's also a little complex in that there's children coming and going. So we have children come into care. We might work to get them connected to their First Nation community, registered. And then they might be returning home to their family. And so there's sort of continuous work on that. So we have a dedicated team and they're full-time, just trying to do that work.

So I think that, you know, we will see that number . . . I don't know if, you know, it's probably where it'll stay around that area. We work really closely with our First Nation communities and agencies to connect children that we are caring for to their home communities and try and build those familial, the community connections.

Ms. Conway: — Can you speak a bit to identifying Métis children in the community? I understand that there may be some moves to maybe explore Métis communities taking, looking into, you know, providing some of these services. Obviously there's potentially some challenges around that because there aren't maybe geographical . . . or Nations in the way that we think of maybe First Nations communities. They're more dispersed throughout the province. Can you speak to any work that's being done identifying Métis children and youth in the province?

Ms. Eberhardt: — So the unit I spoke to, they are working closely with Métis Nation-Saskatchewan around some of those connections. You know, and I think the other part you had talked about or asked about was really our work with Indigenous group homes or Indigenous organizations that provide services. So we partner with some Métis organizations and a number of Indigenous organizations to provide a variety of services. So that's always our priority when we're looking to develop a service for a family: how can we develop one that really meets their needs, meets their cultural needs, and connects them to that heritage and that familial connection that they need.

Ms. Conway: — I'm going to go back a bit here to 2016. The twin tragedies report by the Children's Advocate recommended that the Ministry of Social Services complete a ". . . workload estimation study that determines standards for caseload size in Saskatchewan. Once the study is completed, implement the recommended standards." Do you have caseload standards, and are you respecting them with respect to your workforce?

Hon. Mr. Makowsky: — So I'd start by saying, and let the committee know, in this year's budget we've been able to increase the positions in child and family by 18, so 18 new positions. And that follows on increases in previous years. But I'd ask Tobie to — Ms. Eberhardt rather — talk about those added positions, but just in a general sense, how they're

distributed throughout the ministry in terms of caseloads and how that's done.

Ms. Eberhardt: — Thank you. And I think I've probably mentioned this in previous committees, but within child and family programs, each case is quite unique. And it's not just equal; one case is the same as the other case. So cases are sort of measured, like weighted, by complexity, level of risk, number of children you might be supporting, are the children in home, are they in care, where does the family live.

And so really we rely on the expertise of our supervisors when they're assigning cases, by knowing what each of their staff has and how it's dispersed. We do know that some staff, you know, have heavier caseloads. And one of the reasons we wanted to add the child care positions that we've done this year is really to have that extra support for our front-line staff and ensuring that the kids in care are getting additional services and supports that they might need.

So we know our child protection workers are dealing with crisis often and these children's services worker, you know, they'll be able to work more with the children in care, ensuring that their needs are being met and that their caregivers' needs are being met.

Ms. Conway: — So the ministry doesn't have like a number in terms of a . . . like a goal of a ratio or anything like that?

Ms. Eberhardt: — No. We would have ranges that each supervisor would be working within. And again it would be based on those factors and also things such as the expertise of the worker. Are they a new worker? Are they a rural worker? So those are all things that are being weighted when cases are being assigned.

Ms. Conway: — I guess a workload estimation study, you know, one would hope would be able to provide, you know . . . would be able to — what is the word; it's too late — adjust for those realities.

[20:45]

I'm concerned to hear that this isn't something that the ministry has in place, given the trends and the feedback we hear, not just from that recent SGEU [Saskatchewan Government and General Employees' Union] report where people were saying they're worried that they can't provide a high quality of care in these crisis situations due to their workloads, but also because of the feedback that I get about these really crushing caseloads.

Ms. Eberhardt: — So you know, we really do rely on the expertise of our supervisors. They monitor what's happening on the front line. They let us know when there's maybe additional pressures in certain cases. And we do move positions around to where they're needed. We also do add positions on a temporary basis at times if it's needed to ensure that the services are being met.

Ms. Conway: — Minister, there was a workload study done internally in 2016. Would you be willing to provide me with a copy of that workload study?

