



Legislative Assembly of Alberta

The 30th Legislature
First Session

Standing Committee
on
Resource Stewardship

Public Sector Compensation Transparency Act Review

Tuesday, October 15, 2019
6:15 p.m.

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First Session**

Standing Committee on Resource Stewardship

Hanson, David B., Bonnyville-Cold Lake-St. Paul (UCP), Chair
Ceci, Joe, Calgary-Buffalo (NDP), Deputy Chair

Dach, Lorne, Edmonton-McClung (NDP)
Feehan, Richard, Edmonton-Rutherford (NDP)
Getson, Shane C., Lac Ste. Anne-Parkland (UCP)
Loewen, Todd, Central Peace-Notley (UCP)
Rehn, Pat, Lesser Slave Lake (UCP)
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Sabir, Irfan, Calgary-McCall (NDP)
Schmidt, Marlin, Edmonton-Gold Bar (NDP)
Sigurdson, R.J., Highwood (UCP)
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Standing Committee on Resource Stewardship

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Corinne Carlson, Barrister and Solicitor, Legislative Reform

Public Service Commission

Sarah Carr, Executive Director, Strategic Policy and Integration

Noelle Devlin, Executive Director, Employment Policy, Classification, Compensation and Benefit Services

6:15 p.m.

Tuesday, October 15, 2019

[Mr. Hanson in the chair]

The Chair: Okay. Good evening. I'd like to call this meeting of the Standing Committee on Resource Stewardship to order and welcome everyone in attendance.

My name is David Hanson, MLA for Bonnyville-Cold Lake-St. Paul and chair of the committee. I'd ask that members and those joining the committee at the table introduce themselves for the record, and then I will call on those on the phone joining in by teleconference. We'll begin on my right.

Member Ceci: Hi. Joe Ceci, NDP member and deputy chair of the committee.

Mr. Rowswell: Garth Rowswell, Vermilion-Lloydminster-Wainwright.

Mr. Rehn: Pat Rehn, Lesser Slave Lake.

Mr. Getson: Shane Getson, MLA for Lac Ste. Anne-Parkland.

Mr. Sigurdson: R.J. Sigurdson, MLA, Highwood.

Mr. Yaseen: Muhammad Yaseen, MLA, Calgary-North.

Ms Rosin: Miranda Rosin, MLA, Banff-Kananaskis.

Mr. Singh: Peter Singh, MLA for Calgary-East.

Ms Carlson: Corinne Carlson with Justice and Solicitor General.

Ms Carr: Sarah Carr with the Public Service Commission.

Mr. Dach: Lorne Dach, MLA, Edmonton-McClung.

Mr. Sabir: Irfan Sabir, MLA for Calgary-McCall.

Mr. Schmidt: Marlin Schmidt, Edmonton-Gold Bar.

Mr. Feehan: Richard Feehan, Edmonton-Rutherford.

Ms LeBlanc: Stephanie LeBlanc, clerk assistant and Senior Parliamentary Counsel.

Ms Robert: Good evening. Nancy Robert, research officer.

Dr. Massolin: Good evening. Philip Massolin, clerk of committees and research services.

Mr. Kulicki: Good evening. Michael Kulicki, committee clerk.

The Chair: On the teleconference we have Mr. Todd Loewen and Ms Noelle Devlin with the Public Service Commission. Are you both online?

Ms Devlin: Yes, I am.

Mr. Loewen: Yup. Todd Loewen, MLA for Central Peace-Notley.

The Chair: Okay. Thank you.

For the record, we have the following substitution: Mr. Garth Rowswell for Mr. Searle Turton.

A few quick housekeeping items to address before we turn to the business at hand. Please note that the microphones are operated by *Hansard*. Please set your cellphones and other devices to silent for the duration of the meeting. Committee proceedings are live streamed on the Internet and broadcast on Alberta Assembly TV.

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We'll move on to our agenda. Are there any changes or additions to the draft agenda? If not, would someone like to make a motion to approve the agenda?

Mr. Yaseen: I move the motion.

The Chair: Okay. Moved by Mr. Yaseen that the agenda for the October 15, 2019, meeting of the Standing Committee on Resource Stewardship be adopted as distributed. All in favour, please say aye. Any opposed, please say no. That motion is carried. Thank you.

Next we have the draft minutes of our October 4 meeting. Are there any errors or omissions to note? Again, if not, would a member like to make a motion to approve the minutes? Mr. Ceci. Moved by Mr. Ceci that the minutes of the October 4, 2019, meeting of the Standing Committee on Resource Stewardship be approved as distributed. All in favour, please say aye. Any opposed, please say no. That motion is carried. Thank you very much.

We'll move on to Review of the Public Sector Compensation Transparency Act, item 4, research services, issues summary document. Turning now to the committee's review of the Public Sector Compensation Transparency Act, I would first like to thank the officials from the Ministry of Justice and Solicitor General and the Public Service Commission for joining us this evening to provide us with their expertise should we require it.

I would also like to welcome the two new members of this committee, Mr. Lorne Dach for the opposition and Mr. Todd Loewen for the government side.

At our last meeting the committee directed research services to prepare an issues summary document to assist us during our deliberations. This document was made available to committee members last week, and it organizes and summarizes the issues identified by stakeholders and members of the public who provided input to the committee through written and oral presentations. I would note for all committee members that the committee is not required to address all of the issues identified in the document nor are we precluded from bringing up additional issues of our own.

With this in mind, I would now like to ask Ms Robert to provide us with a brief overview of this document. Ms Robert.

Ms Robert: Thank you, Mr. Chair. Okay. I will just give you a quick high-level overview of the way the document is organized. As the chair indicated, many of the salient issues that were raised in written submissions and oral presentations to the committee have been summarized in this document. They're organized in one of nine different categories. The document has a number of columns in it. You know, the first column is just a very brief issue identifier; the second column is the actual recommendation that's being made that the act be amended in this way; then the third column notes relevant sections of the act, if there is a specific section or two of the act that would be affected by this recommendation; and then the fourth column is the notes column. Sometimes it contains the rationales offered by the submitters for making the recommendation or it might contain a reference to the cross-jurisdictional comparison for the use of members to try to see what's happening perhaps with this issue in other jurisdictions or it could also reference the summary of written submissions that research services prepared for the committee. It's fairly self-explanatory.

Other than that, I won't go further, but I'd be happy to answer any questions you might have. Thank you.

The Chair: Thank you, Ms Robert.

Are there any questions regarding that submission? Okay. Thank you.

Turning now to the committee's deliberations on the Public Sector Compensation Transparency Act, I would like to begin by reminding members that our purpose now is to consider the recommendations that we would like to include within our report to the Assembly, including any amendments to the act and its regulations. Our Parliamentary Counsel and committee clerk are available to assist committee members with the drafting of motions, which will be made available for viewing on the committee's internal website as well as on the screens in the room. If members have any motions already prepared for this evening's meeting, the committee may wish to begin by considering these motions before proceeding to considering other issues. Would any member have a motion prepared that they would like to bring forward?

Mr. Sigurdson: Chair, I have two specific motions here, two separate motions. Motion 1 would be to move that the Standing Committee on Resource Stewardship recommend that the Public Sector Compensation Transparency Act be amended to require mandatory compensation disclosure by education bodies.

The second motion is to move that the Standing Committee on Resource Stewardship . . .

The Chair: One second.

Mr. Sigurdson: Oh, sorry.

The Chair: I think we'll just deal with one motion at a time.

Mr. Sigurdson: One at a time. Okay. Thank you.

The Chair: That would be the best way to go.

Just give him a minute to get this. Any other submissions: if you could e-mail them to Michael, it would probably help speed things up. He can just copy and paste them that way, right, Michael?

Does that look like your motion, Mr. Sigurdson?

Mr. Sigurdson: That's correct.

The Chair: All right. Is there any discussion on the motion?

Mr. Schmidt: I'm just wondering if anyone can clarify whether or not the intent of this motion is to capture all education bodies, including private schools.

Mr. Sigurdson: Well, the intent of this is education bodies. It's within that. So compensation disclosure by the education bodies: I would assume that it's relating to public-sector schools within that.

