



Legislative Assembly of Alberta

The 27th Legislature
Third Session

Standing Committee
on
Public Accounts

Employment and Immigration

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Standing Committee on Public Accounts

MacDonald, Hugh, Edmonton-Gold Bar (AL), Chair
Rodney, Dave, Calgary-Lougheed (PC), Deputy Chair
Anderson, Rob, Airdrie-Chestermere (WA)
Benito, Carl, Edmonton-Mill Woods (PC)
Calahasen, Pearl, Lesser Slave Lake (PC)
Chase, Harry B., Calgary-Varsity (AL)
Dallas, Cal, Red Deer-South (PC)
Elniski, Doug, Edmonton-Calder (PC)
Fawcett, Kyle, Calgary-North Hill (PC)
Griffiths, Doug, Battle River-Wainwright (PC)
Groeneveld, George, Highwood (PC)
Kang, Darshan S., Calgary-McCall (AL)
Mason, Brian, Edmonton-Highlands-Norwood (ND)
Olson, Verlyn, QC, Wetaskiwin-Camrose (PC)
Sandhu, Peter, Edmonton-Manning (PC)
Vandermeer, Tony, Edmonton-Beverly-Clareview (PC)
Xiao, David H., Edmonton-McClung (PC)

Department of Employment and Immigration Participants

Mark Asbell	Chair, Labour Relations Board
Shelley Engstrom	Chief Financial Officer
Shirley Howe	Deputy Minister
Dan Kennedy	Assistant Deputy Minister, Workplace Standards
Alex Stewart	Assistant Deputy Minister, Strategic Corporate Services
Douglass Tadman	Vice-chair, Hearings, Appeals Commission, Workers' Compensation Board

Auditor General's Office Participants

Merwan Saher	Auditor General
Jeff Dumont	Assistant Auditor General
Dominic Gallace	Principal

Support Staff

W.J. David McNeil	Clerk
Louise J. Kamuchik	Clerk Assistant/Director of House Services
Micheline S. Gravel	Clerk of <i>Journals</i> /Table Research
Robert H. Reynolds, QC	Law Clerk/Director of Interparliamentary Relations
Shannon Dean	Senior Parliamentary Counsel/Clerk of Committees
Corinne Dacyshyn	Committee Clerk
Jody Rempel	Committee Clerk
Karen Sawchuk	Committee Clerk
Rhonda Sorensen	Manager of Corporate Communications and Broadcast Services
Melanie Friesacher	Communications Consultant
Tracey Sales	Communications Consultant
Philip Massolin	Committee Research Co-ordinator
Stephanie LeBlanc	Legal Research Officer
Diana Staley	Research Officer
Rachel Stein	Research Officer
Liz Sim	Managing Editor of <i>Alberta Hansard</i>

8:30 a.m. Wednesday, December 1, 2010

[Mr. MacDonald in the chair]

The Chair: Good morning, everyone. I would like to call the Standing Committee on Public Accounts to order, please. My name is Hugh MacDonald from Edmonton-Gold Bar. On behalf of all committee members I would like to welcome those in attendance this morning.

Please note, again, that the meeting is recorded by *Hansard* and the audio is streamed live on the Internet.

Perhaps we can introduce ourselves. We'll start with the vice-chair, please.

Mr. Rodney: Thank you, sir. From Calgary-Lougheed Dave Rodney. Welcome, everyone.

Dr. Massolin: Good morning. I'm Philip Massolin. I'm the committee research co-ordinator, Legislative Assembly Office.

Mr. Dallas: Good morning, everyone. Cal Dallas, Red Deer-South.

Mr. Kang: Good morning. Darshan Kang, Calgary-McCall.

Mr. Chase: Good morning. Harry Chase, Calgary-Varsity.

Mr. Tadman: Good morning. Doug Tadman from the Appeals Commission, vice-chair.

Mr. Asbell: Mark Asbell from the Labour Relations Board.

Mr. Kennedy: Dan Kennedy with Employment and Immigration.

Ms Howe: Good morning. Shirley Howe, Deputy Minister of Employment and Immigration.

Mr. Stewart: Good morning. Alex Stewart, Employment and Immigration.

Ms Engstrom: Good morning. Shelley Engstrom, Employment and Immigration.

Mr. Gallace: Good morning. Dom Gallace, Auditor General's office.

Mr. Dumont: Good morning. Jeff Dumont, Assistant Auditor General.

Mr. Saher: Merwan Saher, Auditor General.

Mr. Olson: Good morning. Verlyn Olson, Wetaskiwin-Camrose.

Ms Rempel: Jody Rempel, committee clerk, Legislative Assembly Office.

The Chair: The chair would like to note and welcome, please, Mr. Kyle Fawcett.

Mr. Fawcett: MLA, Calgary-North Hill.

The Chair: The agenda was circulated by the committee clerk. Could I have approval of that agenda, please? Moved by Mr. Chase that the agenda for the December 1, 2010, meeting be approved as distributed. All in favour? None opposed. Thank you.

Now the approval of the minutes of the November 24, 2010, meeting as distributed. Mr. Chase. Thank you. Moved by Mr. Harry B. Chase that the minutes of the November 24, 2010, Standing Committee on Public Accounts meeting be approved as distributed. All in favour? None opposed. Thank you.

This gets us to item 4 on our agenda, the meeting with the officials from Alberta Employment and Immigration. This morning we will be dealing with the Auditor General's reports from April and October 2010; the annual report of the government of Alberta 2009-10, which includes, of course, the consolidated financial statements, the Measuring Up document, and the business plan; and the Alberta Employment and Immigration annual report for 2009-10. I would remind everyone of the briefing materials that have been prepared for the committee by the LAO research staff.

I would now invite Ms Shirley Howe, deputy minister, to make a brief opening statement on behalf of Employment and Immigration. Thank you.

Ms Howe: Thank you. Good morning. I'm here to present Employment and Immigration's 2009-2010 annual report for your review. In addition to the Department of Employment and Immigration, this ministry's annual report includes the Francophone Secretariat, the Occupational Health and Safety Council, the Alberta Labour Relations Board, the Appeals Commission for Alberta workers' compensation, and financial information for the Workers' Compensation Board of Alberta.

While WCB's financial information is included in the appendix of our annual report, they are not otherwise a part of our business plan or annual report. As such, it would be inappropriate for us to respond to questions regarding WCB. Instead, we'll be happy to take any questions you have back to them so that they can respond in writing.

I'll start with an overview of Employment and Immigration's results from the 2009-2010 fiscal year. Actual program operating expenses for the ministry came to approximately \$1.17 billion; 84 per cent of this spending was on employment programs that both help Alberta meet its labour force requirements and help all Albertans contribute to our economy.

I'll give you examples of how we helped Albertans deal with higher than normal unemployment rates over the course of last year. We matched job seekers with employers who were hiring through over 180 employer connections events in our labour market information centres. Our staff also provided support to employers having to lay off employees by informing them of alternatives to layoffs and developing custom presentations for their affected workers. Presentations focused on helping them with their resumés and job-seeking skills. We also helped employers set up job fairs for their laid-off workers to connect them with other employers as quickly as possible. For example, we helped GE Money prepare a job fair when they closed their Edmonton call centre in February 2009. We helped recruit 19 employers to the job fair and presented information on our career services to the 250 laid-off workers.