Ms. Eberhardt: — So the workload study was not intended to be a public document. It was an analysis that was completed to provide us information on human resource capacity within our division at the time in 2016. And since that time we have added 106 front-line positions. We've also made a number of administrative changes. And so really right now what we look at going forward is how do we support our staff in meeting the needs of the clients we serve.

Ms. Conway: — Has there been any improvement in the retention area in the department?

Ms. Eberhardt: — So I think, you know, we've been . . . a lot of focus on recruitment and retention over the last couple years. I would say in our retention, we're starting to see some stabilization. I don't know, I wouldn't characterize it as an improvement yet. We are seeing some improvements in our recruitment efforts. We've been doing a lot of work with the university, making sure we've got staff out at job fairs. And so we're seeing some improvement there.

The other area where we have seen improvement is around our recruitment and retention of Indigenous staff. So we've seen an increase in that. And one of the things that we've done to support that is we've developed . . . it's called the Team of Indigenous Employees. And it's sort of a grassroots group. They go together and they support each other. And we've had really positive feedback on how that's making a difference. That team is also going out to the First Nations University of Canada to promote working at child and family programs and sort of what to expect from that kind of a placement.

Ms. Conway: — Thank you. I just have a couple more questions in this area. Maybe I'll just list them and you can . . . Minister, you can address them in the order you want. The first is respect to monitoring quality of care in group homes. I'll just quote from the annual report by the Children's Advocate:

. . . guiding statutes, which regulate services for children in group home care, must set clear standards by embedding well-articulated quality-of-care definitions and monitoring requirements that compel government to properly and regularly evaluate, resource, and monitor group homes to ensure issues are detected and corrected early, before they fester and negatively impact children. The Ministry of Social Services declined our 2017 suggestions, and as of the release of this Annual Report [this was last year] we have not received a response to our 2021 submission . . .

This has left the Advocate concerned with the insufficient pace, and with lingering questions about whether the Ministry will fully achieve the goals of properly resourcing the group home system; providing the necessary supports, comprehensive oversight, and accountability; and developing an effective governance model before an even more serious tragedy occurs.

So that's my first question.

My second question is with respect to the number of children who die and/or injured in care. I heard Ms. Eberhardt commit to providing those numbers, but I'm also wondering if you can provide a breakdown of what context those deaths and injuries

are taking place, be it in families, in group homes, etc.

Just before I cede the mike, I want to make sure I didn't miss anything there. Yeah, my other question is this: are you hearing feedback from your front-line child protection workers that the transition to the SIS program has been challenging for the families that you deal with?

[21:00]

Ms. Eberhardt: — So we can get you the information on the number of deaths and the placement type when it occurred, and that would also include children that were in family care as well. You're interested in that?

Ms. Conway: — Yes.

Ms. Eberhardt: — We can get you that. Regarding our group home oversight, as a result of the advocate's report we've made a number of changes and enhancements to our group home oversight. And this year we added six new permanent positions to do some of that work. So some of the things that we've added is we've developed a group home oversight unit, and that's in direct response to one of the advocate's recommendations about having that direct line of sight for group homes.

And so that team has been developed. Their role is there to direct contact with the group homes. They are working with them around ensuring that they've got the training and organizational needs that are needed for the children that they're caring for. They're their first point of contact if there's a challenge. And so that's one recommendation from the advocate.

One of the other positions we're adding is to the resident services team. And so that's the team that goes out to group homes and they do regulatory reviews on a periodic basis. And so they go in and they measure the group home against the standards of our policies and the procedures, as well as whatever policies, procedures the group homes have. So that team has now been increased by one position.

We added three other positions to a provincial investigation team to do group home investigations. So previously, group home investigations were done by our generalist investigators, and we've developed a provincial team to be the point of contact. And that's just to ensure consistency in how they go about the investigations and ensure that group homes are meeting the needs of the children that they're caring for, and that we're also responding to any challenges that they might be having.

Ms. Conway: — Thank you. We don't have a lot of time, so I . . . Oh, I had a third question, yeah.

Ms. Eberhardt: — Sorry, I forgot one other question. Regarding the feedback on SIS, I personally have been hearing that, but I do know that when there are challenges within our . . . Our front-line staff work really closely with their income assistance partners. And so when there's families that they're working with, and if there are challenges, they would work directly with them and also include supervisors, if need be, to try and resolve any issues. So they do work very closely in the offices together to meet the needs of the families they work with.