The Chair: Any that accept public funding? Is that . . .

Mr. Sigurdson: Yeah. Any that accept public funding. Sorry. Correct that.

Mr. Schmidt: Okay. So private schools would be included.

The Chair: Okay. Go ahead.

Member Ceci: You mean postsecondary and school boards of all kinds?

Mr. Sigurdson: Well, it relates to, basically, the crossjurisdictional comparison and matching what's being done in six other jurisdictions across. So based on the crossjurisdictional comparison, the intent of this is to mimic what's being done in other provinces so that we are at least holding ourselves to the same

transparency that other provinces are across Canada. I think it's reasonable to expect that we should be able to do the same as what's happening across Canada.

Member Ceci: Could I ask another question?

The Chair: Absolutely, Mr. Ceci.

6:25

Member Ceci: Okay. So, Ms Robert, how would you interpret "education bodies," then?

Ms Robert: Mr. Chair, the Public Sector Compensation Transparency Act defines an education body, and I can sort of summarize . . .

Member Ceci: Yep. That'd be great.

Ms Robert: It's a board of a public school district, separate school district, school division, or regional division under the School Act; a board as defined in the Northland School Division Act; the regional authority of a francophone education region under the School Act; a person responsible for the operation of a private school registered and accredited under the School Act that receives a grant under the education grants regulation; and the operator of a charter school established under the School Act.

Member Ceci: So it's not postsecondary education? That was my question. I just wasn't sure if we were talking that as well.

Ms Robert: Postsecondary institutions are already included.

Member Ceci: Okay. I'm sorry. That's great.

The Chair: Any further questions?

Mr. Dach: Just to be clear on the definition just read out: it does include postsecondary?

Mr. Sigurdson: Postsecondary was already disclosed.

Mr. Dach: This does not capture it?

The Chair: Ms Robert, if you could clarify, please, for Mr. Dach.

Ms Robert: Thank you, Mr. Chair. Postsecondary institutions are public-sector bodies under the Public Sector Compensation Transparency Act, so they're already covered education bodies as the term "education body" is defined, as I stated, in the act already.

Mr. Dach: Thank you.

Mr. Feehan: My question is kind of the reverse. Is there any way someone, if we put this in, could receive monies to run any kind of a school that would not include them in here? Do we know of any exceptions that may exist that we may not be covering?

Member Ceci: If they get education grants.

The Chair: Yeah. I'd think they would be covered.

Okay. Any insight from the other end of the table? I wish I could read your name from here.

Ms Carlson: I have no additional insight. I understand that the definition of education body generally aligns with what's in the Education Act, but other than that, I don't have any further information.

The Chair: Thank you.

Mr. Schmidt: A couple of years ago there was a case of a home-schooling organization I think based in Cold Lake that was investigated by Alberta Education because they were paying friends and family outrageous salaries to administer this sort of home-schooling association. Forgive me; the details of the case escape me at the moment. But given the scant detail that I've provided to you, can you comment on whether or not that kind of association would be captured under this legislation as well?

Ms Carlson: I don't have an answer to that.
Sarah, would you know?

Ms Carr: Not under what we would classify as a public-sector body or a public agency because school boards aren't a public agency from the perspective of the Public Service Commission. I can't shed any light on that either.

Mr. Schmidt: Forgive me. Did that home-schooling association fall under the definition of education bodies that we're discussing here in this motion?

Ms Carlson: I don't know the answer to that question.

The Chair: Ms Robert, under that definition that you just read out, because they get grants from the government, would they not qualify or fall under that purview?

Ms Robert: I can't interpret the legislation. All I can do is read it.

The Chair: All right. Could you read it one more time, then?

Ms Robert: Thank you, Mr. Chair. Education body means a board of a public school district, separate school district, school division, or regional division under the School Act; a board as defined in the Northland School Division Act; the regional authority of a francophone education region under the School Act; a person responsible for the operation of a private school registered and accredited under the School Act that receives a grant under the education grants regulation; and the operator of a charter school established under the School Act.

The Chair: Thank you, Ms Robert.
Does that clear things up for members?
Go ahead, Mr. Feehan.

Mr. Feehan: Sorry; I'm just going to beat this a little bit just because I want clarity. It does identify, of course, public and separate school boards under the Northland act because it's a separate one for francophones. Then it says private schools or charter schools but doesn't identify private or charter administrative units. Is that right? In other words, if they had an administrative unit that had six private schools, the private schools themselves would have to report, but the administrative unit that is controlling or administering all of those private schools would not be included. Am I correct in that? When it mentions private and charter, it seems to say only school, not board or any other kind of – sorry. Without looking at it, I'm not sure if I'm misinterpreting or not. I'm just trying to get some clarity.

The Chair: Go ahead.

Ms LeBlanc: Mr. Chair, if the difficulty you're having is with the term "person" when it's relating to a private school . . .

Mr. Feehan: Well, I just wonder if there are two different sets of entities here: one of them is the actual school itself, the one that happens in such-and-such a town and has a particular school, versus

some sort of administrative body which may have schools throughout the province. Is the body under which they are all united also considered an educational body, or will it only require the administration and so on of the school itself? I was trying to write the language down as it was being read to me, and it seemed to switch from a conversation about larger administrative bodies like boards, Northland and public and private and francophone, and then suddenly, when it got to private and charter, it said: private schools, charter schools.

The Chair: Welcome, Mr. Loewen.

Mr. Feehan: Is there somewhere we can signal that here? I mean, if it's not included, can we signal that this refers to all entities related to both the schools and the larger administrative units that schools may be attached to?

The Chair: You're talking about amending the motion?

Mr. Feehan: If I need to. I'm just trying to get clarity if that's necessary. I think the intent that MLA Sigurdson has here – he can correct me if I'm wrong – is that we're trying to cover everyone who may be involved in receiving a grant even if that grant is given to schools and then shuffled off to an administrative unit. I say this because there was a recent change in the House, just this spring, where charter schools were allowed to set up schools in jurisdictions outside of their home jurisdiction for the first time. Since we've changed that aspect, I'm just worried that a Calgary school that has something in small-town Alberta will suddenly not be responsible, but the school itself will be responsible. That's a change we made in the House just two months or whatever number ago.

The Chair: Mr. Sigurdson, anything to add to that? Like, I know that you were looking for the proper wording.

Mr. Sigurdson: I mean, we could sit and discuss and debate what "education body" entails, but I think it's clearly outlined within the act itself. I think the motion itself stands well as it is. It makes sense. It's clear. I don't think there's any need for an amendment on that. I think it encompasses everything that I'm asking it to do. I think it's pretty clear. We could sit and debate the nuances of every little word within the definition of an education body, but I think everything there is exactly what needs to be there in order for it to have the transparency it needs to across the education bodies.

6:35

Mr. Feehan: Just to be clear on your intent, if a charter school opens up a series of charter schools or private schools around the province, you would intend that not only the school principals, for example, but also the administrators of that larger entity of the private schools would be covered by these education bodies. That is your intent?

Mr. Sigurdson: As long as it fits underneath the definition of the education bodies as it stands under the act.

Mr. Feehan: Okay.

The Chair: Any further questions, discussions? Mr. Loewen.

Mr. Loewen: Yeah. I don't think there's a desire to change the act and what the definition of education bodies is. I mean, this motion stands as it is. "Education body" is clearly defined in the act. I think that's what we need to go forward with. If maybe the member wants to, you know, make a motion to change the definition of education

bodies in the act, I guess he can do that, but that's not what the intent of this is as I see it.

The Chair: Nor, I don't think, is it the job of this committee as we are reviewing the transparency act right now.

Go ahead, Mr. Sabir.

Mr. Sabir: I think we're not going to change the definition of education bodies under the act. The member is bringing forward a motion, and we are trying to clarify the intent of the motion and what he has in mind, whether private schools are covered, whether home-schools are covered, whether it's just the administration or teacher salaries that will be disclosed – what's the intent? – so we can work in a more informed manner. That's all we are trying to understand.

Mr. Sigurdson: What I'm trying to say is that I can't rebuild the act here. I can't rebuild the act.

Mr. Sabir: We are not asking for that.