The unemployment rate for First Nations, Métis, and aboriginal peoples remained a concern, and we saw the rate for this group rise during the recession. In partnership with industry we provided training in occupational trades such as heavy equipment operators and construction. Participants developed basic employment readiness, safety training, and trade-specific skills. We assisted with the opening of an employment centre in Hobbema and trained First Nations career consultants to provide career and employment services at that centre. This is the first centre in the province to provide a full range of career and employment services on reserve to members of four different bands: Samson, Montana, Louis Bull,

and Ermineskin. By the end of 2009 the off-reserve aboriginal labour force increased to 72,600, just missing the target of 73,000.

With higher unemployment in the province more Albertans struggled to make ends meet, especially those who found themselves out of work. While our focus is always on helping people achieve independence through employment, we provide income supports and health benefits programs to Albertans in need. Our average monthly caseload was 36,711 over the course of the year. To compare, the year before we averaged nearly 9,000 fewer cases per month. This increased pressure required nearly \$158 million in spending over what was originally budgeted for these programs.

We also received additional federal funding for employment training to help people develop their skills and get back into the workforce. We provided funding to over 23,000 Albertans for tuition-based training. Although the job market was tough, 77 per cent of participants in skills programs were employed three months after completing their program, and 81 per cent felt that their training helped prepare them for future employment.

Another core area of our business is immigration. Given the economic situation we adjusted our labour attraction activities and focused on occupations that continued to be in shortage despite the economic downturn. The www.albertacanada.com website had over a million visits during the fiscal year. In addition, the Immigrate to Alberta information service responded to nearly 34,000 calls and over 8,000 e-mail inquiries. We also provided a number of services to help newcomers already in Alberta settle into their communities. For example, we cofunded 18 settlement agencies, which helped over 21,000 immigrants access community supports. We also provided language assessment services to over 18,000 people. Our international qualifications assessment service issued more than 6,300 assessment certificates, surpassing our target. We funded nine pilot projects in six communities to help over 6,000 temporary foreign workers connect to support services.

Ensuring our workplaces are fair, safe, and healthy is another priority for this ministry. The Employment Standards Contact Centre responded to nearly 125,000 calls and e-mails in the 2009-10 fiscal year; 98 per cent of Alberta's employers had no complaints registered with employment standards, exceeding the target of 97 per cent.

We implemented Bill 1, the Employment Standards (Reservist Leave) Amendment Act, 2009, requiring employers to provide unpaid job-protected leave for Canadian Forces reservists.

We also made some gains in the area of occupational health and safety, or OHS. We made some updates to the OHS code, promoted occupational health and safety in the health care industry through our No Unsafe Lift campaign and developed the best-practice guideline for workplace health and safety during pandemic influenza, released at the height of the H1N1 pandemic.

Our OHS officers conducted over 14,000 inspections of employer work sites and wrote over 9,000 orders to employers who were not meeting health and safety standards outlined in the code. Most importantly, fewer people were hurt on the job in the 2009-10 fiscal year. Both the lost-time claim rate and the disabling injury claim rate hit record lows, achieving our targets.

The Auditor General's April 2010 report identified some concerns in the OHS program, and addressing them has been a big part of our work in the 2010-11 fiscal year. This ministry also provides third-party support in resolving collective bargaining agreements. We achieved our target of 98 per cent of collective bargaining agreements being settled without a strike or lockout.

8:40

The Alberta Labour Relations Board is responsible for the day-to-

day application and interpretation of Alberta's labour laws. It took an average of 69 days from the acceptance of an application to the date of the first hearing, exceeding the target of 70 days and improving the waiting time from the year before by an average of 17 days.

The Appeals Commission for Alberta workers' compensation is the final level of appeal for workers' compensation matters in Alberta. Standard appeals were processed in an average of 153 days and complex appeals in 180 days. These processing times demonstrate an improvement over the prior year, when standard appeals took 172 days and complex appeals took 212 days to process. Employment and Immigration accomplished a great deal over 2009-2010 and had good client satisfaction and success rates.

We'd be pleased to answer any questions from the committee members. Thank you.

The Chair: Thank you very much. I appreciate that brief opening comment. Could you clarify, Ms Howe, for the committee members your statement regarding the Workers' Compensation Board?

Ms Howe: The Workers' Compensation Board has their financial statements as part of our report, but because they are not a direct entity of this ministry, we will not be answering questions on their financial statement. But we would be happy to take any kinds of questions that you would have. We will provide them to the board, and they will respond in writing.

The Chair: With all due respect – and I'm looking at page 5 of your annual report, which you signed off on – management's responsibility for reporting includes Workers' Compensation Board of Alberta. On page 48 Employment and Immigration is required to include Workers' Compensation Board financial statements as supplemental information. So, certainly, we would expect you to provide information this morning regarding Workers' Compensation Board if the members have any questions.

Ms Howe: Again, if the members have questions, we would be happy to take those and forward them to the board. The responsibility statement recognizes consolidated financial statements.

The Chair: Interesting.

Mr. Saher, do you have any comments at this time, sir?

Mr. Saher: Yes. Thank you, Mr. Chairman. Jeff Dumont will make our opening comments.

The Chair: Okay.

Mr. Dumont: Mr. Chairman, beginning on page 136 of our October 2010 public report, we recommended that the Workers' Compensation Board ensure that access to computer systems is restricted to appropriate staff.

We also completed a significant systems audit on occupational health and safety. Beginning on page 31 of our April 2010 report, we reported our findings. We recommended that the department enforce compliance with the Occupational Health and Safety Act by employers and workers who persistently fail to comply, improve its planning and reporting systems for occupational health and safety, strengthen its proactive inspection programs by improving risk focus and co-ordinating employer selection methods for its inspection activities, improve its systems to issue certificates of recognition by obtaining assurance on work done by certificate of recognition auditors and consistently following up on recommendations made to

certifying partners, and finally, strengthen the legislative permit and certificate programs by improving controls over issued asbestos certificates and processes for approval and monitoring of external training agencies.

The list of our prior recommendations for Employment and Immigration is on pages 210 and 211 of our October 2010 public report.

We'll be pleased to answer any questions of the committee members.

The Chair: Thank you very much. Before we get to questions, the chair would like to recognize and welcome Mr. Xiao, Pearl Calahasen, Doug Elniski, and Mr. Benito, who have arrived. Thank you for your participation this morning.

We will now start with questions. Mr. Chase, please, followed by Mr. Dallas.

Mr. Chase: Thank you very much. While I'll be directing questions to the ministry, I want to encourage the Auditor General and his department to feel free to add to concerns.

The annual report 2009-10 income support claimants. Page 20 of the annual report discusses performance measure 3(c), the percentage of income support claimants who found employment three months after leaving the program. The department's result was only 54 per cent, well below the 70 per cent target. This means that almost 50 per cent of people who left income support did not have a job three months after losing benefits. The report states that only some of these individuals transitioned to training programs or receiving financial support from other sources. Does the department have any figures as to just how many of these individuals found other supports and how many did not? In other words, what proportion of those off income support had little or no additional supports as well as no employment?

Ms Howe: We do not have specific figures. As you know, during this period the economy did take a downturn. The department provided supports both in terms of training and financial and health benefits where people were eligible. We do not track specific numbers where people are both unemployed and not receiving benefits.

Mr. Chase: A suggestion would be, for the benefit of Albertans who are destitute, that those statistics be tracked and, hopefully, improved upon.

My second question. Is this performance measure focused on individuals who exhausted benefits or those who voluntarily chose to leave the program or both? I'm afraid from your previous answer that you're not going to be able to tell me what the proportions are, but they are significant.