Ms. Conway: — Thank you. Moving to disability issues, what is the number of group home spaces and what are the wait-lists like at this time?

Sorry, and just for the interests of time, I'm happy to just get the number of group homes and any information you have on wait-lists at a later date, unless it's readily available. I guess I'm just confirming that there are indeed wait-lists.

Hon. Mr. Makowsky: — So in the province of Saskatchewan right now, there's 274 group homes with 1,243 spaces. In terms of the other part of your question, how the ministry plans with clients to meet their needs, I'll ask Louise to inform the committee about some more detail on that.

Ms. Michaud: — Thank you. So we don't track what you refer to as a wait-list. What we do is we plan for the needs of individual clients. And so individual clients' needs may change, sort of, as their situation changes, and we do the prioritization of services accordingly.

So some reasons why clients' needs may change is they may be living in a family home and their family situation changes due to, potentially, aging parents or according to the individual's physical needs or the change in their situation regarding their intellectual disability. Then we may have an identified need for a home, you know, a home placement in the future. And so we would have that person as having an identified need that we would be planning for.

You know, it's not like a simple wait-list where we say, we have a space open and there you must go. It is actually sort of worked very closely with the client to identify sort of what their situation is today, what their situation is going to be down the road, what community they're looking to live in, what agency is available to meet their needs.

So it's not really possible to give you sort of a one number of people that are waiting for services because each individual person may be waiting for a different service. This is people who would already be on the CLSD [community living service delivery] caseload but who will have identified needs for service changes in the future.

Ms. Conway: — So there's lots of folks though that have the need for changes today — not in the future — that can't access those services. So how do you . . . I mean does the minister not acknowledge that? Like I talk to families all the time who talk about being on wait-lists, who talk about not being able to access the kind of care that they need. What mechanism do you have in place to track how the system, as it exists, is not meeting current needs if you don't have a wait-list?

And perhaps, I mean, because I recognize that some of these homes are community-based organizations and they have wait-lists. Like, so I'm just looking for how you track this and, you know . . . You're aware that many community-based organizations do have wait-lists?

Mr. Martinook: — Bob Martinook, executive director of community living service delivery. Good evening.

So the way that we approach emerging needs and demand for service is complex. So we'll look at a situation. We look at families and their situations, and we measure that need that they've identified against what resource we may have. So we'll have families who have expressed a desire to go to a particular community or particular facility, and there isn't a resource in that community or the resource isn't prepared to expand at that particular time. So that can be a complicating factor in that.

So we have a number of tools that we use and resources that we can bring to bear to support families, so things like flexible funding responses. So we have a mechanism or a tool that we'll use to provide money or funding to a family to manage in a situation. We'll offer other services like day program supports or even individualized funding to try to bridge to a service that they want.

So we're constantly working with the family, the individual around their specific needs. We also have outreach supports that we can provide to families, so outreach workers, program development consultants, crisis support therapists — just as some of the array of services that we can provide.

So we are trying to constantly find ways in which we can meet the need of the individuals and meet the needs of as many individuals as we possibly can with the resources that we have. But we're always evaluating our emerging needs list, identifying who might be a priority, who's at great risk, that kind of thing.

And then we also work with our partners in Health, so working with mental health and community care branches to try to make sure that needs are met, because we're not the sole resource or response in the community. So we work with Justice, Education, Health to try to meet needs and find ways to support families and individuals of course.

Ms. Conway: — Yeah. I've been hearing a lot about the challenges with respect to the gaps in how the community is served when, you know, it's not clear whether it's Social Services or Health that should be stepping up, so to speak. But I'm also hearing that the programming isn't always meeting the need and of course a few . . .

The Chair: — Ms. Conway. Ms. Conway.

Ms. Conway: — I'll just close this line of thinking.

The Chair: — You want to maybe save for your final comments?

Ms. Conway: — Sure, I'll save it for my final comments.

The Chair: — Thank you. So having reached our agreed-upon time for consideration of these estimates, we will now adjourn our consideration of the estimates for the Ministry of Social Services. Minister Makowsky, do you have any final comments that you'd like to make?

