



Legislative Assembly of Alberta

The 30th Legislature  
Second Session

Standing Committee  
on  
Public Accounts

Labour and Immigration

Tuesday, May 4, 2021  
8 a.m.

Transcript No. 30-2-22



**Standing Committee on Public Accounts**

**Participant**

Ministry of Labour and Immigration  
Shawn McLeod, Deputy Minister



8 a.m.

Tuesday, May 4, 2021

[Ms Phillips in the chair]

**The Chair:** All right. I have 8 a.m. Good morning, everyone. I'd like to call this meeting of the Public Accounts Committee to order.

My name is Shannon Phillips. I'm the MLA for Lethbridge-West and the chair of this committee. Ordinarily we would go around the room for all participants to introduce themselves, but with folks joining us through various means of communication, what I'll do is I will send things over to the room and, beginning with Mr. Guthrie, invite people who are in the room to introduce themselves. Then I will call on each member who is attending virtually to introduce themselves such that we can make sure that we have the right list of participants for *Hansard*.

Member Guthrie, if you can start in your direction and go around the table, that would be great. Thank you.

**Mr. Guthrie:** Yes. Thank you, Chair. MLA Pete Guthrie, Airdrie-Cochrane.

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

**Ms Gray:** Good morning. Christina Gray, Edmonton-Mill Woods.

**Mr. Kulicki:** Good morning. Michael Kulicki, clerk of committees and research services.

**Mr. Roth:** Good morning. Aaron Roth, committee clerk.

**The Chair:** All right. I'll just call on each member to introduce themselves. Speak up if I've missed anyone. We'll begin on the government side. Member Singh.

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

**The Chair:** All right. Member Turton.

**Mr. Turton:** Good morning, everyone. MLA Searle Turton for Spruce Grove-Stony Plain.

**The Chair:** Member Rowswell.

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

**The Chair:** Member Lovely.

**Ms Lovely:** Good morning, everyone. MLA Jackie Lovely for the Camrose constituency.

**The Chair:** Member Neudorf.

**Mr. Neudorf:** Nathan Neudorf, MLA for Lethbridge-East.

**The Chair:** Member Armstrong-Homeniuk.

**Ms Armstrong-Homeniuk:** MLA Jackie Armstrong-Homeniuk, Fort Saskatchewan-Vegreville.

**The Chair:** And Member Walker.

**Mr. Walker:** Good morning. Jordan Walker, MLA, Sherwood Park.

**The Chair:** I will note for the record that Member Gray has joined us as a guest but is a nonvoting member of this committee.

With that, I'll call on the members of the opposition to introduce themselves. Member Renaud.

**Ms Renaud:** Marie Renaud, St. Albert.

**The Chair:** Member Pancholi.

**Ms Pancholi:** Good morning. Rakhi Pancholi, Edmonton-Whitemud.

**The Chair:** Thank you.

Have I missed anyone? I don't think I have. Very good. I will now note for the record that members of the Auditor General's office have joined us. The Auditor General, Mr. Doug Wylie, and Assistant Auditor General Rob Driesen have also joined us. Is there anyone else from the Auditor General's office joining us here today? Very good.

We will now move on. There are certainly a number of officials from the department of labour who have joined us. What I'll ask folks to do is simply just say your name before you speak. The first time you speak, identify yourself by your title, so deputy minister or assistant deputy minister. From there on in you can just simply say your name just so that *Hansard* can attribute your comments appropriately. We won't have all of the members of the department introduce themselves because there are often quite a number of them.

Before we begin, I'll just note that in accordance with the recommendations from the chief medical officer, folks are advised to leave the appropriate distance between themselves and other meeting participants, as usual. As indicated in the memo from Speaker Cooper, our committee room protocols are in line with health guidelines, which require members to wear masks in committee rooms and while seated except when speaking, at which point they can choose to remove their masks while speaking. I would ask all members participating by videoconference or teleconference to ensure your microphones are muted unless you are recognized to speak. For those members and guests present in the room, *Hansard* will operate your microphones for you. Committee proceedings are live streamed on the Internet and broadcast on Assembly TV. The audio- and videostream and transcripts of the meetings are all accessible via the Legislative Assembly website.

I'll now move on to the approval of the agenda for today. I will look to the members to propose a motion that the agenda for the May 4, 2021, meeting of the Standing Committee on Public Accounts be approved as distributed.

**Mr. Rowswell:** So moved.

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

Is there any discussion on this motion? Members, if you could unmute. All in favour? Thank you. Are there any opposed? Seeing none, members, if you could remute your microphones.

