



Legislative Assembly of Alberta

The 29th Legislature  
Fourth Session

Standing Committee  
on  
Legislative Offices

Monday, January 21, 2019  
10 a.m.

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**Legislative Assembly of Alberta  
The 29th Legislature  
Fourth Session**

**Standing Committee on Legislative Offices**

Shepherd, David, Edmonton-Centre (NDP), Chair  
Payne, Brandy, Calgary-Acadia (NDP), Deputy Chair  
  
Aheer, Leela Sharon, Chestermere-Rocky View (UCP)  
Cooper, Nathan, Olds-Didsbury-Three Hills (UCP)  
Dreeshen, Devin, Innisfail-Sylvan Lake (UCP)\*  
Horne, Trevor A.R., Spruce Grove-St. Albert (NDP)  
Kleinsteuber, Jamie, Calgary-Northern Hills (NDP)  
Littlewood, Jessica, Fort Saskatchewan-Vegreville (NDP)  
McKittrick, Annie, Sherwood Park (NDP)  
Pitt, Angela D., Airdrie (UCP)  
van Dijken, Glenn, Barrhead-Morinville-Westlock (UCP)  
Woollard, Denise, Edmonton-Mill Creek (NDP)

\* substitution for Glenn van Dijken

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Lorne R. Gibson	Election Commissioner
Del Graff	Child and Youth Advocate
Glen Resler	Chief Electoral Officer
Marianne Ryan	Ombudsman, Public Interest Commissioner
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W. Doug Wylie	Auditor General

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Sarah Amato	Research Officer
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Corinne Dacyshyn	Committee Clerk
Jody Rempel	Committee Clerk
Aaron Roth	Committee Clerk
Karen Sawchuk	Committee Clerk
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Jeanette Dotimas	Communications Consultant
Tracey Sales	Communications Consultant
Janet Schwegel	Managing Editor of <i>Alberta Hansard</i>

**10 a.m.****Monday, January 21, 2019**

[Mr. Shepherd in the chair]

**The Chair:** All right. I'd like to welcome members, staff, and guests to this meeting of the Standing Committee on Legislative Offices.

I am David Shepherd, the MLA for Edmonton-Centre, chair of this committee. I'd ask that members at this point introduce themselves for the record, and then we'll hear from those on the phone.

**Ms Payne:** Good morning. Brandy Payne, MLA for Calgary-Acadia.

**Mr. Dreeshen:** Devin Dreeshen, MLA for Innisfail-Sylvan Lake.

**Mr. Horne:** Good morning. Trevor Horne, MLA for Spruce Grove-St. Albert.

**Ms Littlewood:** Good morning. Jessica Littlewood, representing the rural constituency of Fort Saskatchewan-Vegreville.

**Ms Woollard:** Good morning. Denise Woollard, Edmonton-Mill Creek.

**Ms McKittrick:** Bonjour. Annie McKittrick, MLA for Sherwood-Park.

**Ms Dean:** Good morning. Shannon Dean, Acting Clerk, procedure, and Law Clerk and executive director of House services.

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

**The Chair:** Thank you very much.  
On the phones we have Mr. Cooper.

**Mr. Cooper:** Hello. Nathan Cooper, the MLA for the outstanding constituency of Olds-Didsbury-Three Hills.

**The Chair:** Thank you.  
Mr. Kleinsteuber.

**Mr. Kleinsteuber:** Yes. Jamie Kleinsteuber, MLA for Calgary-Northern Hills.

**Mrs. Pitt:** Angela Pitt, MLA, Airdrie.

**The Chair:** Thank you very much.  
For the record I would note the following substitution: Mr. Dreeshen is substituting for Mr. van Dijken.

Before we turn to the business at hand, a few operational items. Please note that the microphones are operated by *Hansard*. Committee proceedings are being live streamed on the Internet and broadcast on Alberta Assembly TV. I'd just remind all members to please set their cellphones and other devices to silent for the duration of the meeting.

That brings us to our first item, the agenda. A draft agenda was distributed for consideration. Does anyone have any issues to raise or changes to propose? If not, do we have a member that would move a motion to approve today's meeting agenda as circulated? Ms Woollard. All those in favour? Any opposed? Those on the phone? That motion is carried.

Mrs. Aheer, would you like to introduce yourself for the record?

**Mrs. Aheer:** Thank you, Chair. Leela Aheer, MLA, Chestermere-Rocky View.

**The Chair:** Thank you.

Next, then, we come to the adoption of the meeting minutes. We have our minutes from the December 19, 2018, meeting of the committee. Are there any errors or omissions to note? If not, do we have a member that would move a motion to accept those minutes? Mr. Horne. Thank you. All those in favour? Any opposed? On the phones? That motion is carried.