Hon. Mr. Makowsky: — I just appreciate the work that was done tonight, the questions from the committee as well as officials answering the questions in their professional capacity. They do great work on behalf of the people of the province of Saskatchewan.

The Chair: — Thank you, Minister. And, Ms. Conway, do you have any closing comments you'd like to make?

Ms. Conway: — I do, Chair, and I'll keep them brief. There's never enough time. Of course the Ministry of Social Services covers so much. But just out of respect to the stakeholders I have in the disability community, what I was just going to finish off there is, you know, several years ago Minister Harpauer declared that, you know, waiting lists had been eliminated with respect to these services. So I'm a little concerned to hear that we no longer sort of track that or have even a concept of wait-lists. So maybe that's something I'll follow up more with the minister with at a later point.

But we're hearing about a crisis, a labour crisis in the disability community. This is something I've talked about in the House. I know, Minister, you've gotten letters on this from multiple CBOs. Low wages, you know, low benefits are leading to a recruitment and retention crisis. I noted that there was a bit of an increase with this budget, but it wouldn't keep up with inflation. Out of respect to that community, I did want to raise that.

I know that we've kind of surpassed the question-and-answer portion of our time here tonight, but I will be following up with a letter on that to hear about the feedback you're getting about that change and whether folks feel it's going to really meet the need.

But beyond that, I do feel like I've canvassed a lot of the pressing issues I think that are emerging with respect to Social Services. And I want to thank the many officials that attended here tonight and answered my questions, as well as Minister Makowsky.

The Chair: — Thank you, Ms. Conway. So we will now begin consideration of Bill 101, *The Child and Family Services Amendment Act, 2022*, clause 1, short title. Minister Makowsky, if you need to take a couple seconds to change some officials out, feel free . . . [inaudible interjection] . . . I'm just going to call for a five-minute recess, and we'll come back at 9:25, okay?

[The committee recessed for a period of time.]

Bill No. 101 — *The Child and Family Services Amendment Act, 2022*

Clause 1

The Chair: — Welcome back to committee. We will now begin consideration of Bill 101, *The Child and Family Services Amendment Act, 2022*, clause 1, short title. Minister Makowsky, you can please introduce any new officials as well as make some opening remarks if you wish.

Hon. Mr. Makowsky: — Thanks, Mr. Chair. A pleasure to be here and good evening, members. I'm here today to present Bill 101, *The Child and Family Services Amendment Act, 2022* as well as a House amendment related to the same bill.

So with me today are deputy minister Kimberly Kratzig; ADM [assistant deputy minister] Tobie Eberhardt; executive director Janice Colquhoun; director Janna Taylor; and senior Crown counsel from the Ministry of Justice, Jeffrey Crawford. So my brief opening remarks and then be pleased to take questions from

members of the committee.

The amendments in this proposed legislation strengthen improvements to services for the children, youth, and families we serve. There are three main areas the Government of Saskatchewan is focusing on with these amendments. The first is raising the legal age of a child from up to 16 years of age to up to 18 years of age. This will enhance supports and services and allow youth to be supported through either voluntary or protective pathways based on the youth's needs. A policy framework will be established to emphasize outcomes that address the best interests of the child, and including youth in this work, as well as in case planning, will be imperative.

The second area focuses on increasing the flexibility of information sharing, disclosure, and confidentiality in the best interests of the child or former child in care who is now an adult. We're expanding the scope of disclosure to children in care or to adults who were formerly children in care to include family name, information about parents, siblings, extended family members, and extended family care providers in their Indigenous community if applicable. Personal information about these individuals that is not directly related to the child or former child in care will not be disclosed.

Providing increased information about reasons for removal, relevant court matters, time in care, cultural planning, and community connections may also be included. These amendments will ensure the child's right to know their identity and family background and will allow the child or former child in care to identify and establish family and community connections if they wish.

We're also expanding information disclosure regarding deceased individuals to provide information that helps family members understand the personal circumstances of the deceased. The ministry recognizes the importance of this information to support family and personal healing.

