



Legislative Assembly of Alberta

The 31st Legislature  
First Session

Standing Committee  
on  
Families and Communities

Public Sector Compensation Transparency Act Review

Monday, February 26, 2024  
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**Legislative Assembly of Alberta  
The 31st Legislature  
First Session**

**Standing Committee on Families and Communities**

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Gochring, Nicole, Edmonton-Castle Downs (NDP), Deputy Chair

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Boitchenko, Andrew, Drayton Valley-Devon (UC)  
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Johnson, Jennifer, Lacombe-Ponoka (Ind)

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## **Standing Committee on Families and Communities**

### **Participants**

Ministry of Justice

Mark Ammann, Barrister and Solicitor

Public Service Commission

Sandra Klashinsky, Executive Director, Public Agency Secretariat

Alex Rayner, Executive Director, Talent Acquisition, Classification and Compensation



**9 a.m. Monday, February 26, 2024**

[Ms Lovely in the chair]

**The Chair:** I'd like to welcome members and staff and guests to this meeting of the Standing Committee on Families and Communities.

My name is Jackie Lovely. I'm the MLA for the Camrose constituency and chair of the committee. I'd ask members and those joining the committee at the table to introduce themselves for the record. We'll start to my right with Member Hunter.

**Mr. Hunter:** Good morning, Madam Chair. I'm Grant Hunter from Taber-Warner.

**Mr. Lundy:** Good morning, everyone. Brandon Lundy from Leduc-Beaumont.

**Mr. Long:** Martin Long, the MLA for West Yellowhead.

**Ms Govindarajan:** Good morning. Vani Govindarajan, office of Parliamentary Counsel.

**Mr. Bhurgri:** Good morning. Abdul Aziz Bhurgri, research officer.

**Ms Robert:** Good morning, everyone. Nancy Robert, clerk of *Journals* and committees.

**Ms Rempel:** Good morning. Jody Rempel, committee clerk.

**The Chair:** All right. We'll go online. Let's start with Luanne Metz, please.

**Dr. Metz:** Hello. Luanne Metz, MLA for Calgary-Varsity.

**The Chair:** And Lizette? Lizette, go ahead.

**Member Tejada:** Lizette Tejada for Calgary-Klein.

**The Chair:** Perfect. And Diana?

**Member Batten:** I'm Diana Batten, MLA for Calgary-Acadia.

**The Chair:** I see we have Jennifer with us as well.

**Mrs. Johnson:** MLA Jennifer Johnson, Lacombe-Ponoka.

**The Chair:** Great. Okay. Thank you so much, everyone.

For the record I would note that the following substitution is under way: the hon. Mr. Hunter is substituting for Mrs. Petrovic. Thank you so much, sir, for being here with us today.

A few housekeeping items . . .

**Ms Goehring:** Madam Chair?

**The Chair:** Yes?

**Ms Goehring:** Madam Chair, I'd like to introduce myself.

**The Chair:** Oh, Nicole. I'm so sorry; you're not showing on the screen. Please go ahead.

**Ms Goehring:** Sorry. MLA Nicole Goehring, Edmonton-Castle Downs, deputy chair of Families and Communities. Good morning.

**The Chair:** Fantastic. Thank you so much.

And I see that Peter Singh has joined us. Go ahead, Peter.

**Mr. Singh:** Good morning. Peter Singh, MLA, Calgary-East.

**The Chair:** Thank you so much, everyone.

All right. A few housekeeping items before we turn to the business at hand. Please note that the microphones are operated by *Hansard*, so members do not need to turn them on or off. Committee proceedings are being live streamed on the Internet and broadcast on Alberta Assembly TV. Members participating remotely should ensure they are prepared to speak or vote when called upon, and videoconference participants are encouraged to have their cameras on, if possible, when speaking. Please set your cellphones and other devices to silent for the duration of the meeting. Let's all just take a moment to make sure that we've done that, myself included. Here we go. Let's do that. There we go.

For the agenda, has everyone received the draft meeting agenda? I see nods all around. Fantastic. Would anyone like to propose any amendments, or is there any member ready to move a motion to approve the agenda? All right. That's moved by Martin Long. Do we have that motion? Are we able to put that up on the screen? Are we doing that today? Not for this? Okay. Martin, do you want to read it, or should I read it? That the Standing Committee on Families and Communities approve the proposed agenda as distributed for its February 26 meeting. All those in favour? And any opposed? I see the hands. Thank you, everyone. So that's carried.

Approval of the minutes from the previous meeting. Would anyone like to propose any amendments to the draft minutes, or would anyone like to move a motion to approve the minutes? All right. Moved by Martin Long that the Standing Committee on Families and Communities approve the minutes as distributed of its meeting held on December 4, 2023. All those in favour? All right. I see hands online. Diana, if you could just hold up your hand along with the rest of them, that would be great. Fantastic. Thanks, everyone. That's carried.

Now we'll head over to the review of the Public Sector Compensation Transparency Act, the subcommittee on committee business report. One quick information item before we ask our presenters to join us at the table. Committee members will recall that this committee appointed a subcommittee on committee business, which consists of Ms Goehring, Mr. Lundy, and myself. As part of its review of the Public Sector Compensation Transparency Act the committee tasked the subcommittee with reviewing and finalizing a stakeholder list and approving communication initiatives to invite written submissions from the public. The subcommittee met on December 15 and completed both tasks. Shortly after, a report on the subcommittee's work was posted for the information of committee members.

Now there's a joint technical briefing. At our last meeting we agreed to invite technical briefings on the act from the Ministry of Justice and the Ministry of Treasury Board and Finance. I would like to ask our presenters to please join us at the table.