Mr. Stewart: We don't have such a thing as exhausting benefits. In the case of employment insurance, when you complete the number of weeks to which you're entitled, you've exhausted your benefits. Our income support program works differently. There's no number of weeks that you're entitled to. You are entitled to remain on income support until such time as we're able to assist you to get into a job. So we don't have exhausting benefits.

The performance indicator that we're speaking about is for all individuals who need income support. Three months later we contact them to see if they have found employment during those three months. They are individuals who in most cases we've worked with, and either through a connection with an employer or through assistance to get into a training plan or some other assistance that's

leading towards employment, we've enabled them to get off income support. It's not an exhaustion of the benefits; it's an assistance that we have provided that has facilitated their departure from income support.

Mr. Chase: Thank you.

The Chair: Thank you.

Mr. Dallas, please, followed by Mr. Kang.

Mr. Dallas: Thanks, Mr. Chair. I'm looking at page 13 of the Employment and Immigration annual report, specifically in the area of goal 5, items 5(c) and 5(d). What that is is two different targets, one for the measure of percentage of decisions rendered within 90 calendar days from the completion of hearings and, 5(d), the percentage of decisions rendered within 180 calendar days from the completion of hearings.

What I see there are performance results from prior surveys, targets that I think are consistent with the historical performance, and then results that are significantly less than the targets. I wonder if you could elaborate on why such a significant disparity between the target and the actual results.

Mr. Asbell: I'll answer that if I can, being chair of the Labour Relations Board. Last year was a bit of a difficult year as far as the number of hearings. Our hearings substantially increased. It increased to the extent of, I believe, 34 per cent. In addition to that, we had an exhaustive hearing calendar by way of the complexity of the matters, and our hearing days also increased. If I'm not mistaken, our hearing days actually increased by 24 per cent.

Coupled with that, unfortunately, in an effort to maintain our budget, we actually changed to part-time vice-chairs as opposed to full-time vice-chairs, which affected our ability to manpower the hearings. In addition, we also had one individual, who was our full-time chair, who was unable to sit in hearings due to health reasons. It all resulted in a piling on, if you will, of our hearings and thus the delay in the rendering of decisions.

8:50

Mr. Dallas: Okay. Well, I guess that would be the segue to my next question, then. Given that there were some capacity issues in terms of the ability to conduct those hearings, the next measure I'm looking at is performance measure 5(b), which measures the number of applications that would be settled before reaching a formal hearing. I would expect that a fair amount of energy, given the circumstances, would be applied to that. My concern is not so much necessarily with the performance result although that certainly is something to take note of. It would be the trend line to what would appear to me to be a lowering of the target; in other words, the expectation of settling these matters before a formal hearing. It appears that our expectation is lowered for that. I wonder if you could comment on that.

Mr. Asbell: Actually, our line has maintained itself at about 57 per cent. That is our goal. What has happened is that historically and especially in some scenarios where you have a few major files or a few major disputes settling, they can impact the numbers rather substantially. Of course, last year as well we still had some remnants from the construction industry dispute of 2007. There were very few settlements as a consequence. Some of those things are out of our control, but we still really do push for settlement, and we direct specific resources to those. Historically, if you analyze our numbers, they've actually gone up from 30 per cent to as high as the

mid-70s; 57 per cent has been our baseline, and that's what we hope to achieve every year.

The Chair: Thank you.

Mr. Kang, please, followed by Mr. Fawcett.

Mr. Kang: Thank you, Mr. Chair. In April of this year the Auditor General made a recommendation to improve the program for proactive inspections, page 46 of the AG's April 2010 report. The AG found that departments selected high-risk employers and industries for inspections but that it was not done by inspecting sites on the basis of employer safety history or risk. For example, virtually all inspections were conducted during weekday business hours despite the fact that a large number of incidents occur outside those hours. My question is: could you please explain what you have done to improve the selection criteria for your proactive inspections?

Ms Howe: The focus on proactive and targeted industry inspection programs on specific industry subsectors with a high incidence of illness and injury frequency or specific hazards that would be contributing to illness and injury has been stepped up. This program continues to be in progress. Our Work Safe focused inspection plan was developed and did commence in October of this year. We have also initiated a pilot project for weekend and evening work-site OH and S inspections, and that continues today.

Mr. Kang: Thank you. On the 10-point plan announced on July 30, 2010, to commission the department to do a pilot program for week and evening work-site inspections, my question is: how broad is this pilot project? Will it apply to certain industry sectors such as construction, or will it be across industries? How long will the pilot run before the decision is made on its continuation?

Mr. Kennedy: We did look at the Auditor's report, and we did develop a pilot project, that we hope to do an evaluation on in March of 2011. We have, I believe, targeted 300 after-hour inspections and across a number of industries. At that time, depending on the results of that, we will look at a go-forward position and whether it's hiring people specifically for evenings and weekend work.

The other thing we have to consider when we're developing that program is the industries that are working a 24/7 operation because there are some businesses that would only work Monday to Friday.

Mr. Kang: Thank you, Mr. Chair.

The Chair: Thank you.

Mr. Fawcett, please, followed by Mr. Mason.

Mr. Fawcett: Thank you, Mr. Chair. I'm going to look at the financial statements of '09-10, which are in the annual report. I'm looking specifically at line 2.3.1, which is workforce partnerships. The actual amount that was spent was about \$7 million lower than the budgeted amount, so I just wanted some comment on why such a large surplus in that particular area.

Mr. Stewart: The focus of our workforce partnership program is on attraction and retention of workforce, and we work in partnership with employers to facilitate attraction and retention. As we all know, 2009-10 was the period during which the economy suffered a downturn. Unemployment rates in Alberta essentially doubled. The number of unemployed doubled. What we found was that we went very quickly from a period where employers were having

difficulty attracting and retaining workers into a labour market situation where the number of unemployed doubled and the whole focus of employers' efforts changed. They now were looking more at workforce adjustment type measures than attraction and retention. What we did was we redirected our efforts away from attraction and retention towards facilitating adjustment activities for workers who were affected by the downturn, and that's the reason why you see the reduced spending in this particular program element.

Mr. Fawcett: Okay. Mr. Chair, my supplemental is on the same page of the annual report. Just going down one more line, to line 2.3.2, which is aboriginal development partnerships, this line item increased \$2.3 million over the budgeted. How was the increase in these funds from the budgeted amount spent?

Ms Howe: Well, we work in partnership with industry and aboriginal communities and the federal government to increase participation of aboriginal people in the labour market. Over this period we assisted with the opening of the Maskwachees employment centre in Hobbema. This is the first employment centre in the province to provide a full range of career and employment services on reserve in Alberta. Members of four different bands, as I think I'd mentioned in my opening comments – the Samson, Montana, Louis Bull, and Ermineskin – have access to this centre.

We're also working with the Métis settlement representatives, Alberta Aboriginal Relations, and Northern Lakes College to support and develop aboriginal workers in northwest Alberta. The increased spending related to the investment in aboriginal capital corporations to directly support aboriginal entrepreneurs and investments in aboriginal youth. For example, the Athabasca tribal youth camp was aimed at helping aboriginal youth explore opportunities around entrepreneurship. The Piikani youth forestry camp encouraged participants to explore career opportunities in the forestry sector.

The Chair: Thank you.

Mr. Fawcett, did you have a quick comment?

Mr. Fawcett: Yeah. That was a great explanation about what that line item was. I'm just wondering: was not all of that stuff budgeted for? Why was there an additional \$2.3 million spent over the budgeted? That was what my question was around.