The third area of focus is strengthening language that enhances family, community, and cultural connections for children and youth. The enhancements embed the significance of family, culture, community, culturally-based care and inclusion within planning with Indigenous children. This legal framework will strengthen current practice. It also addresses the importance of involving the Indigenous group, community, or people to which the child belongs and planning for Indigenous children and families.

A new addition to the best interests of the child provision recognizes the unique cultural aspects of Indigenous children. It requires a preservation of the child's Indigenous identity, experience, and connections to be considered in planning. We're clarifying criteria to extend temporary wardship orders to increase flexibility when needed, as we acknowledge families of unique needs may require additional supports to make an impactful change beyond the current 24-month time frame. The court makes the decision, taking the consideration of the best interests of the child.

I also want to highlight the need for a House amendment. We have added an additional subsection to section 37 that provides clarity related to the expiry of orders when custody of a child in

the care of the minister is transferred to an Indigenous governing body, pursuant to the federal legislation known as *An Act respecting First Nations, Inuit and Métis children, youth and families*. This House amendment supports our work with Indigenous governing bodies as they seek to work towards the transfer of their member children in care and reduces risk of legal ambiguity that may have existed without the amendment.

As you know, Cowessess First Nation in Saskatchewan is the first Indigenous government body to complete the coordination agreement. Since then, other agreements have been completed across the country, each with their own unique laws. We believe that this amendment is critical and well within the scope, spirit, and intent of this area of amendment to the legislation.

In closing, it's essential we continue to engage youth with lived experience and Indigenous partners as we move forward with updating child and family service regulations and policy framework. Their voice is important.

Our government will also continue to engage with the child and welfare sector partners and the Advocate for Children and Youth on this work. The legislative amendments outlined today are a demonstration of government's commitment to improve the lives of vulnerable families, children, and youth who receive child welfare services in the province.

So with that, Mr. Chair, as I had mentioned in my very opening remarks, I'd be happy to answer any questions for the committee.

The Chair: — Thank you, Minister. And with that, I will open the floor to questions from the committee, and I recognize Ms. Conway.

Ms. Conway: — Thank you, Chair. Minister, with respect to the consultation that was done on this bill, can you provide some details about which First Nations you reached out to, and which Indigenous organizations you reached out to, or Indigenous individuals with experience in this particular area. I was concerned to learn . . . You know, I know of several of the individuals that were consulted from Indigenous communities in Saskatchewan in the development of C-92, the federal piece of legislation, that were not consulted as part of this bill. So I'm just hoping to learn more about who was consulted in the year leading up to introducing this bill.

Hon. Mr. Makowsky: — I believe the member asked for consultation with Indigenous groups. And so the list I have here is Federation of Sovereign Indigenous Nations, 19 First Nation child and family service agencies which serve 67 bands in the province, Saskatchewan First Nations Family and Community Institute, Cowessess First Nation, six ministry-served First Nation bands, Prince Albert Grand Council, Métis Nation-Saskatchewan.

Ms. Conway: — Thank you, Minister. I understand you also consulted with the Children's Advocate. With respect to the letter that was penned by the Children's Advocate, there have been some concerns raised in terms of the extension of services to individuals past their 18th birthday and the decision to exclude certain categories of children in care from that benefit.

Can you speak to why you're leaving some youth out, namely the

PSI, and maybe speak to any advice you got in terms of whether that decision is Charter compliant?

Hon. Mr. Makowsky: — Did you say Charter compliant?

Ms. Conway: — Yeah, like did you look at the legality and the potential for discrimination in extending services to one category of children and youth, but not extending it to another?

[21:45]

Ms. Kratzig: — Thank you for the question. So just as the minister stated in his opening remarks, this legislation really looked at three key amendments, and that was raising the legal age of children from 16 to 18 years of age, increasing flexibility of information sharing, and strengthening language in *The Child and Family Services Act* that enhances family, community, and cultural connections.

The question around PSIs and extending their age. As you know, as the minister's talked about previously, we are doing a review of the PSI program. And as part of that review, we will be looking at all elements of that program, including age of PSIs, etc., and that would be something for a future decision. So it's not something that is part of this legislation. It wasn't considered in the engagement guide or consultation that we did.

In terms of Charter challenges, that's not something that we would anticipate is relevant to this issue right now.