**Dr. Metz:** May I ask a question about the subcommittee report?

**The Chair:** Sure. Go ahead.

**Dr. Metz:** I'm just wondering if we could hear about how it was communicated to the public via social media: which sites it was sent to, how many times it was sent out, whether there were any e-mails that went out to stakeholders. Were reminders sent, and was there a plan to measure the results, just so that we have an understanding of how effective this method was for getting our feedback? I don't need it today, but it would be very good if we can get that information.

**The Chair:** We'll quickly answer it right now.

Jody, you're going to take that?

**Ms Rempel:** Thank you, Madam Chair. I'm not with the communications branch, so they can certainly put together a little more information for you as well, but we did send out e-mail notices to all of the folks that were on the approved stakeholder list. That is standard practice. Certainly, our communications folks will be able to tell you how many – I'll probably use the wrong term here – viewings there were on Facebook, et cetera, as well as, then, the number that were clicked on.

I think Nancy might have something to add.

**The Chair:** Sure. Please go ahead.

**Ms Robert:** Thank you, Madam Chair. Dr. Metz, also, we definitely can get communications to put something together for you in terms of what kind of reach they were able to find, but if you look at appendix A of the subcommittee's report, which is posted on the internal site for this committee, that is the communications plan, and it talks about which social media sites they plan to use, what the posts are going to look like, different things like that.

**Dr. Metz:** Okay. Thank you. My understanding was that there was going to be a report as part of the communications plan, so we're trying to find out not just what the plan was to do but what was done and how effective it was.

**Ms Robert:** Okay. I'd have to look back in our minutes to see if that was asked for, but certainly we can get that put together for the committee.

**Dr. Metz:** Thank you very much.

**The Chair:** Okay. Let's go ahead with the presentation. Our guests have settled in. Thank you so much. Representatives joining us from the Ministry of Justice and from the Public Service Commission will be providing a joint briefing on the Public Sector Compensation Transparency Act. Thank you so much for joining us today. Once the presentation is complete, I'll open the floor to questions from committee members. I'll also remind everyone that experts from these ministries will be available to provide technical support further on in the review process.

With that, I'll have you, please, introduce yourselves for the record.

**Mr. Ammann:** Certainly. Good morning, everyone. I am Mark Ammann, a barrister and solicitor with Justice.

Thank you.

**Mr. Rayner:** Good morning. My name is Alex Rayner. I am the executive director of talent acquisition, classification and compensation services with the Public Service Commission.

**Ms Klashinsky:** Good morning. My name is Sandra Klashinsky. I'm the executive director of the Public Agency Secretariat with the Public Service Commission.

**The Chair:** Thank you, everyone, for joining us. Please proceed with your presentation.

**Mr. Ammann:** I'll get started. Good morning, everyone, and thank you for inviting us to conduct a technical briefing on the Public Sector Compensation Transparency Act. On behalf of Justice I plan to cover the substantive requirements in the act and the regulations, and then I will pass it to my colleagues at the Public Service Commission to discuss the operational elements of the compensation regime. Once we've both concluded, as you mentioned, we will be available to answer technical questions from the committee.

By way of overview, the act requires the government of Alberta and government agencies, which are called public-sector bodies in the legislation, to publicly disclose compensation paid to higher income employees. Public-sector bodies are also required to disclose compensation paid to board members. At the policy level this disclosure is intended to increase transparency, helping Albertan taxpayers better understand how their money is being spent.

The government of Alberta first disclosed employee compensation in January 2014, and that was under the authority of a Treasury Board directive for income earned in 2012 and 2013. In 2015 this act was passed by the Legislature, and in addition to enshrining the rules for government employees in legislation, it also expanded disclosure to include approximately 150 agencies, boards, and commissions. The first disclosure under this act occurred in 2016, and that was in respect of the 2015 earnings. Since that time the act has not been substantially amended, though I would note there have been some limited changes, primarily consequential changes related to, for example, the definition of education body being updated to reflect other legislative changes.

**9:10**

In terms of the scope of the act, first I'd like to discuss who's covered by the act; first off, the disclosure rules for departments of the government of Alberta. As I'll discuss later, slightly different rules and thresholds exist in respect of public-sector bodies. Those include agencies, boards, and commissions governed by the Alberta Public Agencies Governance Act, their subsidiaries, independent officers of the Legislature, as well as Covenant Health and its subsidiaries. The list of what is a public-sector body can be expanded by regulation.

The act also authorizes regulations which would set a threshold and require disclosure of compensation paid to health care practitioners, which would include fee-for-service payments made to physicians. However, to date no regulations on this score have been enacted under the act. Finally, the act authorizes municipalities and school boards to disclose compensation in a manner similar to public-sector bodies, but they are not required to do so.

In terms of the disclosure rules themselves, second, I'll turn to a description of the rules used for the government of Alberta, and these are included in section 2 of the act. The government is required to disclose compensation paid to employees who earned more than the threshold or severance in the year prior by June 30 of each year. When the act was first enacted, this threshold, the critical threshold, was \$104,754. Given the increase in the consumer price index, to which the threshold is tied, the 2023 threshold is \$125,888. This threshold is based on base salary and does not include overtime or monetary benefits.

In terms of what's disclosed, severance is disclosed as well but is listed separately. Now, once the threshold is exceeded in respect of a particular employee, all compensation is disclosed in specific categories in the statement of remuneration. Disclosure is required to include a variety of information, and this would include the employee's name, their department, their classifications or their job title, their base salary as well as benefits. Now, benefits are further subcategorized. They would include noncash benefits, which would include employer contributions to pension plans or employer contributions to health plan coverage, as well as monetary benefits, which could include, for example, vehicle allowances.