Mr. Sigurdson: The motion itself dictates specifically education bodies as outlined by the act. I think it's pretty clear and that it's for transparency, mandatory compensation disclosure by those bodies as defined within that act. I can't build on anything further for that as far as clarification. I think it's clearly outlined in the act itself, and it stands as written. It's clear what the education bodies are in the act, and it's clear what the motion is asking for.

Mr. Sabir: I think, Chair, it may be helpful if we can get a better explanation of what education bodies will cover, more like a legal opinion of some interpretation of them. That would be helpful and will help us make an informed decision whether to support this motion or not.

The Chair: Okay. We do have the explanation that comes out of the Education Act that was just given by Ms Robert.

Mr. Sabir: That was just read to us.

The Chair: Yes.

Any consideration from the public sector?

Ms Carlson: We could check with our colleagues in Education to see what that definition encompasses if that would be helpful to the committee.

Mr. Loewen: Again, I think "education body" is something that's defined in the act. We could, you know, analyze it and waffle back and forth and talk about it all night, but it is what it is. If you're concerned about what it includes, then you need to go to the act and change that. We can't change what's in the act as far as education bodies. We're here to make a motion on what we want on the Public Sector Compensation Transparency Act, so I don't understand what the debate is on education bodies. You didn't seem to be concerned about what education bodies included before, but now you are. If you're concerned about that, then that needs to be dealt with at a different time. Right now we're talking about this motion and this motion itself.

Mr. Getson: Are there any known education bodies that don't fall within the act based on your gentlemen's experience?

Mr. Schmidt: I've already asked the question about the Trinity home-schooling association, whether or not they would be considered an education body under the act. The learned opinion of the legal experts at this table is that they don't know. My colleague

here from Edmonton-Rutherford has already asked another question about how it would apply to charter school associations and private school associations. The learned opinion of the legal experts here at the table is that they don't know. We're just asking questions about what the definition in the existing act entails. We're not looking to redefine education bodies. We just want to make sure that a couple of problematic cases that we know of would be captured under this definition of education bodies.

Mr. Getson: I'm going to ask another question. In the context of transparency, if we cast a net and catch 90 per cent of the fish, is that better than sitting here and deliberating about the potential 10 per cent that we don't catch?

Mr. Feehan: I think the purpose of our being here together is to get it right. We just chose to use a definition that comes out of the Education Act. That's perfectly acceptable. We don't seek to change the definition under the Education Act, but since we are borrowing that definition, we want to make sure it's covering everything.

The Chair: If I can make a suggestion, we could proceed with the motion as it reads, and if you would like to put forward another motion to capture, you're welcome to do that or an amendment to this motion.

Mr. Sigurdson: I'm more than happy with that. I mean, I'm going to be quite square. I would like my motion to stand as submitted. I don't think that I need to complicate it. If they want to make another motion to do some sort of a blanket that makes them feel better about encapsulating things that they feel aren't captured under education bodies, that's fine, but I don't feel that there's a need to amend what's up there as it stands.

The Chair: Okay. I think the way to proceed is that if you would like to propose an amendment – we can ask for clarification at a later date, but so we can move forward with this meeting, if you'd like to propose an amendment, and it will either be supported or voted down. Then we can carry on with the proceedings.

Mr. Feehan: Well, then I would just propose that we amend the motion in the following way. I move that

the Standing Committee on Resource Stewardship recommend that the Public Sector Compensation Transparency Act be amended to require mandatory compensation disclosure by education bodies, including both those that receive monies directly and those that receive monies indirectly from the government of Alberta.

Mr. Getson: Just a question: how far does it leave us open when we're going indirectly?

Mr. Feehan: Yeah. That's a great question.

Mr. Getson: What would the definition of indirectly be?

Mr. Feehan: You know, I'm just trying to reflect the intent that I think MLA Sigurdson has brought forward, that if you are a body that is administering dollars, you are included. If the scholars here were able to say to me, "Oh, yeah; don't worry; that includes everything," then I would have said, "Fine," but they all looked up and said, "We don't know." That put me in a position to seek an amendment that may in itself be problematic. I mean, I'd rather get a legal opinion that said, "Yeah; don't worry about it" and then we move on, but apparently that's not possible right now.

Mr. Getson: Yeah. I guess that where I'm coming from is: are we opening up a can of worms that is actually clouding the original intent, which I think we're all going to capture? Let's use that analogy again with the 90 per cent versus indirectly, which might expose us to something that we didn't contemplate or consider, again, considering that the act has been in place for how long and it captures the large majority of the educational bodies that currently aren't reporting, and that was the intent, from my understanding, of my colleague to my right.

6:45

Mr. Feehan: My concern is that your government changed things in the spring, and what you did is that you changed it so that what used to be single standing charter schools now have the ability to have schools in other school boards' jurisdictions. You've created a new entity. You have created a body that did not exist prior to the changes to the act that your government did three months ago. I just want to make sure that given that you have created this new entity, you are prepared to include that new entity in the disclosure.

Mr. Getson: Again, I guess I'm coming back for that clarity, too, Member Feehan, that under the Education Act, even though there were changes, minor changes or otherwise, depending on opinion, those bodies still fall within the act. I guess that's where you're seeking the same clarification.

Mr. Feehan: Yeah. I was hoping that the lawyers were going to turn to me and say: "Yeah. Don't worry about it. They're all included." But now I have four reference people telling me that they can't say that.

Mr. Getson: Yeah. I guess where I'm at is the unintended consequences again. You know, we've used that vernacular a few times. If we go with "indirectly," then what is that really doing? That, honestly, as a former contracts guy, actually scares me worse than just keeping it as is.

Mr. Feehan: Well, rather than referring to the receipt of monies, can you think of an amendment that you'd be more satisfied with that ensures that it includes all administrative bodies that are administering schools that are covered under the definition of education bodies?

The Chair: If I might offer, Mr. Getson: would you be happy if we removed the word "indirectly" from the amendment so that we're talking about entities that receive money directly from the government?

Mr. Getson: Yeah. Again, the word "indirectly" is the one that really personally gets me because it opens us up to what the interpretation of indirect is.

Mr. Feehan: Sure. I fully appreciate your concern. I'd be happy to amend the amendment to indicate that rather than speaking to monies, because that's where I think you're worried that that may be problematic, instead the amendment would suggest disclosure by all education bodies, including all administrative bodies that are responsible for schools that receive monies.

Mr. Getson: I would have to leave that final comment up to the gentleman to my right who actually proposed it in the first place. Again, similar to yourself, that jumps off the page at me. Personally, I was okay with it as is. My understanding is that the intent was to capture what is already in the act. I can appreciate that you have concerns over some of the subtle changes that have been made to capture that. Again, I think my colleague articulated that the intent

was to capture all the bodies under the act, under which those other ones still fall, in my understanding. I would leave the final comment to the member sitting to my right.

Mr. Feehan: I absolutely agree with the intent. I was just surprised that none of the experts here tell me that it does indeed do what the intent was. That's all.

Mr. Getson: Yeah. Fair enough.
So I'll leave it up to you.

The Chair: Just to clarify, Mr. Feehan, do you plan on making this motion as it's worded, or are you going to adjust it?

Mr. Feehan: We will accept the motion as written without the amendment, and we would seek from our LAO folks an opinion on whether or not this would cover all bodies so that we could reconsider in future if necessary, at a later time.

The Chair: At a later time? So we'll stay with Mr. Sigurdson's motion as is?

Mr. Feehan: As is.

The Chair: Okay. Thank you.

Any further discussion?

We strike the proposed amendment.

On the motion moved by Mr. Sigurdson that the Standing Committee on Resource Stewardship recommend that the Public Sector Compensation Transparency Act be amended to require mandatory compensation disclosure by education bodies, all in favour, please say aye. Any opposed, please say no.

That motion is carried.

Any further – I'm sorry; Mr. Sigurdson, you had a second motion?

Mr. Sigurdson: The second motion is just changing the words "education bodies" to "municipal authorities."

The Chair: I'll just let him read his motion, and then we'll have some discussion on it.

Mr. Sigurdson, go ahead, please. Read your motion.