Ms. Conway: — I would suggest it could be relevant because under this legislation, you've extended services beyond 18 to the 16/17 program and to temporary wardship orders, is my understanding, which is not . . . This is not something that's included under this legislation?

Ms. Kratzig: — Thank you. Just in terms of your question about the Charter, across the country various provinces have various programs with different mandates and different age ranges, and this is not a concern in terms of a Charter challenge. I'll now let Tobie though, Ms. Eberhardt, speak about our section 10 program and what might be planned for that.

Ms. Eberhardt: — So within this, there is enabling legislation that's been added that we can do some further work around regulations and policy for consideration about how we support some of those very unique young people that are under section 10 to help them finish the school year if they turn 18 before they're done the school year. So there's further work to be done on that around what the policies and regulations would look like.

Ms. Conway: — Is the legislation allowing for services to be extended to folks under section 9 agreements and in temporary order situations to be extended services beyond their 18th birthdays?

Ms. Eberhardt: — The increased flexibility would be for those that are under a section 10 agreement or a temporary ward, but not a section 9.

Ms. Conway: — Okay. Right. Sorry, I misspoke earlier. I'm trying to say that it should be also extended to children under section 9 agreement. So with that, support of the ministry won't

end now on the 18th birthday. And that's a change that I welcome as critic, that the opposition welcomes, and I think that a lot of stakeholders welcome.

My concern is that that extension of services beyond 18 is not being extended to folks under section 9 — not under section 10 — and section 23. And I'm a little concerned to hear that there's been no consideration of the constitutionality of this because you're basically extending a benefit to children in one category under the Act and not another.

Am I to understand that you haven't given any thought to the constitutionality of that change under section 7 or section 15 of the Charter?

Ms. Kratzig: — Thank you for the question. As we develop legislation, we certainly work with the Ministry of Justice, and we're satisfied that there are no Charter concerns with our approach.

Ms. Conway: — Section 9 and section 23 would be the only remaining sections where supports are not extended beyond a child's 18th birthday. We know there are substantial challenges with that transition from being in care, between being in care and going into adulthood. The state operates under these categories, but you know, there is a good argument that whichever category a child or youth find themselves under, they're entitled to the same support from the state as they transition into adulthood.

[22:00]

I'm going to suggest that neglecting to extend the same services to these two remaining sections is a potential constitutional issue.

Hon. Mr. Makowsky: — I'm sorry, I didn't hear a question in that.

Ms. Conway: — Am I to understand that you haven't turned your mind to potential legal issues with this, or you're just of the view that this isn't a concern?

Ms. Kratzig: — Thank you. As I stated earlier, we work with the Ministry of Justice when we develop legislation, and no Charter concerns have been identified with our approach.

I will just also clarify that *The Child and Family Services Act* prior to these amendments has had programs, different ages, different mandates, different parameters, as do child welfare programs throughout the country. So this approach is fairly consistent in terms of what might be happening elsewhere.

Ms. Conway: — The extension of services beyond the age of 18 is obviously going to come with increased resource expenditure on the part of the Ministry of Social Services. What are you anticipating in terms of the increased resources you're going to have to expend, given these changes of extending services beyond the age of 18 for some categories of children and youth?

Ms. Eberhardt: — So as we're looking around increased flexibility to support youth in education programs, really the next step will be for the regulatory and program work to really understand what the scope might be and what that looks like. And so, we'll need to do that work before we determine what kind of

resource needs there are.

Ms. Conway: — This change is obviously going to come with some guiding regulations. Do you have any thoughts about what is going to be outlined in those regulations, what the parameters of this additional support is going to be? Just anything really, any meat on the bone about what this is going to look like and what this is going to mean in terms of the ministry ponying up additional resources.

Ms. Eberhardt: — So you know, we had a few incidents where we had a young person who turned 18 before the end of the school year, and that's where this was identified as something that we need to explore further. So I mean, that's sort of the basis of what we'll be looking at with our regulatory and policy work. As part of that, we will be engaging with young people and those that support them, to really understand what the needs are and what it might look like.