Now, in two instances full contracts are also disclosed under the act. First, if there is a contract for severance or termination above the threshold, that is disclosed. Second, contracts of employment are also disclosed in respect of certain senior officials; for example,

persons appointed as a deputy minister or where an employee is appointed as a senior official by order in council and paid directly by the government. A possible example here would be the Chief Medical Examiner. In both cases certain personal information is redacted such as the signatures, the employee's home address, and other information that the minister considers to be an unreasonable invasion of the employee's personal privacy.

Now I want to turn to public-sector bodies because the disclosure rules are slightly different for them. Public-sector bodies are also required to disclose compensation paid to employees who earn more than the threshold, but the threshold has always been different from the one used for government of Alberta employees. When it was first enacted, this threshold was \$125,000, but as with government, the threshold has grown, being indexed to the consumer price index. As for 2023, the threshold is \$150,219.

But I want to note that the manner of calculating compensation is different as well. Compensation for public-sector bodies does include overtime and monetary taxable benefits. In essence, this is what's included on a T4 slip. The threshold also includes severance, but that amount, again, is disclosed sort of in a separate column. The employer's portion of pension contributions is not included in the calculation but would be disclosed as part of the nonmonetary benefits. Disclosure of employment and severance contracts in respect of public-sector bodies is similar, and it has similar redactions as with government, so signatures, home address, et cetera.

I note as well that there is no threshold for board members. That means, for example, specific board members will appear on disclosure remuneration even if they don't receive direct compensation or compensation that would be below the thresholds. In some cases, in fact, board members may receive zero dollars in direct compensation, and in those situations only nonmonetary benefits would be disclosed in respect of those board members.

I wanted to speak, in respect of section 4, about null bodies. Null bodies are, essentially, if a public-sector body has no employees whose total compensation or severance for the year exceeds the threshold or they're not entitled to compensation or severance beyond the threshold. In those instances that public-sector body does not need to make a disclosure; they only need to advise the public and the minister of this situation, and those are called null reports.

Now, moving on to section 6, this deals with exemptions. The act has two types of exemptions in place. The first is an organization-level exemption, and these are covered off in regulations passed by the Lieutenant Governor in Council. These would cover all or parts of an entity and exempt them from all or part of the legislation. The rationale for this type of exemption is that an organization that is exempted may suffer a competitive disadvantage if it complied with some or all of the legislation.

At present there are three entities that have been exempted from the act, and they are the Alberta Investment Management Corporation, which is known as AIMCo; the Alberta Treasury Branches and their subsidiaries; and the teachers' pension plan board of trustees, which is also called the Alberta Teachers' Retirement Fund Board.

Now, the second type of exemption is individual and just applies in respect to an individual employee. These are granted by the Minister of Justice and are available where the minister is of the opinion that a disclosure could unduly threaten the safety of an employee. Typically to be granted, this type of exemption, an employee must set out facts that demonstrate the potential undue threat to their safety because of the disclosure. By way of example, these types of exemptions may be granted where a person suffered sort of a campaign of ongoing harassment or spousal abuse or has been the target of stalking. It may also be appropriate where the person has received very specific and credible threats towards their

personal safety and disclosure could be linked to that threat. Exemptions are not granted, however, where the threat is vague or speculative, the threat is not related to safety, or any threat to safety would be completely unrelated to the disclosure of compensation. These types of exemptions are generally valid for five years, and then individuals may reapply after that.

The Minister of Justice also has a number of their powers under the act, in addition to the ones I've already mentioned, and these are broadly contained in sections 7 to 10 of the act. By way of example: the minister may establish a process for correcting personal information, may aggregate or republish some or all of the information disclosed under the act, or request information to determine whether an entity meets the criteria of being a public-sector body. And, of course, if an entity does meet the criteria for a public-sector body, then the responsibilities and obligations under the act and the regulations apply to them.

The minister may also order in-house audits or, alternatively, a ministerial audit, in sections 8 and 9, to determine whether a public-sector body has complied with the disclosure requirements. The exception to that is that the minister can't audit officers of the Legislature such as the Ethics Commissioner or the Information and Privacy Commissioner. They would be subject to an audit by the Auditor General, if applicable. And the Auditor General itself, if they were being audited, would be subject to the Standing Committee on Legislative Offices.

Now, as I previously noted, education bodies and municipalities are authorized but they're not required to complete disclosures in the same manner as public-sector bodies. These authorizations are located in sections 11 and 12 of the act. Section 13 establishes that disclosure is permitted despite any other laws or contractual rights of confidentiality.

I would like to note that there are two regulations in force that are empowered by the regulation to make powers in section 15. The first is the general regulation, which contains the high-level, organization-specific exemptions that I described as well as rules for the individual exemptions. By way of example, the regulation establishes that once an employee applies for an exemption, they're temporarily exempt from disclosure just while it's being considered, or if it's being reviewed in court, there's sort of a period of suspension. In addition, the general regulation identifies what needs to be redacted from contracts of employment or severance and establishes that disclosures must remain public for five years from the date that they're disclosed.

Second is the dissolved public-sector bodies regulation. That contains procedures for disclosure where a public body is amalgamated, dissolved, or otherwise ceases to exist. At the high level the rules in that regulation are focused on ensuring that a public-sector body will make a final compensation disclosure prior to its dissolution and, if that doesn't happen, provide some operational rules for how it would provide the relevant information to government so government could provide that compensation disclosure on their behalf.

This concludes my portion of the briefing. I'll now invite Alex Rayner to take over. Thank you very much.

**The Chair:** Thank you.

I think we'll just pause for a moment to allow Mr. Boitchenko to introduce himself.

**Mr. Boitchenko:** Andrew Boitchenko, MLA for Drayton Valley-Devon. I apologize; I couldn't get my video going here.

**The Chair:** No worries. Thank you, sir.

Please proceed with the presentation.