Mr. Stewart: At the outset of the year we establish budgets based on our expectation of what the needs will be during the course of the year. The budgets are set, typically, in December of the year previous for the year which begins in April and continues on until the following March. Often what happens is that economic conditions change, needs change, and as a result we have the flexibility to move budget funds from element to element to respond to different needs. As I said a minute ago, we found that the unemployment rate had gone up, and we needed fewer funds directed towards attraction and retention. We saw some needs in the aboriginal community that were going unmet, so we redirected some funds towards that particular area, where the demand was greater than perhaps we had anticipated.

9:00

Mr. Fawcett: Thank you.

The Chair: Thank you very much.

Mr. Mason, please, followed by Mr. Olson.

Mr. Mason: Thank you, Mr. Chairman. I apologize for coming in

a bit late. To whom would I direct a question about the Workers' Compensation Board?

Ms Howe: We'd be happy to take that question and respond in writing at a later time.

Mr. Mason: Didn't you think it was a good idea to bring the chairman along?

The Chair: Mr. Mason, just to clarify, before you arrived – and I think you have every right to ask the question. If you look at page 5 of the annual report, management has the responsibility for reporting for many entities, including the Workers' Compensation Board, in this annual report, which we're dealing with this morning. Also, there are references in this report to management's responsibility. Please proceed. Do your best to answer the questions.

Mr. Mason: Mr. Chairman, anything in the annual report or the Auditor General's report to do with the department is the subject of questions in this committee.

The Chair: Exactly. You're absolutely right, sir.

Mr. Mason: We have every right to ask those questions and get answers.

The Chair: And we expect an answer.

Mr. Stewart: Could I? It was on my advice that we did not bring a representative of the Workers' Compensation Board, so I take responsibility for that. It's a practice we've actually followed for the last couple of Public Accounts meetings. At a previous meeting, in February 2009, we didn't bring the Workers' Compensation Board either. What I would say to the committee is that given the kind of feedback that we've received today, we will certainly take that under advisement, and at our next appearance in front of the committee we will look to bringing a representative of the Workers' Compensation Board.

I apologize. It's my responsibility, and I was the one who advised our deputy not to do this. It's a practice that we certainly followed at the last meeting, and we didn't get the same type of reaction.

The Chair: Mr. Stewart, I don't want to take up too much time because there is a long list of members interested in questioning your department. The last time this department did not have the Workers' Compensation Board accompany them, some members of this committee suggested it, and we did bring the Workers' Compensation Board forward as an agency, board, or commission. So it's very important that they do show up. Members expressed through the chair their interest in having the Workers' Compensation Board here.

Mr. Mason.

Mr. Mason: Thank you. Well, I will ask the question, and you can carry it back. I would invite the Auditor General, if he has enough information to express an opinion, to do so. Alberta is the only province in Canada that pays staff at the Workers' Compensation Board to deny claims. Staff members who help the board meet its corporate goals of reducing premiums for employers and their obligation to injured workers receive bonuses which average nearly \$6,000 a year. My question is: is it in the interests of workers and the interests of fairness to provide bonuses to WCB staff to deny claims? Does that produce the right outcomes in terms of fairness

to people who have been injured on the job? You can carry that question back, and I'll invite the Auditor General, if he feels he has enough information to comment, to do so.

Mr. Saher: Mr. Mason, I regret that I don't think I can offer a comment. I understand your question.

Mr. Mason: You're very cautious, Mr. Auditor General.

Mr. Saher: Yes. I think I should comment when I've done specific audit work that relates to the issue.

Mr. Mason: Do you think this is an item that might bear scrutiny?

Mr. Saher: I think the proper course is for your question to be responded to by management. If that answer indicates in some way that the practice is connected with a system that is attempting to achieve a particular objective, I think my obligation would be to comment on whether the data that's informing that system is accurate. But as to the policy that the WCB has in the area, I think management has to respond to you.

The Chair: Mr. Mason, I don't mean to interject here, but I would like to point out page 70, where the Acting Auditor General signed off on the Workers' Compensation Board's balance sheets on April 20, 2010, for your information, sir.

Mr. Mason: Thank you.

Mr. Chairman, just a comment. All MLAs, I'm sure not just opposition MLAs, deal with constituents who have WCB claims, and it's often some of the most difficult work that our offices do. So a system that actually rewards people for denying claims is not only unfair to the workers, but it really is contributing to, you know, quite a bit of traffic in many constituency offices, and I think it needs to be corrected.

Thank you.

The Chair: Thank you.

Mr. Olson, please, followed by Mr. Chase.

Mr. Olson: Thank you. Thank you for being here today. I'm looking at page 35 of your annual report and just had a couple of questions about note 8, contingent liabilities. You indicate that the ministry is a defendant in 11 legal actions. Two parts to my question. One, it notes that in 2009 there were also 11 claims, so are we talking about the same 11 claims? Does that mean there haven't been any new claims, or are there 11 new claims?

Mr. Stewart: These claims tend to carry over for long periods, as you would probably appreciate, so the same claims generally will be present on the books for a number of years. So it's not 11 new claims. It is claims that existed at that point in time, many of which date back, in some cases, many years.

Mr. Olson: Thank you.

The second part of my question. It goes on to talk about the fact that 10 claims amount to \$19.3 million and are covered by the Alberta risk management fund, which leads me to wonder about the 11th claim. If 10 claims are covered by the Alberta risk management fund, then what's the status of that 11th claim?

Mr. Stewart: I don't have that specific information, so I'll have to take that question under advisement, and we'll provide a written response to the committee.

Mr. Olson: Thank you.

The Chair: Through the clerk if you don't mind, Mr. Stewart, please.

Mr. Chase, followed by Mr. Elniski.

Mr. Chase: Thank you. Echoing Mr. Mason's observations with regard to the Workers' Compensation Board, more of our constituency time and effort is spent on casework regarding denial of support for injured workers than all other casework combined.

The Auditor General's annual report April 2010, occupational health and safety, certificates of recognition. In April this year the Auditor General made a recommendation about certificates of recognition, or CORs. A COR can earn an employer up to 20 per cent off its WCB premiums. The cost of the program to E and I is about \$2.5 million. Employers with CORs comply with OHS orders faster than other employers; however, some employers with CORs consistently fail to comply with OHS orders, page 42. Clearly, it's vital to the success of the certificate of recognition program that the certification process is of high quality. According to the AG's report, page 49, quality assurance is limited to reviewing audit reports.

In the July 2010 10-point plan news release the minister promises a review of COR. Can you tell us at what stage the review is at and whether the department will publicly release the review data given the concern about the program?

Ms Howe: The on-site audit review process has been implemented to review the work conducted by our COR auditors. These reviews are currently taking place at the employer sites, where audits are conducted. A standard procedure has been developed and implemented to track certifying partner progress and achievement of recommendations identified in quality assurance audits, and we're revising the employer review process for companies with CORs and poor safety performance. The employer review process documentation is being finalized.

Dan, would you have any supplementary to that?

Mr. Kennedy: Yeah. We're looking at the total COR program. There has been some mention of people having a COR for some period of time and not seeing the value in reducing workplace injuries. We have met with certified partners. There is another meeting coming up this month, and we hope to have a plan in place where if somebody shouldn't have a COR, we have the ability to remove those CORs.

It has taken us a little bit of time, but it is a partnership, or a memorandum of understanding between the certified partner and department. We believe that we're well on our way to getting that in place. Hopefully, by the end of this year there will be something in place. The documents, I believe, would all be made public on the website.