That brings us to our first item of official business for today. A few months ago this committee asked the officers of the Legislature to provide us with information regarding their safe workplace policy and, specifically, the process in place if a complaint is filed against the officer. As requested, all of the officers responded by early November. Those materials have been available on the committee website for everyone to review. Now, the materials that were provided by the officers indicate that the procedure for handling potential workplace complaints against an officer of the Legislature varies from one office to the next.

A couple of things that I just wanted to note before we go into discussion. Just a reminder, of course, that we are speaking of independent officers of the Legislature. In their operations, then, these officers are considered to be free from control or interference either by this committee or by the government. Of course, our role as a committee is to review and approve the budgets and business plans of these officers. It is also within our purview to recommend appointment or removal of an officer.

Our committee would not normally involve itself in the regular HR operations of an office of the Legislature. However, in the case of the respectful workplace policy, that is something in each office that would be in place as a policy pursuant to the Public Service Act. However, we as a committee have the authority under legislation to approve any variation from that policy within an office of an officer of the Legislature. That's the purview under which we have this discussion today. While each office would be using the respectful workplace policy that's in place for all of the public service under the Public Service Act, each office is proposing a variation on that for how the situation would be handled when it involves the officer of that particular office. Our discussion today is around how we wish to proceed having received all of these policies from the officers of the Legislature, noting that there is some variance in how each is choosing to handle this exemption and looking to move, perhaps, towards trying to find a unified policy.

Now that we have this information, we need to determine the most appropriate way for the committee to proceed on this matter. In this regard the committee does have the option, if it wishes, to take this discussion in camera if we wish to get into some deeper details of the policies that were submitted or any other issues. That option is on the table if the committee should wish.

Basically, we have two options as a committee. One, we can choose as a committee to undertake this work ourselves. We could speak with each officer of the Legislature, call a meeting or series of meetings to discuss with them, and work towards developing a proposal. Secondly, we can work with Parliamentary Counsel to do that work. They would have the ability and the opportunity to go and meet with each of the officers to discuss the policy, discuss the variations, work with them, and come back to our committee with a proposal as to how we could come up with a unified policy that would be consistent across all offices.

With that background, I'll open the floor for discussion from the committee. Do any members have any thoughts on how the committee should proceed? Ms McKittrick.

**Ms McKittrick:** Thank you, Chair. As I've looked at the policies and the work of the officers and then especially at the work that the

Legislative Assembly staff and the HR department have been doing, I realize that we're lucky as members of this committee to have the benefit of some very highly professional staff with a lot of expertise through the Legislative Assembly. Given the fact that legislative officers' work is really geared towards their specific mandate and that as MLAs we do benefit from the expertise and the resource of the Legislative Assembly staff and their HR department, it seems to me that the most practical way of moving forward around this is to get the Legislative Assembly and the people who are experts within the staff resource to look at each of the policies and to make suggestions on how these policies can be improved and could do the purpose that they are set out for. My suggestion is that we consider using that resource in terms of moving forward with this work.

**The Chair:** Thank you, Ms McKittrick.

Do any other members have any thoughts or comments?

If not, is there a member that wishes to make a motion as to the direction the committee would take? Ms Littlewood.

**Ms Littlewood:** Thank you very much, Chair. I would make that motion to ask Parliamentary Counsel to discuss the variances and come back to this committee with the recommendations on how to make sure that the policies are consistent.

**The Chair:** Thank you, Ms Littlewood.

Clerk, do we have wording on a motion to that effect?

**Ms Rempel:** Thank you, Mr. Chair. Some proposed wording that I believe captures what the member has suggested would be that the Standing Committee on Legislative Offices direct Parliamentary Counsel to meet with each of the officers of the Legislature to develop a uniform procedure for addressing workplace complaints against an officer for consideration by the committee at a future meeting.

**The Chair:** Thank you for that.

**Mr. Cooper:** I'd like to be on the list.

10:10

**The Chair:** All right. So we have a motion. I have Mr. Cooper. Are there any other members that wish to be on the list to speak to the motion?

Mr. Cooper, please go ahead.

**Mr. Cooper:** Thank you, Chair. I think that this is a pretty reasonable path forward. I think it's a step in the right direction. The only thing: I would like to hear from Parliamentary Counsel, given the fact that we are now in mid-January and that there may be an election call in mid-February, what a reasonable timeline for them to be able to complete this task would be and then to perhaps even consider putting some guidance in the motion with respect to when that future meeting might be. I think it's reasonable for them to take a number of months to do this in terms of getting schedules organized with legislative officers, et cetera. Maybe Ms Dean could provide some context on what timeline she might think and then on whether or not it would be valuable to have it in the motion or not.

**The Chair:** Thank you, Mr. Cooper. I think that's a good question.

**Ms Dean:** Well, the time that this task would take would depend upon the availability of the officers, but I'm sure that if there's a motion passed by this committee, they would prioritize making themselves available for the discussion – and I can certainly prioritize it – so a matter of a couple of weeks. But, of course, Mr.