Hon. members, we have the minutes from our last meeting of the committee. Do members have any errors or omissions to note? I'm looking, then, to the floor for a motion that the minutes of the April 20 meeting of the Standing Committee on Public Accounts be approved as distributed.

**Mr. Rowswell:** So moved.

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

Is there any discussion on this motion? Seeing none, all in favour? Very good. Are there any opposed? Hearing none, that motion is then carried. Thank you, friends.

We'll now move on to the next item on our agenda, which is to welcome our guests from the Ministry of Labour and Immigration, who are here to address the office of the Auditor General's outstanding recommendations as well as their ministry's annual report from 2019-2020. The ministry will now provide us with introductory remarks not in excess of 10 minutes, and after that we will hear from the Auditor General.

Just a reminder to all participants today that we are on the non morning session questioning rotation and timing rotation for everyone's awareness.

With that, I will turn things over to the Ministry of Labour and Immigration. Thank you.

**Mr. Roth:** Sorry. Pardon me, Chair, for interrupting. The microphone is muted, it appears, in the room.

**The Chair:** Is there a problem?

**Mr. Roth:** Sorry, Chair. Yeah, it looks like their microphone is muted in the room still.

**Mr. McLeod:** Can you hear us now?

**The Chair:** Yes, I think we can. At least I can, so I'm going to assume that you are heard in the room as well. The camera, though, at least from my vantage point, is not appropriately angled if you want to be seen on the visual feed, so that might need to be corrected.

8:10

**Mr. McLeod:** We're just going to try to fix that camera right now.

**The Chair:** I think that's much better. They can see you in the room, and that's really all that matters in terms of the video feed. I think we're good. Thank you to the folks who came in to fix that up.

I'll turn it over to you for 10 minutes, folks.

**Mr. McLeod:** Good morning. Thank you to the IT folks who just helped us. Thank you for the opportunity to discuss Labour and Immigration's 2019-20 annual report and the recommendations from the office of the Auditor General. My name is Shawn McLeod, Deputy Minister of Labour and Immigration. Today with me is Myles Morris, acting ADM, strategy and policy; Michele Evans, ADM, workforce strategies; Ryan McFarland, acting ADM, safe, fair, and healthy workplaces; Sonya Johnston, ADM, financial services, and senior financial officer. In the room with me today is Andre Rivest, acting executive director, finance and administration.

Labour and Immigration's core business includes providing Albertans with access to adequate skill development and workplace training, labour market information, immigration co-ordination, governance of professions and occupations all the while protecting workers' rights by regulating workplaces and ensuring fair and modern legislation.

Our strategy and policy division focuses on the policy side of this work to align our labour supply and demand and make sure Alberta's workplaces are safe and operating within a legislative framework that supports Alberta's economy. This division also leads FPT work and provides mediators and arbitrators to assist unions and employers in resolving disputes.

The safe, fair, and healthy workplaces division works with employers, employees, industry associations, and labour groups to promote an informed and knowledgeable workforce regarding shared workplace rights and responsibilities. This division monitors compliance with employment standards and occupational health and safety legislation using risk-based approaches, responding to

complaints, incidents, and injuries and establishing a prevention framework to reduce injuries and illness within Alberta.

The workforce strategies division works with other ministries, industry, the federal government, and other departments to attract and train qualified workers, reduce barriers to labour mobility across Canada, improve qualification recognition, nominate newcomers to Alberta, and help them settle successfully in the province. This division also administers labour market transfer agreements and delivers programming for indigenous Albertans.

In 2019-20 the mandate of Labour and Immigration also included several agencies. These are the Alberta Labour Relations Board, the Appeals Commission for Alberta Workers' Compensation, the Fair Practices office, the Medical Panels office, and the Workers' Compensation Board. Today I will be focusing on how Labour and Immigration fulfilled its mandate to support job creators and Albertans in 2019-20, including the ministry's activities and financial results. As shown in the annual report, Alberta Labour and Immigration's consolidated operating expenses budget for the year 2019-20 totalled \$312.7 million, \$99.6 million higher than in 2018-19 and \$91.1 million higher than budgeted. This higher than budgeted expense total is due to our pandemic response, which I will speak to in a few moments.

I will begin with the first outcome in the 2019-20 annual report. "Alberta's labour legislation and programs support job creators and a thriving economy." Labour and Immigration began the job of getting Albertans back to work with the open for business act in May 2019. This act changed rules for general holiday pay, banked overtime, and the union certification process. As part of this act the department also launched the employee labour relations support program to help unionized employees or employees that may become unionized better understand and exercise their rights.