9:10

Mr. Chase: Thank you. My second question. Industry groups and safety associations provide input for setting COR requirements, and they approve and maintain lists of independent auditors. The AG's report notes that there is a gap between the department's program requirements and the practices of some of these partner bodies. Could you tell us what is being done to close that gap?

Mr. Kennedy: We've also got a program where we're auditing the auditors. There has been a concern about employers that hire

auditors. You know, we want to make sure these auditors are independent, impartial, so we're also following up with audits of the auditors.

The Chair: Mr. Kennedy, just to be specific for all members, those are safety audits, right?

Mr. Kennedy: They're COR audits.

The Chair: Yeah. Okay. Thank you.

Mr. Elniski, please, followed by Mr. Kang.

Mr. Elniski: Thank you very much, Mr. Chairman, and good morning, everybody. I have a couple of questions for you with regard to income support programs and a couple of different directions here. One is that I note that the total number of cases that you serve through this particular program is 441,540 approximately, which by my rough calculation on a 3 and a half million person population in the province works out to about 13 per cent of the provincial population that is supported by programs provided by your ministry.

When I look at the program called Not Expected to Work, which consumes about 30 per cent of your budget in this regard, about \$153 million, I'm always curious as to what the difference is between the funding supports that you provide in a category called Not Expected to Work and other programs that are geared towards essentially the same people that come from other ministries. In particular, we might talk about Seniors and Community Supports. I would love to know what the difference is between the program funds that you provide and the type of individuals that you serve in this 13 per cent of the provincial population and the same type of people who are served through Seniors and Community Supports.

Mr. Stewart: First of all, I think I need to clarify the 13 per cent of the population. The number of people that we have on income support is at the current time in the vicinity of 38,000, 39,000, so it's closer to 1 per cent of the population. I think you may have used the financial number to do the calculations. The actual number of people we have in income support is closer to 1 per cent of the population.

Mr. Elniski: Okay. Well, that's possible, but figure K, caseload statistics for income support program '09-10 shows the client group, the caseload, and the percentage of caseload attributable to each one. There are under every other spreadsheet on this page dollar signs in front of those numbers. On this particular one, however, there is no dollar sign.

Mr. Stewart: I'm not sure which page you're referring to, sir.

Mr. Elniski: Page 9. Oh, he probably doesn't have this. Okay. You may not have the copy of this. Can you give him a copy of this, please?

The source is an e-mail from the Office of Statistics and Information, November 25. It does very clearly indicate that you're currently serving a population of 441,540 people by your own department's numbers.

Mr. Stewart: When I get the sheet, I'll answer that question. Perhaps I'll answer the second question while I'm waiting.

The supports we provide to Not Expected to Work: we have two designations for the individuals when they come to see us. When an individual presents at our office, there's an assessment done. The

assessment is done to determine their needs, and the first thing that we look to as a first course of action is: what can we do to assist the individual to get back to the workforce? So that's the first part of our assessment.

We make an assessment as to the potential employability of the individual, taking into account such things as education, work experience, and potential barriers to employment they may have. Individuals who have multiple barriers to employment are placed in the not-expected-to-work category, which doesn't mean – and this is one of the reasons why we're changing the terminology. We found that the terminology "not expected to work" has been a bit misleading. Even though they're placed in the not-expected-to-work category, we still do undertake efforts to provide them with assistance to get back into the workforce. It's just a recognition that the barriers that they have are more extensive – the level of support they may need and the level of assistance they may need – and the time it may require for them to get back into the labour force is longer.

Now page 9.

Mr. Elniski: Figure K, caseload statistics, the third table.

Mr. Stewart: Yes. I believe this is dollars, the 441,000. So it's not caseload statistics.

Mr. Elniski: Okay. But then the math doesn't work. Could you come up with an answer of what that actually is and bring it back to the clerk, please?

Mr. Dumont: Yeah. My understanding with that number is that it's based on 12 months. So it is a number, but it would have to be divided by 12 to figure out . . .

Mr. Elniski: So did you serve 441,000 people last year?

Mr. Stewart: We didn't serve 441,000 distinct individuals. Thank you for that clarification, Jeff.

When I said we had in the order of 39,000 individuals on caseload, that is at any particular point in time.

Mr. Elniski: Okay. So are we going to take all these numbers on this page and divide them by 12? Or what are we doing here?

Mr. Stewart: This table, figure K, yes, that is the total number of individuals. But, again, an individual could be on caseload for more than one month. You can't really just take it and divide it by 12. This is the total number of cases that we had at any point in time over the course of the 2009-10 year.

Mr. Elniski: Okay. So then 13 per cent of the population of 3 and a half million people sought services through your department, based on what you just said, Alex. Okay? I'd like some clarification on the point because I think that there's some disconnect here, so maybe if you could provide that, that would be most helpful.

I'll switch gears here for a second on you and go back to my second question, which had to do with the difference between the services that your organization provides under the category Not Expected to Work and the same services and supports that are provided through Seniors and Community Supports. I'm curious as to what the difference is and also what the overlap is between the services provided by the two departments.

Mr. Stewart: Okay. I think you're probably referring to the AISH program.

Mr. Elniski: Yeah, among others.

Mr. Stewart: The AISH program is the assured income for the severely handicapped. The process for determining eligibility for the AISH program involves an assessment of an individual's capacity to ever return to the workforce, and the definition of somebody who is placed on AISH is that they have a permanent disability which will prevent them from ever achieving full independence through work.

Mr. Elniski: Okay. But isn't that the same as your definition under the not-expected-to-work program: individuals who have difficulty working due to chronic mental or physical issues or barriers to employment?

Mr. Stewart: No, it isn't the same. I can understand how you can . . .

Mr. Elniski: It sounds like it's the same.

Mr. Stewart: Yeah. As a matter of fact, under the social assistance review, which is now called Alberta supports, we're working with Seniors and Community Supports on the distinction between the AISH program and our not-expected-to-work on exactly the kind of question that you're talking about and trying to ensure alignment between the two programs. The simplest way to explain it is that people on AISH are permanently unable to work, and a doctor has indicated they are permanently unable to work. Individuals in our not-expected-to-work program have in many cases multiple barriers, but they're not considered permanently unable to work. That's the distinction between the two programs.

Mr. Elniski: Please answer the next question with a yes. Is there a single point of entry for an individual seeking supports under either of these programs, and if not, why not?

Mr. Stewart: You asked me to answer the question with a yes?

Mr. Elniski: Well, ideally, yeah.

9:20

Mr. Stewart: In most cases there is now a single point of entry for an individual because if they enter into one of our offices and it is determined that they have AISH eligibility, then we make the connection. To your point, in the longer term that is precisely the goal of the Alberta supports initiative, to ensure that there is in all cases a single point of entry and there is no potential for clients to be bounced around.

Mr. Elniski: Wonderful. Thank you.

The Chair: Mr. Kang, please, followed by Ms Calahasen.

Mr. Kang: Thank you, Mr. Chair. Every year the department releases a report entitled Occupational Injuries and Diseases in Alberta. In 2007 this report claimed that the certificate of recognition program saved the government \$15 million in injury compensation, on page 90 of that report. Will the savings from COR be comparable in 2009 and 2010?

Mr. Stewart: I don't know specifically, but essentially the same number of employers were on COR. We can get you an exact answer to your question, but typically the savings year to year from the COR program don't vary to any great extent.

Mr. Kang: Okay. My second question is: why did the department delete references to savings earned from COR after 2007?

Mr. Stewart: Sorry. Could you repeat the question?