**Mr. Rayner:** Great. Thank you. Again, my name is Alex Rayner, and I am the executive director of talent acquisition, classification, and compensation services with the Public Service Commission. I, along with my colleague Sandra Klashinsky, appreciate the opportunity to provide the committee information on the Public Service Commission's role in the administration of the Public Sector Compensation Transparency Act. In administering the Public Sector Compensation Transparency Act, the Public Service Commission is responsible for ensuring disclosure of the core Alberta public service and political staff in the Premier's office and ministers' offices.

9:20

We are also responsible for co-ordinating the public-sector body disclosure process, working with departments and public-sector bodies to ensure the requirements of the act are met. This includes providing advance notice to deputy ministers and public-sector bodies, including legislative officers, about the act's requirements and the disclosure process and timelines, working closely with Justice to ensure employees are informed of the exemption process and to ensure all employees with approved exemptions are not disclosed, and collaborating with Technology and Innovation to validate disclosure information and ensure it is publicly posted on time. Before public disclosure occurs, the President of Treasury Board and Minister of Finance is briefed on the disclosure information.

Next I'd like to speak to the process for salary disclosure for government of Alberta or Alberta public service employees. In administering the Public Sector Compensation Transparency Act, the Public Service Commission is responsible for ensuring disclosure of the core Alberta public service. Detailed implementation instructions are provided to department human resources contacts to ensure employee data is reviewed and confirmed.

Further detail on the June and December disclosure processes is outlined in an administrative guideline. This includes specific information such as the disclosure threshold and reporting period, disclosure requirements and mandatory schedules, information on validating and confirming employee disclosure data and ensuring approved exemptions are removed, and the contract redaction and uploading process. Once disclosure information has been validated and the President of Treasury Board and Minister of Finance has been briefed, direction is provided to Technology and Innovation to publicly post the disclosure information, including redacted contracts, to the alberta.ca website.

When a government employee's salary or severance exceeds the annual threshold, we disclose the following information for the employee: their ministry, their name, their position and classification, and all remuneration. On the public disclosure website remuneration is broken down by base salary, so this is remuneration paid to an employee in relation to the job, the type, and level of work and duties performed; second, their cash benefits, which includes overtime, vacation payouts, allowances, compensation in lieu of pension, and special services or exceptional hours of work compensation. It includes noncash benefits, including the employer's share of all employee benefit contributions, including pension and disability plans and severance, which are payments required by contract or in accordance with the Employment Standards Code when employment ends. Government employees who exceed the disclosure threshold are also subject to the requirement to have their employment contracts disclosed.

Now, as Mark previously explained, examples of employees on contract include deputy ministers and senior officials, pathologists, and political staff. Severance contracts for all government

employees who exceed the disclosure threshold must also be disclosed.

In addition, further disclosure of political staff takes place. There is a political staff salaries and contracts web page on alberta.ca, which discloses all redacted employment contracts, working titles, and ministries for current political staff that exceed the base salary disclosure threshold. That means that political staff who exceed the disclosure threshold will have their redacted employment contract posted on the salary and severance disclosure website in accordance with the act. As well, their redacted employment contract will be posted to the political staff salaries and contracts web page.

I would now like to hand things over to my colleague Sandra Klashinsky to provide information about the disclosure process for public-sector bodies.

**Ms Klashinsky:** Thank you, Alex.

Again, my name is Sandra Klashinsky. I'm the executive director of the Public Agency Secretariat. The Public Service Commission, or PSC, also provides information about the public-sector disclosure process and requirements to deputy ministers, who are, in turn, responsible for supporting the public-sector bodies within their ministries.

The resources and tools that PSC provides to departments for their public-sector bodies include a technical guide, which identifies the what and how of public-sector body disclosure requirements – for those public-sector bodies that do not have their own website, the responsible departments must post this information on their behalf, typically on their department's website – a step-by-step guide, which is a high-level summary of the technical guide, is particularly useful to public-sector bodies that are already familiar with the process; a list of common questions and answers to help public-sector bodies comply with the legislative requirements.

With respect to legislative offices PSC also communicates the disclosure process to key contacts in these offices. We also provide a technical guide that outlines the general public-sector body disclosure requirements for them. As Mark previously mentioned, while legislative offices must generally follow the same disclosure rules as public-sector bodies, legislative offices are exempt from some of these rules. In particular, unlike other public-sector bodies that must disclose to the minister via government's consolidated database on the alberta.ca website, offices of the Legislature need only disclose to the public on their own websites. An office of the Legislature is not required to advise the minister that it has no information to disclose for a particular period.

Finally, the minister cannot require an office of the Legislature to provide information or audit the office to determine whether it is complying with the act. The act includes a separate provision for auditing the offices of the Legislature. The Public Service Commission typically takes the disclosure information from their website, once it is posted, and uploads their information on government's consolidated database so that all public-sector body disclosure data can be found in one location for ease of public access.

As a reminder from earlier in Mark's presentation, the public-sector bodies are required to disclose the compensation and severance paid to eligible employees and members twice per year: June 30, compensation from January 1 to December 31 of the previous calendar year; and December 31, severance from January 1 to June 30 of the current calendar year. Public-sector body employees' and members' disclosure requirements are similar to government employees'. These requirements include the name of the public-sector body, the employee's or member's name, their position, and all remuneration. This remuneration includes all compensation,



which consists of their base salary, overtime, bonuses, honoraria paid to board members, and taxable benefits. As noted, this reflects the income amount on the individual's T4.

Public-sector body disclosure also includes nonmonetary and nontaxable or other benefits, including the employer's portion of pension contributions, employment insurance, Canada pension plan, and Workers' Compensation Board premiums. Severance is also disclosed, which reflects amounts paid or payable related to termination of employment.