Labour and Immigration also introduced the job-creation student wage to help Albertans get jobs so that they can gain skills and experience in the working world. In fall of 2019 the government fulfilled its promise to work with farmers and ranchers to build farm and ranch workplace legislation that meets their needs by introducing the Farm Freedom and Safety Act. Labour and Immigration also undertook 38 initiatives to reduce red tape in 2019-2020.

Labour and Immigration's second outcome is that "Albertans have the skills demanded by Alberta's labour market now and in the future." To meet this outcome, Labour and Immigration provided 160 training programs, employment services, and indigenous programs and services to thousands of Albertans. This includes 45 unemployed and underemployed Albertans in training for work programs and more than 12,000 Albertans who were supported in their skill development through the Canada-Alberta job grant.

Another way to strengthen the economy is through the department's third outcome: attract immigrants and retain new Albertans, resulting in a skilled, resilient, and productive workforce. Labour and Immigration attracts and retains many newcomers through the Alberta immigrant nominee program. In 2019 the program issued 6,002 certificates allowing newcomers to apply for permanent residence so they can work or continue working in Alberta and contributing to the economy. Labour and Immigration also reduced wait times for newcomers requesting an assessment of their education credentials to the international qualifications assessment service.

To help make sure that newcomers' education and skills are being used to their full potential, the Alberta government passed the Fair Registration Practices Act and established the Fairness for Newcomers office. This will ensure that regulated profession and trade registration practices are transparent, objective, impartial, and

fair, which will encourage newcomers to live and work in Alberta. Labour and Immigration also began work on the Alberta advantage immigration strategy. Consultations with Albertans have helped to inform the department's strategy to better support newcomers and job creators. Finally, in 2019-20 more than 15,000 newcomers received language and settlement support services from service providers.

In 2018 the Auditor General made a recommendation that "the Department of Labour [and Immigration] regularly measure and report on the results of its current workforce strategies, including lessons learned." A variety of processes have been in place to respond to the report's recommendation.

Another way that Labour and Immigration supports job creators, newcomers, and employees is through the department's fourth outcome: "Alberta has safe, fair and healthy workplaces." Labour and Immigration works with job creators, workers, health and safety associations, industry associations, and labour groups to make sure workers understand their rights and responsibilities.

In 2019 the department conducted 9,624 inspections and 291 follow-up inspections to improve the health and safety of Alberta workplaces. In addition, the department supported 302 new businesses in establishing health and safety management systems so they have the tools in place to keep their employees safe. Labour and Immigration also began a review of its certificate of recognition program to better support job creators and build effective health and safety management systems. This included recognizing certifications in health and safety management from the International Organization for Standardization or the Canadian Standards Association as an equivalent to a certificate of recognition.

In addition to keeping workplaces healthy and safe, Labour and Immigration helps make sure workplaces are fair in terms of following fair and timely resolution of complaints in relationship to employment standards. Response times to employment standards complaints improved in 2019-20, with 90 per cent of the complaints resolved within 180 days. Making sure that "employers and workers have access to timely, fair and independent adjudication and dispute resolution services" is Labour and Immigration's fifth outcome for 2019-20.

As part of this meeting, the Alberta Labour Relations Board held 640 hearings on labour relations, employment standards, and occupational health and safety matters. Labour and Immigration has also worked to improve the timeliness and the cost-effectiveness of its dispute resolution services. This includes a new booking system for the Appeals Commission. It also includes a grievance mediation program, which gives employers, employees, and unions a more cost-effective option for resolving disputes.

In March 2020 the COVID-19 pandemic brought significant challenges to our job creators and all Albertans. In response to these challenges, Labour and Immigration introduced several supports for job creators and workers. This included the emergency isolation support program, which was intended to help those who were required to self-isolate receive funding prior to the federal program being put in place. In March 2020 the government also announced that all private-sector employers could have their WCB premiums deferred to 2021. In addition, small and medium-sized employers would not have to pay their 2020 premiums at all; the government would cover the cost. OH and S officers became a resource to employers and workers to raise awareness on public health advice and measures to help promote healthy and safe workplaces. This work includes doing proactive inspections and conducting investigations where needed.

**8:20**

All of Labour and Immigration's 2019-2020 activities – reviewing and improving legislation, training Albertans, attracting immigrants, ensuring safe and healthy workplaces, and offering dispute resolution services – are part of the department's goal to get Albertans back to work and to support economic growth. Thank you for the opportunity for Alberta Labour and Immigration to report on the outcomes of 2019-20, and we look forward to answering any questions.

**The Chair:** Thank you to the department officials.

I'll now turn things over to the office of the Auditor General for five minutes of introductory comments.