Mr. Sigurdson: The motion is to move that the Standing Committee on Resource Stewardship recommend that the Public Sector Compensation Transparency Act be amended to require mandatory compensation disclosure by municipal authorities.

The Chair: Any discussion?

Mr. Dach: Once again we need a working definition of municipal authorities that we can refer to.

The Chair: Yes, we do.

Ms Robert is happy to read it for us. Hopefully, it's as clear as the education one.

Ms Robert: Thank you, Mr. Chair. Municipal authority means a municipal authority as defined in the Municipal Government Act, which I don't have in front of me, so we'll just try to grab that.

The Chair: All right. Any other questions while we're waiting?

Member Ceci: Not a question so much as an observation. Calgary has shined for a really long time. I don't know for how long, but as I can remember, it has never been an issue there. I think Edmonton probably shines, too. This will make all 340-some

municipalities, MDs, counties, summer villages, et cetera – probably nobody at the summer villages meets the threshold – required by law to do it. Is that right?

Mr. Sigurdson: If they are municipal authorities as defined by the act, then yes.

The Chair: Go ahead, Ms Robert.

Ms Robert: Thank you, Mr. Chair. In the Municipal Government Act the definition reads:

“municipal authority” means a municipality, improvement district and special area and, if the context requires, in the case of an improvement district and special area,

- (i) the geographical area of the improvement district or special area, or
- (ii) the Minister, where the improvement district or special area is authorized or required to act.

The Chair: Clear? Any further questions?

Ms Carlson: Just one further clarification. Then municipality is further defined in the Municipal Government Act to mean

- (i) a city, town, village, summer village, municipal district or specialized municipality . . .
- (iii) a town under the Parks Towns Act, or
- (iv) a municipality formed by special Act, or, if the context requires, the geographical area within the boundaries of a municipality described [above].

So it’s pretty much everything.

The Chair: It pretty much covers it.

Any further questions for Mr. Sigurdson?

Seeing none, should we call the question? Moved by Mr. Sigurdson that the Standing Committee on Resource Stewardship recommend that the Public Sector Compensation Transparency Act be amended to require mandatory compensation disclosure by municipal authorities.

All members in favour, please say aye. Any opposed, please say no.

That motion is carried.

Okay. Thank you.

We’ll at this point just acknowledge Ms LeBlanc for the legal opinion on that.

Ms LeBlanc: Thank you, Mr. Chair. Just through you to Mr. Feehan, I’m looking for some clarification on what information you’d like to receive. My understanding is that you’d like clarification on what an education body as defined under the Public Sector Compensation Transparency Act would include and particularly if a private school has an umbrella organization with schools under it, whether that umbrella organization would be captured.

Also, Mr. Schmidt, I believe you had a question about home-schooling bodies, whether there’s any way that those entities could be captured under the act.

Mr. Chair, if I’m correct in my assessment, it would perhaps be preferable if we had a motion to that effect, to direct the LAO to prepare that opinion and a timeline, if possible.

6:55

The Chair: Okay. Mr. Feehan, if you could clarify and make a motion to that effect.

Mr. Feehan: Sure. I’d just like to make a motion then. I’m sorry; who am I addressing it to?

Ms LeBlanc: You can address it to Parliamentary Counsel.

Mr. Feehan: Okay. I’d make a motion that Parliamentary Counsel seek to determine whether or not all charter, private, and home-schooling associations would be appropriately covered under the definition of education bodies under the act and inform this committee.

Would that suffice?

The Chair: Sure.

Go ahead.

Ms LeBlanc: Sorry, Mr. Chair. If we could just get some clarification also on the timeline for bringing that back to the committee.

An Hon. Member: Next Prime Minister, I think.

The Chair: You know, for the purposes of time, we’re trying to get this review of the transparency act prior to the budget estimates, so would it be possible to have that clarification? Yourself, how long do you think it would take to do the research on that?

Ms LeBlanc: If my colleagues in the government would be happy to work with me, I think we could probably figure that out in short order, within a few days.

The Chair: If we could have it by the 22nd of October, that would be great. Just send it out to all the committee members, I think. Would that be sufficient? Does that have to be in the motion as well? No. Okay. That would be fine. Thank you.

Does that capture the intent, Mr. Feehan? If you’d like to read that out.

Mr. Feehan: I move that

the Standing Committee on Resource Stewardship direct LAO Parliamentary Counsel to provide a legal opinion by October 22, 2019, on the meaning of the term “education body” in the Public Sector Compensation Transparency Act, including whether the term would include charter, private, and home-schooling organizations.

The Chair: Does that include everything? Any questions on that motion?

Mr. Loewen.

Mr. Loewen: Sorry. Just a thought here. Is “education body” in the Public Sector Compensation Transparency Act, or is it in the Education Act?

The Chair: It’s in the Education Act. Both?

Member Ceci: Yes. The one that we’re doing.

Ms Robert: Yeah.

Mr. Loewen: It is in the Public Sector Compensation Transparency Act? Okay. That’s fine.

The Chair: If I might just try to clarify things, the way the act reads right now offers an option to disclose. I believe Mr. Sigurdson’s motion just makes it mandatory. So it’s already in the act, but it’s been optional up to this point.

Mr. Sigurdson: It’s simple. The act only changes under 11(1) and 11(2) from “may” to “must” and under 12(1) and 12(2) from “may” to “must.” Really, that’s all that I request be changed within the act.

The Chair: Any further questions? No? Okay.

On the motion by Mr. Feehan, all those in favour, please say aye. Any opposed, please say no.

That motion is carried.

Any further motions to be proffered? Ms Rosin.

Ms Rosin: Thank you, Mr. Chair. As we know, the threshold for disclosure currently for the government of Alberta is over \$110,000, and for public sector bodies it's over \$129,000. I think this is really high. To me, taxpayers have a right to know where every single dollar they contribute is spent within the government. With the threshold being so high, I'd be willing to bet that there is a large amount of spending that the taxpayers have no idea is going on. I have a motion that will disclose quantitatively only – no qualitative data – just exactly how many employees exist in each department and public-sector body, broken down by wage brackets. I can read that motion, then, if we're good to go.

The Chair: I think that once you read the motion, it might make more sense.

Ms Rosin: Yeah. It'll clarify. Okay. I move that the Standing Committee on Resource Stewardship recommend that the Public Sector Compensation Transparency Act be amended to require the disclosure of employee compensation and severance information for those employees whose remuneration, when calculated in accordance with the act, falls below the threshold but above \$40,000 and that this disclosure of information be limited to the number of employees receiving compensation within a range, with ranges and increments not to exceed \$25,000, and shall not include any identifying information about employees.

The Chair: Having heard the motion, is there any discussion? Go ahead, Mr. Ceci.

Member Ceci: Could you clarify? Basically, things are going to stay the same, but then you're going to add on another level below the current thresholds and in different ways than the existing act identifies those above the current thresholds.

Ms Rosin: Correct. It wouldn't identify the employee's name, position, title, anything like that.

Member Ceci: But that's below what's currently done?

Ms Rosin: Yes, under the threshold, and then what's above the threshold would remain the same.

Member Ceci: Okay. So you're saying that the public has a right to know every – I'll just read it again. Thanks.

Can I ask another question?

The Chair: Absolutely, Mr. Ceci. Go ahead.

Member Ceci: This is not done anywhere else, or is it?

Ms Rosin: No. Currently it's not. There may be areas where things are disclosed under kind of weird titles like Administrative A or different, kind of hard-to-understand titles for the public. This would just break it down straight by wage brackets with no other information, just X number of employees making this much, X number of employees making this much, up to the threshold.

Member Ceci: And you see this as beneficial? Okay. I'll see if there are other questions.

The Chair: Any other questions?

Seeing none, any further discussion? Any clarification from you, Ms Rosin?

Ms Rosin: If there are no questions, then I think it's pretty straightforward. Like I said, there's no qualitative data. It's just straight disclosure of the number of employees.

Mr. Dach: I guess a simple one: why? What is your intent? What are you trying to disclose to whom? What's the purpose and the value of the information that you will be assembling in this way?