Chair, if the committee wants to set a timeline with the idea that the committee would reconvene in a couple of weeks, that's certainly reasonable.

**The Chair:** Thank you, Ms Dean.

Did you have any response, Mr. Cooper?

**Mr. Cooper:** Yeah. I mean, I don't know that we need to expedite it for a couple of weeks. I think that if we give Parliamentary Counsel and the legislative officers four to six weeks, that would be reasonable. That way, if there are any holidays that need to be considered or if perhaps one of the legislative officers is away – I wouldn't want to be too prescriptive. Perhaps if there is a general sense amongst committee members to have an agreement that Parliamentary Counsel would report back to the committee by February 28 or something, like by the end of February, I think that would be reasonable to have them do.

The other question that I would just have is: if the work isn't completed by the call of an election, what might happen to that information, Ms Dean?

**Ms Dean:** As you know, Mr. Chair and members of the committee, when an election is called, the committees no longer exist, so you'd be in technically a void, but I can certainly imagine that when a new committee reconvened after the election, that information could be brought forward for consideration.

**The Chair:** Thank you, Ms Dean.

Any further comment, Mr. Cooper?

**Mr. Cooper:** I have no further comment. I think the work that gets completed will be useful. I think that if we could have it completed by the end of February – perhaps the committee won't be able to make a decision prior to the next election, but I'm certain that all of that work will be useful for the committee in the future to receive.

**The Chair:** Thank you, Mr. Cooper. Were you wishing to make that amendment to the motion?

**Mr. Cooper:** I would love to hear from some others, perhaps, that are there as to whether or not there's a general sense that that would be a useful tool. Perhaps there isn't agreement on the timeline. I'm not super bent on it being the end of February. Like, if there are other times that other members might think are more reasonable, I'm open to that as well. So I'd perhaps get some sense of what that looks like first.

**The Chair:** Certainly. Thank you, Mr. Cooper.

I have Ms Woollard.

**Ms Woollard:** Thank you, Mr. Chair. I appreciate wanting to get – we want information, but we also need to make sure that we are allowing enough time to get this right. I would say that it seems to me that either the end of February or the beginning of March or early March is fine, whatever time is needed. I think that's got to be put in there somewhere, that we don't want to rush this. We don't want to be artificially constraining the work that's being done. We need to give more time as needed. I'm not sure how that could be worded, but I'd like to see that flexibility there.

**The Chair:** All right.

**Mr. Cooper:** I think towards the end of February, as Parliamentary Counsel has said. They would, as possible, within a couple of weeks. Providing an additional two weeks in order to do that seems

reasonable. So I would like to move the motion, then, that at the end of February they would report back.

**The Chair:** All right. Thank you, Mr. Cooper.

We have the proposed amendment, then, from Mr. Cooper. Basically, the motion is as previously read by the clerk – and she’s working to amend that – with the addition, then, that the proposal would be brought back to the committee by the end of February.

Do we have any discussion on the amendment?

**Ms McKittrick:** I just wanted some clarification, Chair. So the proposed motion is that Parliamentary Counsel would by the end of February report to the committee, but it doesn’t mean that the committee has to meet by the end of February. I just wanted some clarification on this, because then it might constrain the committee in terms of a meeting time. You know, if we could just have some clarification that the report will be ready by the end of February but that the committee would have some discretion to meet in March.

**The Chair:** Thank you, Ms McKittrick. That would be my understanding. The committee meets at the call of the chair, and generally, of course, I as chair respond to the will of the committee. Certainly, if it’s the will of the committee that the report be delivered by the end of February, that would be made available to all members. Then, certainly, if the general consensus is that the committee would meet shortly after that, I would work as chair to schedule a meeting as soon as possible after that date.

Is there any further discussion on the amendment?

If not, I’ll call the vote on the question, then, on the amendment. If you could just read it again, Clerk, please.

**Ms Rempel:** Thank you, Mr. Chair. I’ve put together some wording that I believe captures Mr. Cooper’s intent. He’s put forward an amendment to add the words

by the end of February 2019

after the words “complaints against an officer.”

**The Chair:** Excellent. Thank you.

With that, then, I will call the question on the amendment. All those in favour? Okay. On the phones? Any opposed? On the phones?

That amendment is carried.

We are back, then, to the main motion as amended. Any further discussion? All right.

Seeing and hearing none, I will call the question on the motion. All those in favour? In the room, any opposed? To the phones. All those in favour? Any opposed?

That motion is carried.

That was our only item of main business today.

That brings us, then, to other business. Are there any items for discussion under other business?

If not, as we discussed, the next meeting date would be at the call of the chair. So we will wait until such time as we receive a report from Parliamentary Counsel and then undertake consideration of another opportunity to meet.

With that, then, do we have a member that would move to adjourn? Mr. Horne. All those in favour? On the phones? Any opposed? This meeting stands adjourned.

Thank you.

[The committee adjourned at 10:19 a.m.]