**Mr. Wylie:** Well, good morning, Chair and committee members. I'll just briefly summarize some of the work that we've done at the ministry. On the financial statement side, we audit the accounts of the department as part of our consolidated financial statement audit of the province. As well, we audit the WCB, the Workers' Compensation Board. That's a separate financial statement. We issued a clean audit opinion or an unqualified audit opinion.

The deputy mentioned the one outstanding recommendation that we have to the ministry, and that results from some work we did back in 2018, when we evaluated the building and educating tomorrow's workforce strategy. That was a long-term strategy; it was a 10-year strategy that commenced in 2006. I'll just summarize the findings that we have on page 4 of our report for the committee's benefit. At that time we concluded that the department did not monitor and report on the progress in achieving the planned results of the 10-year strategy and that the department could not demonstrate if the strategy achieved its planned results or whether the resources dedicated to it over the past 10 years were well placed.

Our audit really covered the last three years of reviewing the processes at the department. During those three years, from 2013 to 2016, we noted that \$223 million had been allocated to the strategy. We made one recommendation to the department. This was really focused more at the department than at the strategy, as the strategy was not continued, so we recommended that the department "regularly measure and report on the results of its current workforce strategies, including [any] lessons learned." We understand that the department has indicated that the recommendation has been implemented, and we're planning to do follow-up work either later this summer or fall.

Chair, I'll stop there. Thank you.

**The Chair:** Thank you, Mr. Wylie.

I'm looking at the time, friends, and some of our IT challenges at the very beginning. I'm going to look to the floor now for unanimous consent to extend the meeting past 10 a.m. I believe I just can ask one question, which is: do we have unanimous consent to extend the meeting beyond 10 a.m.? I'll call for a vote now on that. All right. The meeting will adjourn at 10 a.m. There will be some shorter lines of questioning, then, at the very end, and we may not get through all of our rotations, so that'll be the outcome of that.

We'll begin, then, with 15 minutes for the Official Opposition for their opening round of questions, followed by the government side.

**Mr. Schmidt:** Thank you, Madam Chair. All of my questions in this first set are going to be related to page 19 of the annual report, which discusses labour legislation changes to support the province's response to COVID-19. Now, on March 13, 2020, the government of Alberta issued a news release stating, "Employees who are required to self-isolate or are caring for a loved one with COVID-19 to take 14 days of paid job-protected leave," and I put

the emphasis on paid protected leave. We know from data from Ontario that paid protected leave could reduce daily COVID case rates by 50 per cent.

In the news release from March 13 the Premier was quoted as saying: “We are taking COVID-19 extremely seriously . . . That is why we are offering paid sick leave to help contain the spread of the virus. No one should have to choose between work and taking care of their health.” The key is the paid protected leave, because that never happened.

I want to start at the beginning and figure out why we are in the place that we are right now. The government first announced one of the most effective public health measures available and then reversed itself. I’m wondering if the deputy minister can tell us about the process leading up to the March 13, 2020, announcement on paid leave. First, who came up with that proposal?

**Mr. Roth:** You’re muted in the room again.

**Mr. Guthrie:** Let’s deal with a point of order, then, I guess, while we’re waiting here. I mean, through 23(b), this does not appear to be within the scope of the annual report. These are clearly quotes that are taken from press conferences and are not policies that have been implemented within the Auditor General’s report, so they fit outside of the scope here. I think that we should actually be using references to the annual report. I don’t think it’s a good idea for us to get off track this early within this meeting.

So I’ll leave it for you, Chair.

**Ms Pancholi:** Madam Chair, if I may. Thank you. As the Member for Edmonton-Gold Bar noted, this was mentioned on page 19 of the 2019-20 annual report. It clearly refers to a decision by the ministry to include in their annual report reference to changes to the regulation and code around unpaid leave. The member clearly referenced documents that were within the scope of the timeline of the 2019-20 annual report. The dates clearly fall within that year. I believe this is not a point of order. It is absolutely an item that is up for discussion as part of the scope of the Public Accounts Committee, and it speaks to the decisions that the ministry made and highlighted within their own annual report.

**The Chair:** Thank you to both sides for that intervention.

Given that we have both policy intentions that were articulated before March 31 and mentions of both unpaid leave and other responses to COVID-19 within the 2019-2020 annual report and specific references to page numbers, I will allow this line of questioning because it signals allocation of resources and so on. I’d just simply remind the opposition to ensure that they are referencing back to the annual report or the outstanding recommendations.