Ms Rosin: I just think the public has a right to know where their money is being spent, and with the threshold set so high, nearly \$130,000 for public-sector bodies, there's a large amount of spending that's going on. I'm not saying that it's irresponsible spending. I'm just saying that there's a lot of spending going on that the public is not made aware of through the current disclosure parameters. This amendment would essentially just let the public know that this much money is being spent on this many employees, just so that they have a fuller picture of where the government is spending their money. It's not hidden from them.

Mr. Dach: I think that – we'll find out, I guess, in line-by-line budget estimates – that kind of thing already occurs. I think the whole point of a sunshine list is, really, to look at the upper end of the pay scale so that the public is clear about who is making the big bucks in an organization. So I'm just wondering. This kind of goes against the grain as to what a sunshine list is for. It's basically an across-the-board exposure of anybody who earns a salary in a particular department. That's fine and dandy, but I think that there are other avenues that are already available to look at that information. We'll be looking at that, I guess, in budget estimates fairly soon. That's probably where that will show up. I don't understand the point of putting it into an act, where we're looking at exposing high earners on the sunshine list.

Ms Rosin: I think this is just for ease of public knowledge. The public doesn't need to comb through the budget and go through the estimates and watch it all to understand where the money is being spent. Like I said, this isn't going to put any qualitative, identifiable information about the employees under the threshold. It's just a simple number so that the public can easily look up and see where their money is being spent. It's as simple as that.

7:05

Mr. Getson: Just a quick question?

The Chair: Go ahead, Mr. Getson.

Mr. Getson: How many folks are currently above the threshold? Do we have an idea of how many folks are on the sunshine list?

Member Ceci: About three grand.

Mr. Getson: About 3,000?

The Chair: Yeah. That showed up on some slides in the previous research as well.

Go ahead.

Ms Carlson: I have it for the government of Alberta. For 2018, there were 2,661 employees on the list. I don't have the information for public-sector bodies.

Do you?

Ms Carr: I don't have that at the ready, no.

The Chair: We do have that information from previous meetings, though, do we not? No? Okay.

Mr. Getson: I guess that where I'm going with this is that I'm just running some rough numbers here. If I was to look at \$25,000 increments below that list, if I went down two dives – so let's say even \$50,000 or \$75,000 below that list – then how many more people would show up on the list? Again, for me, what's below the surface, just at those near, immediate levels: that might have some value. Like, that, to me, would be of value to understand.

Ms Rosin: I would say that especially one below the threshold, by just taking it down to even the \$100,000 – and even further than that – it would, you know, have a lot of interesting information. I think you're correct.

Mr. Getson: If we had, let's say, for argument's sake – I don't know – 100,000 employees, how many are just below this threshold? That's where I don't know if we have line of sight.

Ms Rosin: I guess that if there's no further comment, I'll close with saying that on the topic of whether there is value-added or not, I think there's always value-added. If the public is paying taxpayer dollars to the government, I believe that the value to the public is that they deserve to know where their money is being spent. If I was in a marriage, I wouldn't contribute half my money and have my spouse spend it without giving me any access to the bank account or knowing where it's going. In just the same way, I think the taxpayer relationship with the government should be treated the same. If they're contributing money to the government, they deserve to know where and how it's being spent, and that's simply the intent.

The Chair: Any comments, Ms Carlson?

Ms Carlson: No further comments.

The Chair: Okay. Thank you.

Parliamentary Counsel, any concerns?

All right. Shall we vote on the motion? Moved by Ms Rosin that the Standing Committee on Resource Stewardship recommend that the Public Sector Compensation Transparency Act be amended to require the disclosure of employee compensation and severance information for those employees whose remuneration, when calculated in accordance with the act, falls below the threshold but above \$40,000 and that this disclosure of information be limited to the number of employees receiving compensation within a range, with ranges and increments not to exceed \$25,000, and shall not include any identifying information about employees.

Having heard the motion, all those in favour, please say aye. Any opposed, please say no. I believe the ayes have it.

Motion carried.

Any further motions by members? Mr. Getson.

Mr. Getson: Yes, sir. I have one that's in regard to the names. I think we heard from a bunch of folks on the sunshine list and others that there were some issues, I guess, with having some names out there. I think the one gentleman had said that he didn't mind being at the top end, but it was causing problems with the organization. I think that in a bunch of the feedback that we received in written documentation, the two times, it also mentioned that. So my proposal is that we concentrate on the positions, not necessarily the people. Subsequent to that, also there were several that had to apply every year because they had legal matters or felt threatened or, you know, I think, along those lines. They had to literally go and get . . .

An Hon. Member: Exemptions.

Mr. Getson: Yeah. Exactly. They had to get exemptions from it. They had to get legal counsel on it. They had to engage the police, et cetera. So I would propose that

we amend the Public Sector Compensation Transparency Act to remove the requirement for employee and member names to be included in the compensation disclosure but that the requirement in the act to disclose position titles still be retained.

Again, we're capturing the positions and the titles; we're not necessarily capturing individuals' names.

The Chair: Having heard the motion, any discussion? Mr. Dach and then Mr. Rowswell.

Mr. Dach: Yeah. We're talking about the Public Sector Compensation Transparency Act, are we not?

The Chair: Yes, sir.

Mr. Dach: What we're having this motion ask is to basically hide something, the names of those people earning those salaries. I grant that there may be some inconveniences for individuals who are making those salaries that might be named under the act as it currently now stands, but there are provisions to make those exemptions. Granted, they may be inconvenient on an annual basis, but notwithstanding that, I think that we should be true to form in maintaining the intent of this act and make sure it is transparent and proceed, as Member Rosin indicated to do, to shine a light on public-sector compensation.

The Chair: Thank you, Mr. Dach.

Mr. Getson: I don't disagree, again, with having it in there if we want to maintain that that's what the intent is. Again, it's back to the feedback that we received. Again, we went three times to get consultation, which the members opposite actually solicited and had groups provide this feedback. I think, going back to your point, it would be not in the public's best interest nor of the individuals that actually participated in that process to just throw away what their comments were. Again, I think a lot of the intent was to engage – and it dragged this out, quite honestly, another three months – and get the feedback from those people, and that's what a lot of them provided to us.

Again, that's what the intent of the motion was. We still capture the costs. We still capture the titles in that. If somebody wanted to go look up your name, for example, sir, they could do that on an org chart or otherwise. But, again, if you're looking at disclosing what those positions make and you can compare them across the board to other individuals in those areas, I think we capture the intent of the sunshine list. We're just not necessarily disclosing the individuals' names, which are then subsequently picked up by every media outlet across the country.

Mr. Dach: With respect, I believe that for individuals who are captured by this list, at high salaries that are listed and highlighted, I expect that in this day and age their name will be published, by and large. There are provisions to make exceptions. I mean, they're receiving a significant amount of public dollars, so those people in those positions know that the revelation of their names and their salary to the public goes with the territory. So I respectfully disagree, and I think that the exemption provisions are adequate. Yes, there's some inconvenience to individuals in certain circumstances, but I think the principle of transparency is one that we should protect.

Mr. Getson: That's fair. Again, I guess I would go back to – I mean, obviously, we could vote on it at the end. But, again, the intent isn't to hide anybody. It's still to maintain that and to give that, based on the feedback that we had. Again, maybe to Parliamentary Counsel or otherwise: correct me if I'm wrong, but we're not the only jurisdiction, if this motion went forward, that wouldn't have the individuals' names listed on the list. Is that correct?

The Chair: Go ahead, Ms Robert.

Ms Robert: Thank you, Mr. Chair. I will have to check to be absolutely certain, but I believe, actually, the names of employees are listed in every jurisdiction. In Nova Scotia no positions are listed, just the name and the compensation, so you can't connect it to what the job the person does is. But I believe the names of employees are included in every jurisdiction.

Dr. Massolin: What about Manitoba and Newfoundland?

Ms Robert: Oh. Sorry. You're right.

My colleague has drawn this to my attention. This is with the exception of law enforcement officers in Manitoba and in Newfoundland and Labrador. For security reasons their names are replaced with unique numerical identifiers.

Mr. Getson: Well, if I might, then, if we would be making the exception – again, it was based on the comments back.

I'll withdraw this.

If we would be the only ones stepping out of it and not having that transparency and based on the dialogue, then I'll just withdraw this one.