Ms. Conway: — So I'm aware of some of those cases where someone, for example, turns 18 before they finish high school. So you're anticipating it's going to have quite a narrow kind of application to individuals in that situation. Is that a fair comment?

Ms. Eberhardt: — So I would say it's still under development, and that'll be part of our regulatory and policy work, consulting and really understanding where we might want to go with this and getting the feedback from our stakeholders on that.

Ms. Conway: — I found a passage that I was hoping to refer to earlier when I was talking about the concerns around the constitutionality of this change, and I guess, beyond the potential constitutionality, just kind of the fairness and the good policy behind extending this benefit — which is very much welcome — to one category and not the other. I just want to read here from a letter that was penned by the Children's Advocate last month, which was brought to the attention of this committee, knowing that we would be considering this bill and urging this committee to consider amendments around a few different topics.

And one of the areas around which the Children's Advocate is urging this committee to consider an amendment is this issue of the lack of extension of services beyond 18th birthday to children in the PSI program and children under section 9 agreements.

And the Children's Advocate writes as following:

It is the position of my office that young people receiving service under these sections deserve at least the same considerations during this vulnerable time of transition . . .

And here she's referring to the transition from being a child to an adult:

. . . as others who are unable to live with their natural families. In the case of children in the custody of a person of sufficient interest, I made a recommendation through a recent review that this extension go even further by continuing to support the young person until the age of 21. This change would ensure parity in supports of these youth to those available to long-term and permanent wards under section 56 of the CFSA, as youth in the custody of a person of sufficient interest are also indefinitely deprived of their

family environment potentially beginning from a young age.

So to me what the Children's Advocate is pointing out here is that we have a category of kids that are particularly vulnerable, those in this Person of Sufficient Interest program, to the extent that the Children's Advocate isn't just urging this committee to, you know, consider extending supports beyond the age of 18, but really prescribing it up to that even higher level of up to age 21.

So even putting the kind of constitutionality of the changes aside, given that the Children's Advocate has identified this as a pressing need — we know that the Children's Advocate engages in extensive consultation around her mandate — is this an amendment that the minister is considering with respect to this legislation?

Hon. Mr. Makowsky: — Thank you. As I've said in this House and in the rotunda, one of the recommendations from the advocate is a review of this, of the PSI program, and the ministry's committed to do that. Work has started on that, so it's not part of this legislation but we're going to look at what you mention. I'll ask Tobie to maybe talk about section 9 as well.

[22:15]

Ms. Eberhardt: — I had a couple of comments on section 9. So under section 9, really that's a volunteer agreement where we're working with the family to get the children, the child back home. The parents still retain all custody, all decision making. And so those would not be the situations we would envision where a young person is needing additional support past 18, because the goal would be that they would be returned to their family before 18. Otherwise you would be looking at a different type of order for that young person.

Ms. Conway: — Sorry, just on that. Like I can envision situations where, you know, you have a family in and out of dealings with the ministry, entering into section 9s, where it would be advantageous to that child and that family to be able to access those supports beyond 18, like not to have that hard stop. Maybe I don't understand what you're saying. Are you saying that it's not appropriate to extend services beyond the age of 18 for families in a situation that are relying on these section 9s?

Ms. Eberhardt: — What I'm saying is with the section 9, you're really working towards getting that child home to the family. And so if we had a young person where it didn't look like they were going to be going home, then maybe a section 10 agreement would be a more appropriate choice for that young person.

Ms. Conway: — Are there children subject to section 9 that are actually still with their parents?

Ms. Eberhardt: — No. Under a section 9 agreement — it's a voluntary agreement — the parents have placed the children in the care of the ministry on a temporary basis. But they still retain all decision-making authority over that.

Ms. Conway: — Thank you. Is there a categorization for children, short of a section 9, that can . . . Sorry. How do you categorize through the ministry a child that is getting support from the ministry, short of entering into a section 9? So where you identify that there's, like, a risk of maybe needing a section

9 and you can extend supports to that family. Is there a category for children that meet that description?

Ms. Eberhardt: — When we work with a family we determined that there might be risk, we will enter into a voluntary agreement to offer services where the child remains in the home in the custody of the parents. So we enter into an agreement where we set out what the parents are going to do to address the safety concerns and what we will do to help support the family in addressing those safety concerns.