**Mr. McLeod:** As mentioned, the government implemented 14 consecutive days of unpaid job-protected leave for employees in isolation or quarantine from COVID-19. The question specifically was: where did this policy initiative, I think, come from? Perhaps the best answer to that is that ultimately policy initiatives are initiatives of the government. In our case, Labour and Immigration and all departments provide advice in terms of policy. We do not initiate the policy initiatives, nor do we approve the policy initiatives. Our role, really, is to assist the government in thinking through the policy considerations and then to provide the support to go through the policy approval process, ultimately for the matter to become law.

**Mr. Schmidt:** Thank you.

I do want to get into, then, some of those things that the deputy minister touched on, the support provided to the decision-makers about policy. Did the ministry cost this proposal for paid sick leave?

**Mr. McLeod:** I’m not remembering a specific costing proposal, but I can get back to you with respect to a specific answer on that.

**8:30**

**Mr. Schmidt:** Thank you. So you’re going to commit to tabling to the committee the results of the cost of the proposal for paid sick leave that was announced on March 13, 2020?

**Mr. McLeod:** To the extent that that occurred and that that’s an appropriate disclosure, absolutely.

**Mr. Schmidt:** Thank you.

We’re also interested if the deputy minister has available a cost-benefit analysis on the potential program costs for paid sick leave versus health outcomes, whether the ministry looked at the cost to government of providing sick leave compared to the cost to government of providing health care to sick Albertans. I hope that the deputy can table that as well.

Going back to the deputy’s discussion around supporting government policy decision-makers, did the department have any discussions with the chief medical officer of health about paid sick leave?

**Mr. McLeod:** The department may have had discussions with the chief medical officer of health as part of the policy discussion. We certainly take into account a large variety of considerations, crossjurisdictional scans, conversations with other departments. Whether that specifically occurred in this case, I’m not aware.

**Mr. Schmidt:** So the deputy minister doesn’t take notes of who the department confers with on these important policy decisions? Is that correct?

**Mr. McLeod:** No, that’s not necessarily correct. All I’m saying is that . . .

**Mr. Schmidt:** Okay. Well, then, thank you, Deputy. I hope that you can commit to going back through the department’s calendars, looking to find any discussions that department officials may have had with the chief medical officer of health, and reporting back to the committee on what those discussions entailed and what advice the chief medical officer of health provided to the Department of Labour and Immigration on the matter of paid sick leave.

Can the deputy minister recall any discussions with any other officials at the Ministry of Health?

**Mr. McLeod:** In response to this issue?

**Mr. Schmidt:** Yes. With respect to paid sick leave.

**Mr. McLeod:** I don’t specifically remember conversations with the Ministry of Health, but we can get back to you.

**Mr. Schmidt:** Thank you. Again the same question that I asked with respect to meetings with the chief medical officer of health: a complete list of meetings with the department officials and Ministry of Health officials, a list of topics that were discussed, and advice that was given from the Ministry of Health to Labour and Immigration on the issue of paid sick leave.

Did the department have any discussion with employers with respect to paid sick leave?

**Mr. McLeod:** I think we should probably go with the same answer.

**Mr. Schmidt:** Well, this is rather remarkable. I am shocked that the deputy minister has such a hard time recalling what he’s been up to the last year. Anyway, I will request, then, that the deputy go



through the department's calendars, look for discussions that were had with employers, when those meetings were held, what topics were discussed, what advice he got from employers.

**Mr. Guthrie:** Point of order. Standing Order 23(b): the member is speaking to matters once again that are outside of this discussion. Chair, this is not within the purview of the annual report nor the mandate of this committee. Now, I want to remind members that *House of Commons Procedure and Practice* states that government policy and the extent to which policy objectives are achieved are not examined by Public Accounts. Instead, the committee is to focus on government administration and to examine economy as well as the effectiveness of program delivery. You know, the role of this committee, as explained, is to stick within the confines of the annual report and not the exploration of future matters or how policy was actually derived. This particular line of questioning clearly does not meet the criteria for the mandate of this committee. Thank you, Chair.

**Ms Pancholi:** Madam Chair, if I may. Thank you. Again, the question goes directly to what is noted on page 19 of the annual report, which the member referenced. It is a decision that was made, an announcement that was made about paid sick leave, and then subsequently, within the fiscal year of 2019-2020, a decision was made by the ministry to go with unpaid sick leave. Clearly, that must have included an analysis of resources or some determination. That's what I think the member is trying to get to, how those determinations were made about the expenditure of resources during the 2019-20 fiscal year around the issue of paid versus unpaid leave. This is clearly within the scope of this committee, and it's clearly within the scope of the 2019-20 year as referenced in the annual report.