The Chair: Okay. Thank you.

Mr. Getson: I do have another one, though.

The Chair: Okay. Go ahead, Mr. Getson, with your second one.

Mr. Getson: Yeah. The second one is actually trying to determine the ratio of employees to managers, et cetera. In a prior life, if I'm looking at a resource-loaded chart and if I'm looking at my organization, dependent on the group or the divisions within a company, you always try to look at what your resources are for your management-to-employee ratios. With that intent to determine that we're spending our money wisely, that we have the right configuration within those groups, I would like to move that the Standing Committee on Resource Stewardship recommend that the Public Sector Compensation Transparency Act be amended to require the disclosure of ratios of employees to supervisors, managers, and directors by each entity that is required to disclose under the compensation act.

Again, if I have one vice-president, two directors, and 87 managers out of a group of a hundred, maybe there's a problem. Again, we'd be looking at the ratios there.

7:15

Mr. Feehan: The problem – I'm not against the idea, but I want to talk about it again because it's going to be a definitional problem. It's particularly a problem in health care settings. The example that's been brought forward on this – and I just want to discuss this with you – is a head nurse on a ward a supervisor or an employee, under your description? The reason why that's been brought up is because if you start including those kinds of people as supervisors, it looks heavily overweighted, but in fact they're pretty direct-line service providers to patients on the ward. They just happen to have responsibilities as well with regard to the supervision of the staff.

The danger is that you take people that – you know, I worked for nonprofits for very many years. They take people that actually have a very significant front-line connection with clients who come in the door of nonprofits and so on, but because they also have responsibility for somehow administratively dealing with groups of staff on their team, somehow they become defined as supervisors. Then, of course, things do look outrageous.

For example, when I was working at Catholic Social Services, every single group home would have a lead in the group home whose responsibility was not only the front-line clients but, you know, the staffing schedules and annual reviews, those kinds of things. Yet their primary job was actually working with the kids who were in the group home on a moment-to-moment basis, what I would consider front-line work. So that's the danger here that I'm worried about, that the definitions become problematic, and that matters.

Mr. Getson: Yeah. Again, to quote another politician from down south: it depends what your definition of "is" is. In this context, you know, it'd be broken out by the actual group itself so that they're actually setting the parameters of what the definitions and the titles and the job duties are. Again, it's looking at their own internal definitions of what their ratios are within that group. If I was to look at the Alberta stock exchange group, how they might define a supervisor that isn't a front-line service provider in the nursing situation is going to be reflective of how their organization operates. The front-line supervisor in your example would probably, in all likelihood, have supervision above them, so they might, by their own definitions, have already sorted that out.

But what it would give the public is a clear line of sight, if you would, to the ratios of management versus working versus levels of managers within that organization's own definition. That, to me, prior life would give me line of sight to how the organization functions.

Mr. Feehan: Yeah. I guess I just worry whether it would be a clear line of sight or whether it would be a misleading line of sight.

Mr. Getson: It depends who's interpreting the data and looking at it, obviously, but again it would open up that avenue for dialogue, I guess, and to question and to get that definition.

Mr. Dach: I think Mr. Getson just basically made Mr. Feehan's argument, that it depends on who's interpreting the data, and it is clear that the data lacks context. That's where the lack or where the intent can be skewed, because if you're trying to make an argument that the management sector of a certain institution is bloated with people and you can, you know, look to the data without context and suggest that they have an overabundance of managers but, in fact, the numbers – even though, according to their definition of manager, it defines that group of people as managers, it may distort the actual view of the public in terms of an overweighted management sector of a certain body. I think Mr. Feehan's point is well taken. You don't want to simply rely on this data without context. That's the fear that we have here. I mean, make the argument all day long if you want that you have an overabundance of managers in certain parts of the public service, but to do so with context: that's my point.

Mr. Getson: I don't know, sir, that I am making that argument. What I'm trying to do with the sunshine list, since the broader approach on that is to have transparency, is to have transparency. Again, it's not just the employees and supervisors; it's the managers, directors, and we could even go to presidents. Again, it's showing us what that organization physically looks like and the

quantity within that organization, that context and the ratio of those individuals to the head of that organization.

Member Ceci: I'm just wondering if Parliamentary Counsel would think that there need to be definitions inserted into the act to essentially make this clearer for any reporting body to use it properly, in a consistent manner.

Ms LeBlanc: Thank you, Mr. Chair. If the committee were to move forward with this recommendation, it would be in a report. It's ultimately left for the government to decide what it would do with it. I think it would need to be fleshed out, but I think that would be brought forward in any amendments to the act that are ultimately brought to the House.

Member Ceci: Okay. Just to the mover, you know, the nomenclature of different organizations: the organizational nomenclature is different, and they may not have the same way of defining who works in their organization. For instance, there's a president, there are general managers, and there are some other people, I guess, with different titles. How do you see this being massaged to actually be consistent across all platforms?

Mr. Getson: Yeah. What I would see: again, if I'm using prior life experience, I'm taking an organization or a company that has different divisions. Typically they come up with their own nomenclature for what a definition of a supervisor level 1, 2, 3, 4, 5 is. If I'm looking at the trades, I would have journeyman, and I would have apprentice level 1, 2, 3, 4. They come up with those brackets themselves within that organization. The intent would be for this particular organization to define what those positions are, and then they would show the ratios of those positions, essentially, through numbers. That would be the intent, sir, that those organizations would naturally line up and show those positions.

Member Ceci: So you wouldn't be able to roll up this information? It would be specific to that organization?

Mr. Getson: You could do a comparative analysis if someone was to interpret data. Again, it depends on which level of the organization. Usually you find a commonality at a point, whether it's a VP or a director or a manager, a senior manager. Usually that's where the lower levels or tiers line up. Again, if you were looking outside of that, that's how you might look at a paving division versus an industrial division or a pipeline division versus an electrical division. You're going to have a point where it rolls up to a certain level and it makes sense for that particular sector of work.

Member Ceci: Sounds a little complicated.

Mr. Schmidt: This is going to create a significant problem in the postsecondary sector. Right now under the legislation, the Postsecondary Learning Act, it is the power of the board to determine who is in and out of the faculty association bargaining units. This has given rise to quite significant discrepancies between the classification of employees at different universities across Alberta. The University of Alberta classifies a number of people as academic staff that the University of Calgary classifies as management staff, who are not included in the faculty association. It is not within the scope of the Public Sector Compensation Transparency Act to dictate to the universities how they should classify management and academic staff. That is clearly the power of the board.

I appreciate your intent. What you're going to get, then, is that the University of Calgary is going to show a significantly higher number of managers than the University of Alberta. Without that

understanding, it's going to make the University of Calgary look like it's extremely management heavy, which may or may not be the case. This is simply a decision that the board has made to exclude that category of employees from the faculty association's bargaining unit.

I only offer that as a cautionary tale. Because there are statutory differences between how different public-sector agencies classify management, we can't possibly have an apples-to-apples comparison unless you're going to go into the other public-sector agency legislation and dictate what the definitions of management are going to be. Doing that would put the Alberta postsecondary system really significantly out of line with the rest of the country.

7:25

Mr. Getson: How do we compare now between . . .

Mr. Schmidt: You really can't.

Mr. Getson: We really don't have line of sight for any of these organizations of what their definitions are, what we're spending on them, or what they consider a supervisor and what is warranted to be a supervisor?

Mr. Schmidt: Well, I mean, we do have cases where the University of Alberta has somebody classified as academic faculty who does a similar job that would be classified as management and professional services, not academic faculty, at the University of Calgary. The board of each institution makes those decisions, right?

Mr. Getson: A rose by any other name, essentially, is what we're coming down to. There are still the positions on the org chart. There's still organization. It's how they're categorizing those people within their organization.

Mr. Schmidt: Right.

Mr. Getson: Again, if I was to compare the U of C and what they offer and how much we pay them and I was to compare the U of A, how much we pay them and what their organization looked like, would they be similar organizations other than the definition of what a supervisor is?

Mr. Schmidt: The budgets are roughly the same, the size of the employees are comparable, the number of students are comparable, but the number of management to other employees at the University of Calgary, I suspect, would be much higher than it would be at the University of Alberta because of that discrepancy in the way that the board has handled the definition of management.