Ms. Conway: — And the term of art for that is just a voluntary agreement?

Ms. Eberhardt: — So there's probably different terminology. It would be a family support agreement, I think would be what most people would call it.

Ms. Conway: — Thank you. One of the stated goals of this legislation is to increase cultural connectivity, and I think we can all agree that . . . I mean, obviously that's not just limited to that cultural connection piece, and family connection piece isn't just limited to Indigenous children, but obviously that's a huge focus here.

We just came out of estimates where we heard, you know, a lot of these numbers in the child protection arena are trending in the wrong direction. What we're doing is not, you know, having the results that we want to see necessarily. And that's not to say that there are not some good things being done.

But one of the pieces of feedback I hear a lot is the lack of immediate sort of involvement of Indigenous communities right around that real critical point of apprehension, leading up to and then right after. And I don't just mean having an elder around. I mean having Indigenous voices that know the family, that know the culture, that have some credibility and connection to the family in question.

In doing my research to scrutinize this bill, I learned that we had family review panels and boards under the legislation when this Act first came into being in, I think it was 1989 or 1990. We had something called the family review panels and boards. Now these are interesting mechanisms that would appear to serve that goal of having, you know, Indigenous voices involved at these critical junctures. My understanding is that these family review panels and boards were repealed in 2018, having never been implemented.

Can you speak to something like this? I mean I guess my concern here is that we're codifying a lot of what we are already doing or trying to do, and that's a good thing, but what we're doing is not working as well as it should. Why did the government never implement these family review panels? Have you turned your mind to whether something like this could further the goals that you have identified in passing this legislation? And for clarity, this would have been sections 40 through 43.

Ms. Eberhardt: — So regarding the family review panels, that was the legislation that was first . . . was never enacted. So it was 1989 legislation that had never been enacted, and so it had been removed. And part of the reason we're removing it was that we had developed a number of different processes with our

Indigenous partners that we currently use that were getting to the same outcome.

So we have developed the Opik, we call it short. But really what it is, is it's available provincially. And it's a circle where you bring the family, the supports, elders, and you do the case planning with the . . . The children are at the centre of the case plan.

That's available throughout the province, and it was originally created to sort of be brought in at the court process. And what we heard from families was it was such a good process that really we should be doing it on the front end and getting ahead of this and getting the family supports involved earlier on and the First Nation communities. And so we've now moved it so that it's sort of the first time we'd have contact or if it's looking like there's challenges where we will develop an Opik and ask for an Opik.

Some of the other things that we've implemented is we do fund the First Nation child family service agencies for Family Finders. So that's when children come into care they are working within their communities to try and find family for them. But we also fund them for case management, we call it. And so that's to bring them in when we are working with families, someone from their home community come help with the planning for them and putting in the supports that they need.

Ms. Conway: — The family review panels would provide for . . . The panel could actually review child apprehensions in their region. They are representative of community parenting standards.

With the Opik process, what standards are in place to ensure that the Indigenous voices that are involved in that Opik process have some connection to the family that they're assessing or working with?

Ms. Eberhardt: — So with the Opik, it is a voluntary process that the family agrees to and the family identifies and brings their circle of support. The Opiks are overseen by the council of elders and it's made up of elders from all the different cultural backgrounds, Indigenous cultural backgrounds. And they always ensure that there is an elder on the Opik that is of the same cultural background of the family as well.

Ms. Conway: — Does the family get a say . . .

The Chair: — Excuse me.

Ms. Conway: — Oh, sorry. Oh yeah, and I can pick this up some other time.

The Chair: — Yeah, we're going to have to do that. So it now being 10:30, we're going to adjourn consideration of Bill No. 101, *The Child and Family Services Amendment Act, 2022*.

This committee stands adjourned to the call of the Chair.

[The committee adjourned at 22:30.]

CORRIGENDUM

On page 426 of the April 5, 2023 verbatim report No. 24 for the Standing Committee on Human Services, the final sentence of the fourth paragraph in the right-hand column should read:

You know, I don't appreciate the insinuation that I'm spreading misinformation in any way.

The online transcript for the April 5, 2023 Human Services Committee has been corrected.

We apologize for the error.