**The Chair:** Thank you.

Having heard this matter now a couple of times, I will not find a point of order, but I will issue a caution to the Official Opposition to bring their questioning back around to the allocation of resources given that several times through the annual report, both on the government side and on the department's specific annual report, we see a number of different references to allocation of resources for employers or for workers or for both out of this department. That piece is in order, so I will leave that there. However, I'm going to encourage the opposition to keep it to allocation of resources.

Now we will move on.

**Mr. Schmidt:** Thank you, Madam Chair.

Just for the benefit of my colleagues on the committee, looking at the budget, of course, we've got line 2.3 on page 86, which deals with workforce strategy policy. I assume that workforce strategy policy would address issues like changes to the Employment Standards Code that are being considered. Whether or not those policies actually made the light of day, we still pay people money to do that work, so I think it's, as the chair noted, perfectly within the realm of the mandate of this committee to question the department on what work was being done on different policy pieces.

Back to my questions, then. Did the department consult with any labour groups or labour stakeholders with respect to paid sick leave?

**Mr. McLeod:** I think, again subject to any limitations, I would like to get back to you with a comprehensive response with respect to this sort of general line of questioning.

**Mr. Schmidt:** Okay. Thank you very much.

Being familiar with processes around cabinet and Treasury Board, as I am, I know that these kinds of policy announcements come with costs attached to them, and, generally speaking, governments don't make them unless they have approval from Treasury Board to do that. Did the department go to Treasury Board for approval for this announcement on paid sick leave?

**Mr. McLeod:** Yes, it did.

**Mr. Schmidt:** Okay. On what date did the ministry approach Treasury Board?

**Mr. McLeod:** Sorry; that's my mistake. You said: with respect to paid sick leave?

**Mr. Schmidt:** Yes.

**Mr. McLeod:** No. The department did not go to Treasury Board. The program in question ultimately is unpaid sick leave.

**Mr. Schmidt:** Okay. So the department made an announcement about paid sick leave but never went to Treasury Board to seek approval for the potential implementation of that policy. Is that correct?

**Mr. McLeod:** I'm not familiar specifically with the reference to the department making an announcement for paid sick leave. My memory is that the department's involvement and the announcements related to unpaid leave. As a result, there was no attendance at Treasury Board.

**Mr. Schmidt:** Okay. All right. Did the ministry undertake any analysis on the effectiveness of providing paid sick leave at preventing the spread of COVID-19?

**Mr. McLeod:** Once again, as sort of background to policy initiatives that are taken up and are pursued by the government, the department provides a broad spectrum of sort of policy work with respect to those initiatives. Really, I think that's probably the most I should say, once again subject to the general conversation that's been had to date and any limitations that might apply to them.

8:40

**Mr. Schmidt:** Could the deputy minister undertake to go back to the department and look at any analysis that was done on paid sick leave as well as unpaid sick leave? I mean, this was a policy that the government ultimately did announce. It's referenced in the annual report. Did the ministry do any analysis on how effective that measure would be to prevent viral spread and do a comparison of what difference might exist between providing paid sick leave and unpaid sick leave?

**Mr. McLeod:** I think, as you can tell, I'm doing my best to sort of tread the line between what we're at liberty to disclose and what we're not at liberty to disclose. I'm certainly happy to take the request away generally. We will get back to you subject to any limitations that apply to that. I have not reread the policy documents recently that apply to that, but we will, as I say, undertake to assist the committee in any way that we can.

**Mr. Schmidt:** Thank you very much. I appreciate that.

I want to talk now about the policy where we're at now. Of course, we know that paid sick leave was never implemented. We have 14 days of unpaid sick leave. We know that with this decision-making we have more cases of COVID, more lockdowns, more sick Albertans, more deaths, more people suffering from long COVID.

Who came up with the idea to reverse course and implement 14 days of unpaid leave?

**Mr. McLeod:** Once again, the department's role is to provide advice and policy support for the government's decisions with respect to advancing specific agendas. That's what the department did in this case. The department provided that policy advice, and ultimately the result of that is the policy amendment which you've been referring to and are familiar with.

**The Chair:** Hon. member, I'm just going to break in here and remind you that at this point this question has been asked. You know, like, it's a matter of opinion on whether you like the answer. Regardless, that question, I think, has been asked and answered, so I think it's time to move on.

**Mr. Schmidt:** Well, thank you, Madam Chair.

Can the department provide us with an overview of who was consulted on this decision to implement unpaid sick leave?

**Mr. McLeod:** We are happy to do so, subject to the same response that I provided.

**Mr. Schmidt:** Okay. Just so that I am specific, I want, I mean, any and all consultations that were undertaken by the department, you know, including discussions with the chief medical officer of health, any other Department of Health officials or AHS officials . . .