Mr. Getson: Okay. I'm still okay with it based on that. I was just going to suggest – I'm sorry. I was thinking out loud, but I'm still okay with it. Again, if we did some mock-ups on this and you looked at the U of C and you looked at the organization, it just depends on what their positions are. We're literally asking them to put a number beside those positions. If I was to look at the head of the faculty board, as you said it, and then at how many individuals they have below, they should be similar organizations. It sounds like we're spending the same, so if we were to quickly compare the two, they would line up.

Mr. Schmidt: The issue isn't necessarily how much they're getting paid. In fact, people who are working management positions at the University of Calgary doing something that the academic faculty would be doing at the University of Alberta may be getting paid less. I don't know.

Mr. Getson: Yeah.

Mr. Schmidt: I'm not sure what Mr. Getson's intent is, to drive organizations towards some optimal ratio of management to employees to, you know, create more efficiency, but I'm just saying that that intent would be thwarted in the postsecondary sector, anyway, because of this peculiarity around boards deciding who's management and who's not.

Mr. Getson: Fair enough. Thank you for the feedback.

The Chair: Any further discussion on the motion?

Hearing none, do you want to proceed with your motion, Mr. Getson?

Mr. Getson: Yeah, I would. Again, we would still have potential for clarifications later, once we actually take it to the House, if it gets that far, for recommendations. Again, giving that latitude to the organizations to define what the positions are, so we have a bit of that, but understanding what's below the surface in those organizations and understanding some of the configuration makeup: I think it would be applicable to the public transparency act, again based on prudent practices that I experienced before, looking at organizations. It might be a different slant or a different eyesight to it, but I think it would prove valuable to the public and to ourselves.

The Chair: All right. No further discussion?

Moved by Mr. Getson that the Standing Committee on Resource Stewardship recommend that the Public Sector Compensation Transparency Act be amended to require the disclosure of ratios of employees to supervisors, managers, and directors by each entity that is required to disclose compensation under the act.

All those in favour of the motion, please say aye. Any opposed, please say no.

The ayes have it.

Thank you for that.

Any further motions?

All right. Moving forward . . .

Mr. Sabir: I have a motion.

The Chair: Oh, you have a motion. I'm sorry, Mr. Sabir. Go ahead.

Mr. Sabir: I will read that one, and then I will explain. I move that the Standing Committee on Resource Stewardship recommend that the Public Sector Compensation Transparency Act be amended to incorporate gender as a variable to be disclosed under the act while addressing any privacy concerns that may arise from that change.

Through this motion what I'm asking is that when we do the disclosure, we add gender as one variable that we disclose so that we can see what the participation rate is for different genders in our public service.

We do know that in general – when we became the government, we noticed that in agencies, boards, and commissions women's participation was less than 30 per cent. As government back then we took steps to kind of make sure that we were appointing people with gender balance consideration, and three years later 50 per cent of Alberta ABCs had 50 per cent women on their boards. If we have this disclosed, we will be able to see how women are participating and faring in our public service, and if they're not up to the mark, that will be an important tool from a public policy point of view, that we can put in a more deliberate effort to make sure that women get their fair share in those jobs as well. That's why I urge all of you to support this motion.

The Chair: Thank you, Mr. Sabir.

Any discussion?

Mr. Getson: If I can, Mr. Sabir, when it comes to gender, all I know is that my kids have been educating me, and it's no longer just male and female. There are potentially 50 different genders out there. How do we cover that?

Mr. Sabir: If you want, we can make an amendment, and if somebody wants to be recognized with a different marker, I'm totally open to that.

The Chair: If I could just interrupt for one minute.

Mr. Smith, could you please identify yourself for the record?

Mr. Smith: Thank you. Mark Smith, MLA for Drayton Valley-Devon.

The Chair: Thank you, Mark.

Ms Rosin: I'd just like to go on the record and say that, to be blunt, I'm insulted by this motion. I think that with us putting in a hardline policy on, "We need to hire more women just because they're female" – I'll be honest – I think it's disgusting. I think that it really takes away from who I am as a person to say that we only need to hire you because you are a woman. I think it discredits my integrity, it discredits my capability, and it really discredits my ability to have free thought.

I mean, put forward a motion to disclose the resumés of everybody who works in the government, but I really believe in hiring based on merit, not based on gender or hair colour or whatever have you. I will be absolutely voting against this motion with everything in me.

Thank you.

The Chair: Thank you, Ms Rosin.

Member Ceci: You know, this is the Public Sector Compensation Transparency Act, and a number of things, including by the previous mover, the MLA, talked about, you know, how many people are being supervised – finding out in organizations what the gender or marker is of the person in their organization and how much they receive is not government changing or telling. It's simply disclosing information that the organizations have. I think you took a leap, MLA Rosin, from what MLA Sabir mentioned. He talked about the agencies, boards, and commissions and the actions of the previous government with regard to those.

We're not saying that organizations need to change. We're simply saying: whom and how much, and how many people are being supervised by the people in your organization? I think that you took a leap that I didn't hear from the mover. We're just asking for disclosure of information, not changing anything in regard to that organization.

7:35

Ms Rosin: If I may, I guess I would just like to ask the relevance of that information, then, and why the gender needs to be disclosed. Like, why is that an important piece of information that the public needs to care about, whether we've met the standard quota for hiring women? Is that something we really need to disclose to the public? Like I said, put forward a motion to disclose their resumés, but I don't think that we need a motion to disclose how many females we're hiring. Yeah, I just disagree that this is something that needs to be done, and I question the relevance of why it needs to happen.

The Chair: Mr. Sabir, would you care to comment, please?

Mr. Sabir: I'm somewhat surprised to hear the comments. I think the relevance of it is that we do know that, generally speaking, 50 per cent of our population is women, and there is a lot of evidence out there, there is a lot of academic research out there that goes to show that women have not been able to participate in the economic, political, social life of the province, of the country. There are so many studies out there, data out there. Like, last month or so the Securities Commission also showed data where there were only 14 per cent women on the executive of the companies, top companies. I don't remember exactly the name of the report. What it shows is that there is something, that only 14 per cent women are on those boards.

Then there are reports about how women are paid less for the same amount of work, hence gender pay equity movements and all those things. I think it's important information for the public to know what their public service is composed of: how many women are there, and how many men are there? There are other markers if people wish to be recognized with those. I think it's not that offensive, that we disclose that information. Ten per cent of our population is indigenous. I might even want to include that we disclose how many indigenous people are there. Twenty per cent of Alberta is minorities. I would maybe want to see how many minorities are represented in there, so people could see if their institution actually reflects their society, what it's composed of.

I don't think it's offensive by any means, and I would still urge all the members to consider supporting this.

Mr. Sigurdson: Just one point on this. If we're really going to dive into this, first of all, if we're leaving names, as far as identifying people on the sunshine list, they're going to be able to look it up, and people are going to be able to find out that information. Second of all, I'm very uncomfortable with actually requiring people to gender identify publicly. Some people may not want to do this. Some people may be uncomfortable if we come down as a government forcing them to do so publicly. I think this might make a lot of people working within government very, very uncomfortable.

When it comes down to it, I think this is something where we should not go down this road. We should protect the confidentiality of those that maybe aren't comfortable with coming out and gender identifying publicly, and I think we should protect them in that manner. We have enough information based on their names that if people want to look up and want to be able to look at whatever demographic they want, I think enough information is there from what we're providing already. So I just don't think this is a good idea at all.

Mr. Sabir: I appreciate your comments, and they're valid concerns. Precisely for that reason, we added "while addressing any privacy concern that may arise from that change." That section is put in there to address those concerns. If somebody is not comfortable identifying themselves or may not want to disclose that, those concerns can be addressed.

Mr. Sigurdson: Having said that, the fact that they don't disclose is enough of a concern for them, period. I'm saying that having this brought up is a concern, period. It's a very, very tricky line to go down, and I'm just saying that if we're forcing people to make that decision, that then becomes publicly disclosed, that they don't want to disclose, which is still an issue.