In summary, since the implementation of PSCTA, the Public Service Commission has been able to work collaboratively with our departmental and public-sector body contacts to streamline processes. We continue to solicit feedback from stakeholders and work to ensure disclosed information is easily accessible to the public.

Thank you for the opportunity to present the PSC's role in the administration of PSCTA. I'm happy to address any questions you may have at this time.

**The Chair:** Thank you so much for the presentation.

I see that Brandon Lundy has something that you'd like to say. Please proceed.

9:30

**Mr. Lundy:** Yeah. This is the time for questions?

**The Chair:** Yes.

**Mr. Lundy:** Perfect. Thank you, Madam Chair. I think this question might be for Mark. You mentioned that the act authorizes but does not require municipalities and school boards to disclose compensation. Can you elaborate a little bit on the justification for that? Also, do you know if there are any school boards or municipalities that currently are posting?

**Mr. Ammann:** Sure. Maybe I'll do the second question first if that's okay. As far as I'm aware, there are no education bodies or municipalities that are disclosing compensation in exactly the form that they're authorized to by PSCTA, but I would say that a number of municipalities and school boards do still disclose compensation information. Just to use the example, the cities of Edmonton and Calgary will disclose ranges for job titles or ranges for specific positions, and they may also disclose, depending on the location, sort of aggregate numbers of employees that fall within those ranges. Similar possibilities for school boards. Those are compensation disclosures but not exactly what's authorized by PSCTA.

Now, in terms of the rationale, certainly, it's a policy question that could be considered here. As I understand, the primary motivation was that because there are other sort of accountability mechanisms within municipalities and education bodies at the time, the decision was made that it would be optional rather than mandatory. I would just note that there is some degree of mandatory disclosure for both municipalities and school boards; for example, I believe superintendent salaries do need to be disclosed, and under I believe it's the municipal standards regulation – I'm not sure about the precise name – there are some mandatory disclosures as well within municipalities.

**Mr. Lundy:** Thank you.

**Mr. Ammann:** Thank you.

**The Chair:** Thank you so much, Member Lundy.  
Let's go over to Luanne Metz.

**Dr. Metz:** Thank you. I actually have two questions. One follows up on the last one about the educational institutes. How about private schools or charter school hubs in terms of what kind of compensation is going to leaders in those areas? Are they excluded, included? Are they published anywhere? Is there any information that is publicly available to compare roles and responsibilities along with the compensation that's paid?

**Mr. Ammann:** I believe I can speak to that. The definition of education body does include persons responsible for private schools registered under the Education Act that receive grants under the GOA as well as "the operator of a charter school established under the Education Act," so that's part of the definition of education body. In terms of what's disclosed in respect of roles and so forth, I do not have any information about that, but they would be authorized as education bodies are.

**Dr. Metz:** Okay. So they're authorized, but they don't have to disclose this, as opposed to maybe some of our public schools where there's more that they typically disclose anyway. Is that correct? Like, some of them: they don't have to, but there is information disclosed in many cases for the public-sector schools?

**Mr. Ammann:** I would need to defer to sort of Education on the disclosure rules in respect of education bodies. I believe superintendent salaries or salary ranges are always disclosed for public school boards, but in terms of mandatory disclosure in respect of other ones: I don't know those. I don't know charter schools or other ones. Certainly, if anyone in the PSC has any later information about that, I welcome that.

Thank you.

**Dr. Metz:** Thank you.

The other question I had was around disclosure for physicians. Almost all of the presentation talks about people as employees and salaries. Physicians sometimes are paid salaries, but fee-for-service disclosure really is very much more like a contract to cover running a practice, running a business, and it's really unclear and misleading even though there might be an asterisk that this is not a salary. I'm wondering – and this has been brought up many times in the past and again in here – is there a mechanism that might be looked at in order to clearly identify that this is a very different type of information?

**Mr. Ammann:** I can speak to that, again. You're absolutely correct that there are situations where physicians are employees versus not. So where they are employees, their salary is disclosed in the same fashion. For example, AHS will have, you know, physician as the job title and compensation attached to that. Now, at present under PSCTA there are no regulations setting a threshold or authorizing disclosure for fee for service, but I would caution that since PSCTA was enacted, there have been amendments to – and don't quote me on the precise name, I'm afraid – I believe the Alberta Health Care Insurance Act; anyway, a different vehicle in the Ministry of Health where there is sort of separate authorization for disclosure for fee for service. I don't know what the status of the Health disclosure is in respect of fee for service, but I believe the last time I've seen it discussed, it was in that context rather than PSCTA.

**Dr. Metz:** Okay. And it is disclosed publicly along with a different kind of disclosure that does not include names, that looks at different specialties and ranges. But the one with all the names is disclosed as to – and it gets misconstrued as being salary, and it isn't. So I'm hoping that there could be a plan or a discussion as to how that might be managed in a more transparent way.

Thank you.

**The Chair:** Let's go to Lizette next.

**Member Tejada:** Thank you. I just turned on my mic. I thought it would get turned on automatically. Sorry about that.

Thank you so much for explaining about exemptions and cases where exemptions would be made and addressing safety from that perspective. When we look at the submissions, we see that there's a majority support for the act, but there were also comments around attaching names to salaries and how that could be problematic in an age where we're seeing an increase in extortion and doxing. I'm wondering if the ministries have looked into how we can prevent that sort of thing from happening in terms of maintaining transparency but also protecting some measure of privacy.

**Mr. Rayner:** Thank you for the question. I'm happy to respond. I think ultimately from a technical standpoint it would be possible for us to not disclose employee names with the compensation information. The question of, you know, "should we take measures such as withholding names?" is more of a policy question that I don't believe I can comment specifically on, but it may be something that this committee wants to consider. Ultimately what we disclose is the information required by the legislation, which does at this time include the employee's name.