**Mr. Guthrie:** Point of order, 23(b) again. Once again, we are here – our mandate, Chair, is about the effectiveness of a policy that's implemented, not how it was derived, who was involved in deriving that policy. It is about the application of the policy and the effectiveness of the policy. We're on the wrong side of this particular discussion, so if we could once again – please, let's bring it back to the annual report and stick within those confines.

Thank you.

**Ms Pancholi:** Madam Chair, the member is now clearly speaking to what is, again, highlighted on page 19. It was the activities of the ministry around its decision to implement 14 days of unpaid sick leave, which is highlighted specifically in the annual report, and he is seeking to understand the activities of the ministry that led to that decision, again, clearly within the scope of this committee's work.

**The Chair:** Yeah. I mean, I think we need to allow some broad latitude in terms of how resources were ultimately allocated given that we have a lot of that discussion both in the government-wide annual report as well as in the Labour and Immigration annual report. Having said that, I think that we have discussed this matter, so I will issue a caution to the member.

**Ms Gray:** Hi. Thank you. I'll take over a little bit from my colleague's time. I would like to move us a little bit to the emergency isolation program, but I do want to make a strong comment regarding the line of questioning we were just listening to around unpaid sick leave versus paid sick leave. To be very, very clear – because I believe that I heard the deputy minister speak to his recollection of the announcement – on March 13, 2020, the Premier stood at a podium and released a press release announcing 14 days of paid leave, with reference that costs to employers would be negotiated. I want to emphasize that that announcement caused significant hope and joy for workers and questions from employers. That March 13 announcement was on a Friday. The next, March 17, reference to job-protected leave removed the word "paid."

**The Chair:** Thank you.

I will now turn things over for 15 minutes to the government caucus, please.

**Ms Lovely:** Can you hear me, Madam Chair?

**The Chair:** Just fine, yes. Please proceed.

**Ms Lovely:** Okay. Good morning, everyone. I just wanted to thank the department officials for being with us here this morning. I do have a couple of questions. Key objective 1.1, supporting outcome 1, is stated on page 13 of the annual report: "review and revise legislation, regulations, programs and processes to ensure the effective and efficient delivery of services focusing on reducing red tape and regulatory burden for businesses and Albertans." On page 14 of the report it states that "the ministry is committed to reducing its regulatory burden by at least one-third" and that an internal governance structure was established to manage this work. My question is: can the ministry outline what this governance structure looks like and how it helps achieve this policy directive?

**Mr. McLeod:** Thank you very much for the question from the member. The red tape reduction initiative is, obviously, a significant agenda item for this current government, intended to reduce costs, speed up approvals, make life better for Albertans generally. I can certainly say that Labour and Immigration is committed to the work that the government has outlined for red tape reduction and has done a significant amount of work in 2019-20 to respond to that initiative. We've committed to reducing red tape by one-third from our 2019 baseline by the end of fiscal year 2023 while maintaining health and safety at the same time.

Labour and Immigration's 2019 baseline identified over 24,000 requirements, excluding complex agencies. This panel contains various requirements contained in legislation, regulations, guidelines, forms, and policies. Approximately half of those recommendations are in legislation, which requires that we look very carefully at what is required by law and look for ways to reduce the burdens of job creators while still continuing with policy direction as approved by the government. Not only do we have to listen to the concerns raised by job creators, but we also have to enlist all of our staff internally to identify and reduce red tape initiatives as well as other activities.

**8:50**

To accomplish this, and specifically in response to what I would take to be sort of the meat of your question, the ministry has established a governance structure that includes an ADM project champion, an ADM committee, a project team, including a project director and a dedicated project lead, a working group of representatives from all business areas. This ensures that each division is accountable for reducing red tape within its areas and that all staff continue to be engaged in the red tape reduction efforts.

I'll just conclude by saying that really what we're trying to do is to have a whole department initiative and whole department involvement with respect to this matter because some of these things will be obvious and some will be less obvious, but if we adopt the structure that I've advised of and include really everyone with the department at some level, it's our intention to come up with the best policy proposals and to meet red tape reduction initiative goals.

**Ms Lovely:** Madam Chair, may I proceed?

**The Chair:** Yes, Member. The time is yours, so please use it as you feel.

**Ms Lovely:** Thank you so much. On page 14 it also stated that a comprehensive action plan was developed to achieve the target of one-third reduction. Can the ministry please explain what this plan is and what benchmarks have been set out to ensure progress?