Member Ceci: You know, the only thing I'd say is that this was brought forward by at least a couple of Albertans in the documents we received. So it wasn't something we thought of out of thin air.

It's true. Well, you can go through and say, you know, Rob, Susie, whatever, whatever, but a snapshot is a quicker way of doing that for each of the organizations instead of having to laboriously go through and do it yourself. This is just providing a quick snapshot.

Mr. Sigurdson: I wouldn't disagree with that, and I'm not saying that that's the reason for my not wanting this to happen. I've expressed my concerns about why I wouldn't vote for this.

Member Ceci: Okay.

The Chair: Thank you.
Mr. Loewen.

Mr. Loewen: Yeah. You mentioned that this would be a way for the community to see if the makeup of a group represents their community. Next would you be looking at race and religion and other ethnic minorities to identify so they could tell that, too, or where are you headed with this?

Mr. Sabir: I think the motion on the floor is that gender be disclosed, whether it's percentage or what, what the public sector is composed of. That's the motion. What you are asking is merely speculation, so I won't comment on that.

Member Ceci: I think he's asking if you have other motions in your back pocket.

Mr. Sabir: We are debating the motion on the floor, so . . .

Member Ceci: He won't even answer me, Todd.

Mr. Sabir: No. I will not comment on anything speculated.

The Chair: All right. Any further questions?

Mr. Getson: Just a question: was there a mandate set out by the public service to hire a certain portion identified by gender? I guess the second part of the question would be: is this information available somewhere else?

Mr. Sabir: I think I am not trying to change the mandate of how the public service hires. I'm just asking that information be disclosed about what percentage in terms of gender, addressing their privacy concerns, that we may be able to disclose. All I'm asking is this. The way the public sector hires . . .

Mr. Getson: I understand that, sir.

Mr. Sabir: . . . has no bearing on that.

Mr. Getson: But does the public sector currently have a certain quota, to put it in that context, or a certain way that they are supposed to hire?

Mr. Sabir: The public sector, I think, will have some policies about being an equal opportunity employer. I don't know the details. But this motion simply is asking that we incorporate gender as a variable in all disclosures.

The Chair: Any further questions?

Mr. Smith: Mr. Chair, could I please get on the speakers list?

The Chair: Go ahead, Mr. Smith.

Mr. Smith: Thank you, Mr. Chair. You know, I think, having listened to the conversation to this point, my comment would be

this. I believe that the sunshine list, or the transparency act, was designed to try to make sure that the money that was being spent on government employees and in government was being spent wisely, that we didn't have people that were inordinately receiving a wage that was beyond their duties or their capacities or the job descriptions that they were faced with. What I'm hearing discussed right now is an attempt to – maybe it's an attempt to increase parity, but you're asking this list to do something that it was not intended to do, which is to try to promote gender parity or bring in any other descriptor that you want. So I don't think that this amendment speaks to the mandate of this bill or to the purpose of a transparency act, or a sunshine list.

I'm speaking against this motion, and I would suggest that we vote this motion down because I believe it actually tries to change the purpose and the direction and the meaning of this act. Thank you.

The Chair: Thank you, Mr. Smith.

Any further questions?

Should we put the motion to the question? Moved by Mr. Sabir that the Standing Committee on Resource Stewardship recommend that the Public Sector Compensation Transparency Act be amended to incorporate gender as a variable to be disclosed under the act while addressing any privacy concerns that may arise from that change.

All those in favour of the motion, please say aye. All those against the motion, please say no. I think I will ask for a show of hands so I can count. All those in favour, please raise your hand. Thank you. All those opposed? The nays have it.

The motion is defeated.

7:45

Are there any further motions from committee members?

Seeing none, if members have no other motions prepared at this time, I would now open the floor to a discussion of any other issues that the committee would like to consider. I would remind members that the committee may discuss a particular issue without having a motion on the floor and that it is generally preferable to have some discussion on any issue before formally moving a motion. However, once a motion has been formally moved, members will still have the opportunity to discuss the motion and propose amendments before the motion is voted on. Are there any issues within the issues document that members would like to discuss, or do members have any other issues that they would like to consider at this time?

Okay. I'm just going to ask Mr. Feehan: your motion was to seek clarification on the definitions. Would you require another quick meeting after we receive that?

Mr. Feehan: No. I'd be happy to receive it in written form.

The Chair: You'd be happy to receive it in written form. Okay. Thank you very much.

All right. Hearing no further discussion, with the committee having concluded its deliberations, we can now proceed to directing research services to prepare a draft report containing the recommendations that the committee has approved this evening. At this time I would like Dr. Massolin to provide us with a brief overview of this process and what the draft report will contain.

Dr. Massolin: Thank you very much, Mr. Chair. As you have indicated, the committee is at the point at which it will instruct research services to prepare a draft report. "Draft" is the operative word there. It's your report, so of course it has to be reviewed by

the committee and approved. That comes after my discussion here.

The reports on a comprehensive statutory review – this act falls under that category – have included in the past the following key elements among other things. You've got an executive summary, which basically is a listing of all the motions that have been passed by the committee. It'll talk about the committee mandate as well as the consultation and review process that the committee underwent. You know, the stakeholder consultation is an example of that.

Then the main section will be on the committee recommendations. Those are the recommendations themselves, the motions passed by the committee but also potentially, if relevant, the rationale of the committee, how the committee arrived at that discussion, perhaps who made the proposal in the first place. Some context is written with respect to the recommendation that's put forward.

Then there'll be an appendix indicating who made written submissions as well as oral presentations to the committee from both the previous review and this review as well.

Thank you.

The Chair: Thank you, Dr. Massolin. Just to clarify, if I could. You'll be looking at *Hansard* from the discussions we held during those motions and putting that in as part of it?

Dr. Massolin: Yeah. This report, it should be noted, is a report of the entire committee, and therefore it'll focus on the resolutions of the committee, the motions that were passed. Yes, the main rationales that go into the decision-making will be looked at where they're relevant, of course.

The Chair: Okay. Thank you very much.

Any questions or comments for Dr. Massolin?

Seeing none, hearing none, thank you, Dr. Massolin, for your report.

I would also note that the committee may wish to streamline the process and avoid another meeting by authorizing the chair and deputy chair to approve the draft report after it has been made available for committee members to review. What are your thoughts on that issue? Any feedback on that? Concerns? You're happy with that? Once you have a look at the review, it'll be submitted. Any comments might be submitted to us, and we will approve the draft.

Mr. Getson: We would have a chance to review it, and then you'd submit the comments?

The Chair: Absolutely.

An Hon. Member: As long as he isn't here to fight.

The Chair: Nobody needs to fight here.

All right. We have a draft motion – Mike is always well prepared – put forward here. Would somebody like to make that motion?

Member Ceci: I'll move it.

The Chair: You're the deputy chair. I don't think you should.

Member Ceci: Oh, fine.

The Chair: Mr. Getson.

Mr. Getson: Sure. I move that

the Standing Committee on Resource Stewardship direct research services to prepare a draft report on the committee's review of the Public Sector Compensation Transparency Act, including the

committee's recommendations approved as of the October 15, 2019, meeting, and authorize the chair and deputy chair to approve the report after making it available for committee members to review.

The Chair: Any questions or comments on the motion?

Hearing and seeing none, I would ask all those in favour, please say aye. Any opposed, please say no.

Mr. Smith, are you still awake?

Mr. Smith: Yes. Aye.

The Chair: Thank you. Just checking to make sure that you haven't hit the ditch or something. Okay.

That motion is carried.

We'll get to item 5, other business. Are there any other issues for discussion before we wrap up today's meeting?

Seeing none, I guess we're going to move on to the date of the next meeting. Our next meeting will occur after October 24, when the main estimates of the government ministries will stand referred to the legislative policy committees pursuant to Standing Order 59.01(1). Once the schedule for the consideration of the main estimates is tabled in the Assembly, we will know the exact date.

If there is nothing else for this committee's consideration, I will call for a motion to adjourn.

Member Ceci: So moved.

The Chair: Moved by Mr. Ceci that the meeting be adjourned. All in favour, please say aye. Any opposed?

Thank you, everybody. It's been an interesting review.

[The committee adjourned at 7:52 p.m.]