**Member Tejada:** I know that you were saying that the other identifying information is redacted.

**Mr. Rayner:** That's correct, yes. So we would redact information such as an employee's address, their signatures, any other personal information that isn't explicitly required to be disclosed per the act.

**Member Tejada:** Okay. Just as a follow-up: do the ministries track instances where identifying information can be tied back to the disclosure?

**Mr. Rayner:** I would say no, it's not something we currently track.

**Member Tejada:** Thank you.

**The Chair:** Let's move over to Diana.

**Member Batten:** Thank you so much. This has been really informing. I have two questions. One is that I was hoping we could speak a little bit more to, and I believe – apologies. I'm not sure who this falls under. Exemptions for organizations. You've mentioned AIMCo as an example, something to do with competitive concern. I'm just wondering if you could share a little bit more about how a company would qualify for this, what type of, I guess, proof of competitive concern that they're required to provide.

**Mr. Ammann:** I can start, and I'll perhaps invite my colleagues at the PSC to answer as well. My understanding was that in situations where there may be competition in respect of recruiting or retaining talent – for example, if an entity like AIMCo would be competing against private-sector entities and having sort of the compensation fully disclosed would put them in a disadvantage in terms of negotiating and retaining talent – that was the rationale for the exemption.

Certainly, Sandra, if there's more to add, I'd be appreciative.

**Ms Klashinsky:** Thank you, Mark. Yeah. I would concur with that. It's primarily centred around the compensation and the disclosure of that and impacting the competitiveness of that organization given the scope and breadth and accountability to Albertans primarily

around the successful nature of the investments that need to occur and that that could negatively impact the functioning of that organization.

**9:40**

**Mr. Ammann:** I apologize. I should note as well that I know you had asked about sort of the process. In terms of how one would be exempt, it would be necessary to amend the general regulation. All the exemptions are listed in the general regulation, so that would have to proceed through the normal legislative and policy approval process.

**Member Batten:** Perfect. Thank you so much.

My other question was – and this is kind of just an observation. Sandra, you had mentioned that, of course, one of the purposes is so that it's easily disclosed to the public, all of these salaries, et cetera, but I've noticed through the different presentations – and thank you so much – that there are different sites we're sending Albertans to to find this disclosure. I'm wondering if there is opportunity to put it in the same place. If, in fact, our goal is transparency, accountability, is there anything from the sunshine list that links you to the other sites so that there's actually full transparency there? As we know, I mean, it's hard to find information on a lot of government pages anyway, so I just find that this would be quite the, you know, hurdle for Albertans to find this information.

**Mr. Rayner:** I can take the first stab at this question. We don't currently, at least from the government of Alberta perspective, you know, include a link on our salary disclosure website that would link to disclosures for other employers or public-sector bodies. It is, I'm sure, technically possible. One piece of advice I might provide the committee is that, you know, there would be an administrative cost to doing that whereas right now there's efficiency to be gained by the fact that for the government of Alberta employees the Public Service Commission handles those disclosures. If we had to play a bigger role in those disclosures for other public-sector bodies or centrally manage the disclosure process, it would require considerably more time and effort, which may make it more difficult to administer in line with the timelines provided in the legislation.

**Mr. Ammann:** Just to note from sort of a purely legislative standpoint, at present the form and manner of disclosure is as described by the minister, so the act does contemplate that there's some flexibility baked into that wording. You know, I think a lot of the question along that front, as Alex mentioned, is going to be on the operational side of things.

**Member Batten:** Okay. That's great. Thank you.

Like, I understand obviously we don't want to add administrative burden to this, but you know if we added a link, a link doesn't cost anything. Anyway. I just wanted to put that out. Thank you so much for answering.

**The Chair:** All right. Let's go to Andrew.

**Mr. Boitchenko:** Thank you very much for all the information today. Some of the privacy concerns have been expressed in the written submission received by the committee regarding requirements to publish the names of the individuals rather than just their position. I was going to ask: what is the rationale behind this?

**Mr. Ammann:** Well, sort of speaking to when the act was originally enacted, I understand – and I suppose the Treasury Board directive as well – the focus of the legislation has always been on the relatively higher income earners within government agencies,

public-sector bodies, or within the government of Alberta, so typically the name has kind of been attached to that because they've been identified as the relatively higher income earners. But, as noted, right now that is sort of a legislative requirement, and the rationale was that, well, you know, the intention is to know who the higher income earners are, what they're making so as to best sort of steward the resources being used. That said, as Alex had mentioned, I believe, in terms of whether the name should or should not be included, that certainly is a policy question the committee could consider.

**Mr. Boitchenko:** Are you aware of any other jurisdictions with similar legislation that do not publish individuals' names?

**Mr. Ammann:** I believe most that have similar legislation do publish names although the comparison wouldn't be 1 to 1. Just by way of example, I think it's New Brunswick potentially, but again I would need to double-check this. One of the Maritime provinces is identifying names within ranges rather than, like, the precise, exact amount, so it'll say that these people are within this range, but Ontario, for example, or Manitoba: they are more like Alberta is right now, where the name is attached to the figure.

**Mr. Boitchenko:** Okay. Thank you, Mark.

**The Chair:** All right. Does anyone else have any questions? Go ahead, Grant.

**Mr. Hunter:** Thank you, Madam Chair. My question is similar to MLA Batten's question; she did ask about AIMCo, but I understand that ATB, the teachers' pension plans board of trustees are also exempt from the disclosures. Now, what I'm wondering is – so the rationale is that it puts them at a disadvantage, and I understand that rationale. In terms of other jurisdictions that have this, do they also see that as a rationale, and do they have those same kinds of exemptions?

**Mr. Ammann:** I believe the legislation that I'm familiar with does have exemption provisions. I don't know that they are precisely the same as Alberta's, so I'm not sure I can comment on the other spots, but that certainly would be something that may be worthy of consideration by the committee.