Mr. Kang: Why did the department delete references to savings earned from COR after 2007 in the reports? After 2007 why did the department delete references to savings earned from COR?

Mr. Stewart: So you're saying that we've deleted references to savings from COR?

Mr. Kang: Yes. After 2007.

Mr. Stewart: Again, I don't know the answer to that question. I'll have to get back to you with a written response.

Mr. Kang: Through the chair, please. Thanks.

Mr. Stewart: Yes.

The Chair: Ms Calahasen, please, followed by Mr. Mason.

Ms Calahasen: Thank you very much. Good morning. Sorry I was late this morning. I have a question relative to page 12 of your annual report 2009-2010. You talk about the Alberta First Nations, Métis, and Inuit off-reserve labour force, and you indicate that in 2005 there was a certain number, 65,400, and then in 2009 it was 72,600. I know that in some of the communities that I represent there is such a high unemployment rate. Can you tell what was used to calculate that and how you came to use the numbers you have to be able to identify how this performance measure was measured?

Mr. Stewart: The calculation is done through an addendum to the labour force survey. So there is actually a survey done of individuals who indicate they are aboriginal and living off reserve. In the methodology section of our annual report there is more detail around exactly how the survey is conducted. A sufficient number of individuals are interviewed to give us confidence that the statistics will be reliable probably within a couple of per cent. So it's an addendum to the labour force survey. The labour force survey is a survey that's done through about 55,000 households across the country every month, and there's a special addendum that we've worked with Statistics Canada to put in place to achieve an estimate of the labour force and other statistics related to aboriginals.

Ms Calahasen: Within Alberta or just Canada?

Mr. Stewart: This is within Alberta.

Ms Calahasen: Do you do it on a month-to-month basis, or do you do it sort of, like, on a yearly basis? How do you calculate that, then?

Mr. Stewart: If I could refer you to page 102 in the annual report, you can see from the methodology under performance measure 1(b) that the statistics associated with this particular performance measure are calculated as a 12-month . . .

Ms Calahasen: That's an average.

Mr. Stewart: Pardon me?

Ms Calahasen: It's an average.

Mr. Stewart: That's right. A 12-month average of the monthly labour force survey statistics. So we do an estimate for each month, and then that estimate is divided by 12. What you see in the performance measure here is an average over the 12 months.

Ms Calahasen: I see on page 14 that you have been doing a lot of work with the aboriginal community. There appears to be a lot of work with my brothers down south. I'm wondering: what are you doing in northern Alberta that would showcase that you have succeeded in improving the labour force for the aboriginal communities in northern Alberta other than the Athabasca tribal youth?

Mr. Stewart: I don't have a list of all the specific projects that we've undertaken, but I do know that we have projects right across the province, and I'd be pleased to provide the committee, through the chair, with a comprehensive list of the projects that we've done in the northern part of the province. I do know that there's a good distribution of projects right across the province.

Ms Calahasen: And showcasing the fact that the labour component is going to be attached so that I know what percentage of labour from the aboriginal communities is being added on within the Alberta scene?

Mr. Stewart: Yes. Actually, a couple of examples here that are related to Trout and Peerless lakes – and you may be familiar with this particular project – where we've trained aboriginals as heavy equipment operators. All of them are now working locally following the conclusion of the project. We have a partnership with Statoil and Business Link. We've opened an office in Conklin to support local aboriginals and employers in making connections for aboriginals into the labour force. In addition to that, we'll provide a comprehensive list of the programming.

Ms Calahasen: That would be great. Thank you.

The Chair: Thank you very much.

Mr. Mason, followed by Mr. Xiao. Mr. Mason, just because previous members had three and four questions, don't you expect it. Go ahead.

Mr. Mason: I thought you were on our side.

Mr. Chase: There are no sides.

Mr. Mason: I know. Of course, Speakers and Deputy Speakers are all neutral. Everyone is neutral.

I want to ask about joint health and safety committees. Alberta continued to have a fairly high rate of workplace injury and death in 2008. Just last year there were 110 occupational deaths. Yet Alberta is the only province that does not have mandatory work-site health and safety committees, which have been shown to be effective in reducing injuries. I wonder: what is the reason for that?

Ms Howe: We are very much interested in promoting a culture of health and safety, and through that an effective way is to look at voluntary joint committees if that's what appears to be the best for that particular circumstance in terms of advancing that health and safety culture. Our information is that there is no conclusive evidence that mandatory committees are actually more effective in improving work-site health and safety overall in terms of looking at our injury rates. Alberta has low injury rates.

Again, we are taking the whole occupational health and safety

program very seriously. As you know, the minister has introduced a 10-point plan and then an additional four points with a strong focus on building culture. If a joint safety committee is a part of that and is done on a voluntary basis, then we think that that is good. We're also very focused on looking at other measures such as increasing compliance and increasing our efforts in education.

Mr. Mason: If you could provide to the committee through the chair that information that indicates that mandatory health and safety committees do not substantially improve workplace health and safety, I would appreciate it.

I would ask: what happens in the case where workers want to have a say in the safety conditions on their work site, whether through their union or otherwise, and the employer refuses under your voluntary program?

9:30

Mr. Kennedy: What happens? You know, employers that want to have a safety culture or a COR program I think recognize that, and part of the program is working with the staff in those workplaces. I think what we're saying is that to mandate someone to meet isn't going to always produce the safety culture that we would like to see in workplaces. What we're hoping and what we're trying to educate employers on is to build a culture of safety in the workplaces, and the culture of safety has to be from the top, the CEO, down to the workers, working together to build that culture.

Mr. Mason: The question really is: what happens if the employer is not interested in giving an opportunity for employees to have input with respect to health and safety? What do you do if there is no mandatory health and safety committee?

Mr. Kennedy: There is no legislation right now that says that they have to have a joint health and safety committee.

Mr. Mason: I understand that.

The Chair: Thank you very much, Mr. Mason.
Mr. Xiao, please, followed by Mr. Chase.

Mr. Xiao: Thank you, Mr. Chair. Good morning, everybody. Shirley, Dan, Alex, welcome to our committee.

Mr. Chair, if I may, I will be asking three questions. They're not necessarily related.

The Chair: You will ask two, sir, and we will proceed on because I'm already getting heat from members. You will ask two, and then you will be cut off.

Mr. Xiao: Okay. Let me try. I'll ask the question, to get everything done in one shot. My question is about fatality rates. In the last few years your lost-time claims have been, you know, declining, but the fatality rate still remains high. Just as recently as last week I heard on the news that somebody died at work. Do you have a plan? What are you going to do about this issue? How can we improve the fatality rate on the work site to make sure that everybody goes to work and then comes home safely?

Ms Howe: Our plan is, obviously, a comprehensive plan. It focuses on a culture of safety in the workplace, and it needs to be a commitment from the leadership that where there are industry associations or labour involvement, labour and industry are collaborating together to build that culture of safety. Our minister's 10-point plan has added a number of specific initiatives that would assist in this

regard. Our focus on enhancing compliance and enforcement is also to ensure that there are consequences for workplaces which are seen to be unsafe. This is an issue that is really important to us, that we take very seriously, because obviously even one fatality in this province is too many.

Mr. Xiao: When I was the chair, you know, of the health and safety advisory committee to the minister, we gathered a lot of ideas and input from the leaders of the different sectors. Are you going to implement that advice?

Ms Howe: We continue to work with industry and with our partners, looking at ideas from all sectors in terms of how we can improve in this area. Again, our focus is on increasing compliance with the Occupational Health and Safety Act. We have added additional staff so that we have more officers making inspections. We have implemented an enforcement ladder. We also continue to focus on ensuring that there is adequate awareness and education around safety in the workplace so that both employers and employees are taking adequate responsibility for ensuring that the employee is going home safe at night.

Mr. Xiao: My second question, Mr. Chair.

The Chair: No. That's two questions, sir. We're moving on.
Mr. Chase, please, followed by Mr. Benito.

Mr. Chase: Thank you very much for your ability to count and enforce the count.

The Auditor General's April 2010 report, occupational health and safety. In April 2010 the Auditor General stated that there were "serious weaknesses in the Department's systems to deal with persistent non-compliance," page 32. The AG noted that the department had procedures for following up on a single incident of noncompliance and investigating serious incidents, for example fatalities, but was not dealing adequately with persistent noncompliance that had not yet resulted in serious injury or death. In the 10-point plan for occupational health and safety, released on July 30, 2010, the minister claimed to have already improved compliance measures. Could the department offer more detail on how enforcement procedures have been strengthened and how the new procedures will be evaluated to ensure that they are effective?

Ms Howe: Again, this is something that we take very seriously and that we have put a lot of effort into. We are ensuring that employer compliance records are addressed and are following up on all health and safety issues that the officers are identifying. Our computer system, called WITS, has been modified to report on orders that remain open so that management can review and action these on a regular basis to ensure that they are being dealt with appropriately. We review employer compliance history in the course of all new inspections and investigations, and our officers are getting additional training in operational procedures.

Conducting a full review of occupational health and safety compliance policies and procedures to ensure their effectiveness: the review of four operational procedures has been completed and posted on our external website. A process has been developed for review and revision of the remaining operational procedures. We've developed and distributed a progressive enforcement tool to ensure that compliance is achieved or that appropriate next steps are taken to gain compliance in all inspections and investigations. Our compliance policy and enforcement ladder is operational and has been completed and posted on our website.

Mr. Chase: Thank you.

The AG notes on page 42 that the department's procedures manual "does not always provide clear and specific criteria . . . [on] escalating compliance action from promotion and education to enforcement." Could you tell us what has been done to ensure that there is a clear decision-making process on enforcement?

Ms Howe: Again, our compliance policy and enforcement ladder have been developed and are available now publicly to ensure a clear line of escalation where there is an incident.

Mr. Chase: Thank you.

The Chair: Could you, Ms Howe, please make that publicly available through the clerk to all members? We'd really appreciate that.

Ms Howe: I'd be happy to do that.

The Chair: Mr. Benito, please, followed by Mr. Kang.

Mr. Benito: Thank you very much, Mr. Chair. Good morning. I would like to ask about your immigration program, and this refers to your annual report, page 42, schedule 5, elements 4.1.1 to 4.2.7. These specific immigration programs I feel are very important: settlement and integration services, international qualification assessment services, AINP, labour attraction, the bridging program, and living allowance for immigrants. I'm just wondering. I see that you underspent in the immigration program by close to \$8 million. Why is there a surplus in this program?

Ms Howe: We have services for immigrants that are relatively new for the department. The budgets we established for bridging, language training programs, and associated living allowances were overestimated for 2008-09, and it does take some time to build up capacity within educational institutions as programs need to be developed and instructors need to be hired. Although we did increase spending for these programs in '08-09, we did report a surplus in '09-10.

9:40

Mr. Benito: How did the reduction in spending affect the delivery of this program, and where would this surplus go, then, and for what purpose?

Ms Howe: The service levels were not impacted in 2009-10. Although we reported surpluses in labour attraction, international qualification assessment services, or IQAS, and the Alberta immigrant nominee program, we were able to achieve our performance measure targets. We achieved savings through the realignment of resources from other areas and through the use of electronic tools, including our online tutorials. We did have a target of 6,000 for IQAS assessment certificates, and we achieved 6,319. In the AINP program we exceeded both targets for the performance measures. The number of certificates forwarded to the federal government exceeded our target of 4,000 by 175. We also achieved savings in the labour attraction program while we continued to monitor occupations under pressure and restricted our efforts in a targeted way to those occupations that are still in shortage.

The Chair: We're going to move on now to Mr. Kang, please, followed by Mr. Elniski.

Mr. Kang: Thank you, Mr. Chair. In April 2010 the Auditor General recommended that E and I improve its planning and reporting systems for occupational health and safety, page 43. It was noted on page 44 that the department had a Work Safe Alberta strategic plan but that the department had not updated the plan or regularly reported against the plan. The 10-point plan indicated that the direction of Work Safe Alberta would be reviewed by a forum held in November. Did this forum actually occur? The department's website notes that a minister's advisory committee had been struck to handle this task. Has the department abandoned the idea of a public forum to review Work Safe Alberta?

Ms Howe: The Work Safe forum was held on November 8, and it was attended by a wide cross-section of individuals from the province, including employers, industry associations, and labour groups. We have prepared and posted a progress report on our occupational health and safety website, and we are continuing to look at gathering additional information in terms of the operational planning and improvements for Work Safe Alberta.

Mr. Kang: My supplemental. The AG found that the department bases its OHS risk analysis almost exclusively on data from the Workers' Compensation Board. This data is designed for WCB purposes and does not go far enough for the OHS program. For example, it doesn't capture emerging OHS risks. The AG provides some observation on other data gathering that might be helpful. Could you please tell us what is being done to improve the quality of OHS risk analysis? How are you addressing the privacy issues that arise from collecting personal health information from outside the department?

Ms Howe: That work is all currently under way.

Mr. Kang: That's a short answer.

The Chair: Okay. Thank you.

Mr. Elniski, please, followed by Mr. Mason. If you could be briefer this time, I'd really appreciate it.

Mr. Elniski: I will endeavour. Thank you, sir.

My question, then, in the briefest. On page 81 of the financial statements for the Workers' Compensation Board you make reference to your current funded ratio at 128.4 per cent. Your policy indicates that when the ratio falls below 114 per cent or above 128 per cent, special action is taken by the board either in terms of an additional assessment of premium or in a dividend rebate, and 128.4 should have triggered a dividend rebate. Did it?

Mr. Stewart: I'll give a really brief answer. We'll take that question back to Guy and his group and get you an answer from the board.

Mr. Elniski: Wonderful. Thank you very much.

Moving right along, my next question has to do with the types of orders that are issued by your occupational health and safety officers. Of the 9,157 orders that were issued on the 14,000 and change work-site visits, how many of those orders – and maybe I just couldn't find it in here, which is fine – were, in fact, second calls for the same or similar issues? My second question to you, Dan – you're probably going to have to go back and figure this one out – is: in and amongst industry types how many of those orders are consistent from one employer to another in the same type of industry? For example, in the forest products business an unguarded drive on a machine centre is a very, very common order. I'd like to

know if, in fact, that's consistent across industry or not, if you could determine that.

Thank you.

Ms Howe: We will take that and report back to you in writing.

The Chair: I appreciate that.

Mr. Mason, please, followed by Mr. Olson.

Mr. Mason: Thanks very much, Mr. Chairman. In the Auditor General's report of this past April on page 32 they found serious weaknesses in dealing with persistent noncompliance by employers. They found that persistent noncompliers have higher injury rates. I'm going to leave aside whether or not they get a COR, you know, a certificate. That's not the subject of the question. The question is: what steps is the department taking? I'm aware that the minister has announced hiring more inspectors, so I'm going to zero in on the capacity of the inspectors to do their job and, specifically, their ability to give on-site noncompliance tickets. We have generally waited until there's a serious accident or a death before we fine an employer. We don't use stop-work orders nearly as much as they do in some places, and I think that our inspectors generally operate with one hand tied behind their back. I'd like to know what you can do to empower work-site health and safety inspectors to more aggressively protect workers in this province.