**Mr. Hunter:** I'm just trying to understand, again, here. We have other companies, other public companies, that would probably feel the same way, you know? I mean, are we giving an advantage to some and not to others by these kinds of policies?

**Mr. Ammann:** Yeah. I believe that certainly, you know, could be an argument made in respect of other government agencies and departments, and, Sandra, certainly I'd welcome any further information on this. As I understood, the three that were exempt were competing for kind of a particular pool of talent, that it may not necessarily be what other departments are competing with because it is specifically about large-fund managers, which has a very different type of competition with the private sector than perhaps another public-sector agency does. Some of the same sort of external considerations on recruitment types are not necessarily going to be the same with AIMCo as with a different public agency.

Certainly, Sandra, if there's more information, I'd welcome that, for sure.

**Ms Klashinsky:** Thank you, Mark.

Just a little bit of additional information is that we have not received any other requests regarding an exemption from any of the other organizations that we have in Alberta that are public-sector bodies.

**The Chair:** Okay. Let's move over to Lizette.

**Member Tejada:** Sorry. Was that addressed to me, Madam Chair?

**The Chair:** Yes.

**Member Tejada:** Okay. All right. I just heard we were making mention of other jurisdictions, so I'm wondering – I know that there's supposed to be a crossjurisdictional report, and I'm wondering when we should be able to expect that.

**The Chair:** Go ahead, Nancy.

**Ms Robert:** Thanks, Madam Chair. Research is hard at work on it, and we anticipate that it will be ready for the next meeting of the committee.

**Member Tejada:** All right. Thank you so much.

**The Chair:** All right. Let's move over to Nancy. You had a question as well.

**Ms Robert:** Thank you, Madam Chair. I just have a quick clarifying question that I'm hoping one of you might be able to help us with. Sections 2.1(1) and 2.2(1) and (2) of the public-sector compensation transparency general regulation stipulate additional disclosure requirements for public agencies and postsecondary institutions that are listed in a schedule of the Reform of Agencies, Boards and Commissions Compensation Act, which, of course, was repealed. So we're just wondering. Those additional disclosure requirements: do they still exist? Did that regulation move? Does it apply to something else? We're just wanting to make sure we're providing clear information to the committee.

**Mr. Ammann:** It's an excellent question. Absolutely. So the legislation, RABCCA as it's called, has been repealed. As I understand, there were ministerial orders made under the transitional provisions of the new public service employment regulation; again, I apologize if I got the name wrong there. A couple of ministerial orders have the RABCCA regulations as appendices, so I think that's how the continuity is existing. I would observe, just from a technical standpoint, that if the regulation is being opened, it is certainly possible that this cross-reference would benefit from, you know, being updated to reflect kind of the new situation.

9:50

**Ms Robert:** Thank you.

**The Chair:** Are there any more questions? From the government side? No? Anyone in the room? Anyone online? Pretty quiet bunch.

Okay. Well, thank you. Where are we here? This one. Okay. Thank you to our guests for joining us today. We'll be in touch with you regarding technical support later in the review process.

Next on our agenda we have the written submissions sent in regarding the Public Sector Compensation Transparency Act. A submission summary has been prepared for us, and I'd like Mr. Bhurgri to give us an overview of this document, please.

**Mr. Bhurgri:** Yeah. Thank you very much, Madam Chair. What I can do in this brief presentation is inform the committee about how research services prepared their submission summaries. During this review we have received 29 written submissions; these are all posted to the internal committee website. Some of these submissions include submissions from public agencies, postsecondary institutions, health care organizations, the pension service corporation, labour unions, the

public administrative organization, the Ministry of Justice, and the Public Service Commission.

There were also a number of submissions from private citizens as well as sort of stakeholders. I do want to point out that there were some submissions in which the submitters indicated that they were stakeholders, but they didn't always make it clear, which is why we haven't strictly divided it by number, but that's indicated within the submission summary document. There were also some entities that indicated that they'd be willing to answer any questions that the committee may have. I'm just going to mention a few of them that have indicated that in their submissions. These included the Premier's Council on the Status of Persons with Disabilities, the Alberta School Boards Association, the Alberta Securities Commission, the University of Alberta, and, of course, the Ministry of Justice.

Now I want to move a little bit and talk about how we have organized the document itself. This document has been organized by issue. We have also talked about background information that is relevant so that the committee has complete context as to which specific issues are being referred to. There was also one submission that is not in the written submissions; this was not related to the Public Sector Compensation Transparency Act.

I can briefly just go through the table of contents. As you can see, the table of contents is divided by issues. We have a category for overview of issues raised that has a summary of all the main issues that were raised. We also have a section that talks about general submissions that were not put into other specific categories. Then if you go to 3(2), there were some submissions that were related to the content of the public compensation disclosure reports. There were some submissions that related to mandatory disclosure. There's one specific theme – I think it has already been pointed out, too, by some members – which is the theme of privacy. A lot of submitters talked about the issue of privacy, especially in today's day and age with the risk of cyberthreat and fraud.

There are some other sections that we have. There's one section that's called unintended consequences of the public-sector compensation transparency framework. There were some entities that made arguments about how there are some unintended consequences that should be looked at. Other sections include threshold exemptions and, specifically, organizational exemptions and individual exemptions. At the end of the document you will see a list of all the written submissions that we received. And, like I said, all the issues have been summarized and categorized based on what they specifically talked about.

If there any more questions that the committee may have regarding the written submissions, I'm more than happy to answer them. Thank you.

**The Chair:** All right. Let's go to the members for any questions that you might have. Online? All right. No one. Okay.

Go ahead, Brandon.