Ms Howe: Again, that is very important to us. We're looking at the approach in a multifaceted way. First, we are putting in place more officers. We're providing them with additional training. We have improved computer systems so that there's a better way of actually being able to track and monitor and report to management. We have put in place the compliance ladder so that there's clarity in terms of how an enforcement action can be escalated. There's a strong message to all of our staff – and our minister has met with them – to assure them that they are to have absolutely the full spectrum of all of the possible elements under the act that need to be enforced and that those elements can be used. Further to that, ticketing is something that we're taking into consideration.

Mr. Mason: All right. Well, that was really my follow-up, the use of administrative fines so that an inspector could issue a fine for an employer right on the spot, before an accident occurs. So you're looking at that. Can you be a little more specific about how you're looking at that and what you're going to do and when you're going to do it?

Ms Howe: Well, we are looking at it. Again, we were looking at all of the possible things that we might be able to do to ensure that we have a strong compliance system in place. This is not the first time that it's been looked at. This is something that has been discussed with our partners in industry and labour over time. Again, we are considering: if we were to do that kind of a change, would it be appropriate and fair to have a ticketing system for both employers and employees, for example? These are all things that are currently under discussion. We're taking them seriously, and when we are ready to provide you with more information, we'll be happy to do that.

Mr. Mason: You will. Thank you so much.

The Chair: Thank you.

Mr. Olson, please, followed by Mr. Chase.

Mr. Olson: Thank you. I'm looking at schedule 5 on page 42, the

schedule of the financial statements, the program regarding health workforce development, budgeted at \$45 million. Maybe it's in here and I haven't found it, but can you elaborate on what we're getting for the money that's being spent? It looks like you're a little bit under the budgeted amount, but I'm looking for detail as to exactly what that buys.

9:50

Mr. Stewart: First of all, I should make it clear that the health workforce action plan is an initiative that is a partnership between three ministries: our own ministry, Alberta Health and Wellness, and Alberta Advanced Education and Technology. For administrative and accounting reasons the budget is held in our ministry, but as I said, it's an initiative that is across three ministries. In fact, we in our department make up a relatively small percentage of the overall spending.

To your question, to give you a sense of what we're getting for those dollars, in the advanced education area the funding is being used to expand enrolment, particularly for nursing and medical and rehabilitation therapy. We have a rural integrated community clerkship program that is used to facilitate medical students practising in rural Alberta.

On the health and safety side we work with Alberta Health and Wellness on the No Unsafe Lift campaign. As you may know, the prevalence of injuries due to unsafe lifts in the health care sector is far greater than we would like, so we've been working with Alberta Health and Wellness under this particular program to reduce the injuries due to lifting unsafely.

In terms of our own department we have services, in particular in Edmonton and Calgary, for foreign-trained health care professionals to assist them in getting assessment of their credentials, identifying any gaps perhaps in their educational experience that need to be addressed, and moving them towards bridging programs that will address those gaps.

That's a quick cross-section of the kind of initiatives that we fund under that particular program.

Mr. Olson: Thank you. Mr. Chair, my second question has already been answered, which was: how does it overlap with programs in other departments?

The Chair: Thank you very much.

I think we're going to get quite a long letter from the department – at least, I hope we do – in response to some of the questions that were asked. Unfortunately, with the time left, we're going to have to read our questions into the record and, hopefully, get a response from this department.

We'll start with Mr. Chase.

Mr. Chase: Thank you. I'm referencing the Auditor General's report of October 2010: approving and renewing training programs, outstanding recommendations from October 2008. Employment and Immigration has a process for approving programs that will be funded for learners receiving benefits from the department. The Auditor General found in 2008 on pages 249 to 251 that the department did not have consistent criteria for the program approval process, did not communicate its expectations regarding outcomes to training providers, and did not follow its policy on renewing programs. Please tell us what progress has been made in addressing the AG's concerns given that this recommendation respecting training programs is outstanding since 2008. Could you please provide the committee with the information regarding what percent

age of learners who were funded by the department to take a training program actually obtained related employment after completing the program and what the gap indicates?

The Chair: Thank you.

Ms Calahasen, please, followed by Mr. Kang.

Ms Calahasen: Thank you, Mr. Chair. The workers' compensation appeals on page 40 identifies that in 2009-2010 estimates as well as the budget remained constant, yet when I see on page 37 under other revenue the workers' compensation appeals, I see that there's an increase in 2010 from 2009. Can you tell me what you're doing with that and where the money is coming from on the appeals?

The Chair: Thank you very much.

Mr. Kang, please, followed by Mr. Xiao.

Mr. Kang: Thank you, Mr. Chair. On June 9, 2010, the Auditor General sent a letter to the Members of the Legislative Assembly. The letter was in response to concerns that had been raised in the media concerning the OHS statistics contained in the April 2010 report; specifically, outstanding compliance orders that had been found. After the release of the report the department decided that the orders were not outstanding and that they had just been classified as outstanding due to an administrative error. My first question is: did any employers in the province receive erroneous fines or penalties due to misclassified orders?

The second one is: how will the department improve its systems to ensure that the Auditor General receives accurate information during future and follow-up audits?

Thank you.

The Chair: Thank you.

Mr. Xiao, please, followed by Mr. Mason.

Mr. Xiao: Yeah. My question, you know, is related to the performance measurements summary table on page 12 on retaining workers in the province. I understand that in 2009-2010 you processed about 4,175 cases through the provincial nominee program, but I also understand there's a huge backlog, right? Now it takes more than a year, I heard, to get any response from the department. My question to you is: what kind of concrete measures are you going to take, really, to expedite the process? That's my question.

Thank you.

The Chair: Thank you very much.

Mr. Mason.

Mr. Mason: Thank you, Mr. Chairman. Some of the most difficult labour disputes in the province have been around a recently organized union attempting to get its first collective agreement. I would like to know what the department has done to assess the usefulness of what's known as first contract arbitration and what they have done to assess the use of this in other jurisdictions in the country.

Thank you.

The Chair: Thank you.

Any other members? Mr. Benito.

Mr. Benito: Thank you very much, Mr. Chair. My question relates to the performance measures on Alberta's net interprovincial migration. Why is there such a major drop in this figure, and what is your organization doing to address this?

Thank you.

The Chair: Thank you.

We expect a timely response, please, in regard to all the information we sought and did not receive from you today, Ms Howe. We would like to thank you for your appearance before the committee today. We have other items to conclude on our agenda. Feel free to go.

Thank you.

Ms Howe: Thank you so much.

The Chair: Item 5 on our agenda. I would like to note for the record that written follow-up responses have been received for all committee meetings held during the spring of 2010. Is there any other business that members would like to raise at this time? Seeing none, thank you.

The date of our next meeting is at 8:30 a.m. on the first Wednesday of the spring session. As per the motion passed at the November 3 committee meeting, the first department invited to meet with the committee will be Alberta Solicitor General and Public Security. The clerk will as usual provide us with lots of warning. If you have any issues or concerns, let myself, the vice-chair, or the clerk know, please.

If there are no other items, item 7 is a motion to adjourn. Mr. Olson. Thank you. Moved by Mr. Olson that the meeting be adjourned. All in favour? Thank you very much. Have a good day.

[The committee adjourned at 9:59 a.m.]