**Mr. Lundy:** I'd like to make a motion under handling of submissions.

**The Chair:** Sure.

**Mr. Lundy:** All right. I move that the Standing Committee on Families and Communities direct the Legislative Assembly Office to make the submissions received as part of its review of the Public Sector Compensation Transparency Act publicly available on the Assembly website except for portions of submissions that contain any of the following: (a) personal contact information other than the name and municipality of the submitter; (b) personal information about an identifiable third party; and (c) profane or obscene language.

**The Chair:** Thank you, Member.

Just to note, this motion was on notice, so thank you for that. Let's vote.

**Ms Robert:** Discussion?

**The Chair:** Oh, discussion. Is there any discussion? Go ahead, Luanne. Go ahead. Do you have any points for discussion? No? Okay. That's it. Anybody else online? Any points for discussion? No? Shaking heads. In the room? No? Okay.

Then let's vote. All those in favour? Lizette and Andrew, how are you voting? Okay. You know what?

It's carried.

Thank you, everyone.

Next steps: additional feedback, information requirements. A crossjurisdictional comparison of similar legislation in Canada has already been requested and will be ready for consideration at the upcoming meeting. Is there any other information that committee members would like to consider? Okay. I have number 2, but who's number 1 on the questions? Okay. Diana, you're up.

**Member Batten:** Yes. I actually would like to amend the motion on notice.

**Ms Robert:** We have to move it first.

**The Chair:** You have to move it. We've already passed that motion.

**Ms Robert:** It's a new motion.

**Mr. Lundy:** I'd like to move a second motion.

**The Chair:** Oh. A second motion. Go ahead, Brandon.

**Mr. Lundy:** Yeah. Easier for them to amend the motion.

**The Chair:** That's okay.

**Mr. Lundy:** I move that

as part of its review of the Public Sector Compensation Transparency Act the Standing Committee on Families and Communities (a) authorize the subcommittee on committee business to identify up to four individuals or organizations to make oral presentations to the committee and (b) invite the individuals and organizations identified by the subcommittee to present to the committee at an upcoming meeting.

**The Chair:** Is there any discussion? No hands are raised. Okay. Go ahead, Diana.

**Member Batten:** Thank you so much. Apologies. I'm trying to play with screens here. Okay. We'd like to make an amendment. I believe this was put on the order sheet. May I go forward?

**The Chair:** Please proceed.

**Member Batten:** Okay. Thank you. The amendment would read that

the motion be amended as follows: by renumbering clauses (a) and (b) as clauses (b) and (c); by adding the following immediately before clause (b): "(a) invite a committee member from each of the government and the Official Opposition caucuses to submit to the chair no later than noon on February 28, 2024, a list of up to four individuals or organizations to make oral presentations to the committee"; in clause (b) by striking out "up to four individuals or organizations" and substituting "two individuals or organizations from each list."

**The Chair:** Any discussion?

**Member Batten:** Am I able to speak to why now?

**The Chair:** Sure. Yeah. Please.

**Member Batten:** Thank you. In principle we support the original motion. However, we believe that we should ensure a balanced approach to the information presented to the committee, and the amendment will do just that. It will still provide the subcommittee with the ability to determine stakeholders invited to the committee to present, but it will allow each caucus to provide a list of up to four to choose from.

Additionally, it will ensure that the final choices will come equally from each caucus. This will ensure that the voices in the conversation and providing input on possible amendments to the act come from a variety of sources and viewpoints. I encourage all members of the committee to support this amendment.

Thank you.

**10:00**

**The Chair:** Is there any other discussion? Okay. So we're calling the question now on the motion to amend. All those in favour? Andrew, how are you voting? Okay.

That's unanimous.

Now we'll move to the motion as amended. Okay. We'll have that up on the screen for everyone, just so we've got clarity. Can everyone see? I can't see it.

**Ms Robert:** She's working her magic. There we go.

**The Chair:** Okay. All right. Any further discussion on this?

Luanne, I see you're moving your head. I'm not sure if that's a yes, that you have something to say.

**Dr. Metz:** No. I'm just agreeing with it.

**The Chair:** Okay. Sure.

Nicole, I see your hand is up.

**Ms Goehring:** Thank you, Madam Chair. I just have a point of order in referring to members by their first name. My understanding is that the chair is to address us by our last name, so I would just hope that, going forward, that can happen.

Thank you.

**The Chair:** I certainly can do that. Sure.

Any other discussion?

All right. Now we're calling the question on the motion as amended. All those in favour?

That's passed unanimously.

Thank you.

All right. Now we're moving on to scheduling and main estimates. Committee members will recall that we have a total of six months to complete our review of the Public Sector Compensation Transparency Act, which gives us until early June to report back to the Assembly. We're also approaching the time of year when main estimates are given consideration by the legislative policy committees. The standing orders prohibit us from meeting on other matters during this period, so I don't anticipate that we'll be meeting again on this matter until after the consideration of main estimates is complete.

Are there any other items for discussion under other business? Go ahead, Member Metz.

**Dr. Metz:** Yes. I'm just hoping that when we have the next meeting, we will get polling so that we can have some input into availability. Monday mornings are a tough time because it's, really, our chance to drive into Edmonton when we're from away. I'm sure that many experience that.

**The Chair:** Most definitely. We'll certainly take that into consideration.

The next meeting, held after the consideration of main estimates, will be at the call of the chair, but we'll poll.

**Dr. Metz:** Thank you.

**The Chair:** Would a member move to adjourn?

**Mr. Hunter:** I move to adjourn.

**Ms Rempel:** Thank you, Madam Chair. I believe that hon. Mr. Hunter has moved that the February 26, 2024, meeting of the Standing Committee on Families and Communities be adjourned.

**The Chair:** All those in favour? That's carried.

Thank you, everyone.

[The committee adjourned at 10:03 a.m.]