**Mr. McLeod:** As previously mentioned, the comprehensive action plan covers three fiscal years and outlines all major, medium, and minor projects that are expected to contribute to the overall reduction in the ministry's accounting requirements. Reduction targets and expected completion dates are included, which supports a systematic approach to completing red tape reduction projects. Progress toward achieving the plan reduction is monitored by the project team, reported quarterly to the ADM committee and deputy minister. In 2019-2020 Labour and Immigration completed 38 red tape reduction initiatives, both regulatory and administrative. These efforts reduced regulatory requirements by 878, or 3.2 per cent, as of the end of the fiscal year.

In addition to reducing the baseline count, the ministry also actioned items from its plan to reduce administrative burdens on job creators. For example, we identified and eliminated 6,367 regulatory requirements for farm and ranch employees as result of the Farm Freedom and Safety Act. While this is not captured as a regulatory count reduction because these items still apply to other sectors, it is considered a significant reduction in administrative burden for employers.

I will simply say and add to that that any of the red tape reduction initiatives that we have continue to be and are bound by policy that is in place, and in particular in this case, occupational health and safety policy, the goal being to reduce burden, provide flexibility, and still maintain both safe, fair, and healthy workplaces.

**Ms Lovely:** Thank you so much for the answer. I'm very happy to share that the ministry reduced 878 – that's 878 – regulatory requirements in 2019-2020. Can the ministry tell the committee how these regulations were identified and evaluated for red tape reduction?

**Mr. McLeod:** The ministry reviews and evaluates submissions from stakeholders and the public to identify potential areas for red tape reduction. This is in addition to the initiative that I talked about with respect to internal identification of those initiatives. The ministry also strives to incorporate red tape reduction principles in everyday work such as ongoing adjustments to forms and policies. Staff look for opportunities to reduce regulatory burden for employers and workers such as streamlining forms and processes and other ministry activity. These opportunities are brought forward, evaluated internally, and implemented as appropriate.

For more comprehensive legislative reviews, opportunities to simplify language and remove unnecessary barriers from regulatory requirements for job creators are sought while maintaining, once again, safe, fair, and healthy workplaces. For example, in 2019-20 a review of forms and policies in the employment standards and occupational health and safety area has resulted in a reduction of 613 regulatory requirements for Albertans and job creators. The Farm Freedom and Safety Act, An Act to Make Alberta Open for Business also reduced a number of regulatory requirements in its business legislation as a result of reviews in associated legislation.

In 2019-20 the ministry also made a number of changes to reduce overall administrative burdens to save time and costs for Albertans generally and job creators in particular. Examples: provided an exemption for the oil and gas industry for hours of work provisions under employment standards, which removed the administrative burden for the industry to make variance requests to government; created online portals for job creators to submit employment

standards permits for variances and appeals while eliminating paper-based forms and enhancing timely service delivery by the department; for occupational health and safety, created various online portals for submission of forms and documents. Examples: reportable mining incidents, potential serious incidents, asbestos notifications, applications for occupational health acceptance and approvals, reports on compliance, complaints, and permit appeal applications once again intended to streamline and reduce the administrative burden of both compliance and interacting with the department.

Finally, it enabled the use of electronic signatures on forms for recognition of education and training received abroad under the international qualifications assessment process. In addition, we adjusted the employment standards anonymous tips program to send notifications only to chronically noncompliant employers instead of every employer once an anonymous tip was received by the claimant. Once again, this was done to attempt to identify those circumstances where it was appropriate to continue that work.

Amend the Alberta immigration nominee program application process so newcomers no longer have to refer to a list of specific educational programs to determine if they are eligible for permanent residency. This made it easier for newcomers who have graduated from Alberta postsecondary institutions to qualify for the AINP program.

I hope I've provided a comprehensive response to your question. Really, it's a variety of ways that we do this, and we are attempting to do it to meet the government's goals of one-third reduction.

**Ms Lovely:** Well, I just have to say that a tremendous amount of work has been done in a very short period of time, and Albertans are reaping the benefit of all that work, so thank you for that recap. I appreciate it.

On page 21 of the annual report, performance measure 1(a) outlines red tape reduction. It states here that the ministry completed a baseline count of its red tape in legislation, regulations and codes, and in forms, guidelines, and policies, which identified 24,245 – that's 24,245 – regulatory burdens. Just for the sake of clarity, when it states here that the ministry identified these 24,245 regulatory burdens, are all of these red tape that could be reduced, or are they requirements where the ministry will be looking for overlap and to reduce red tape?

**Mr. McLeod:** As per the red tape reduction secretariat's guidelines, the department's baseline count includes all requirements contained in legislation, regulations, guidelines, forms, and policies. This number represents a total number of regulatory requirements, not the number that can necessarily be reduced. We only count regulatory requirements that fall exclusively under the government of Alberta's control and Labour and Immigration's control in particular.

I think it's important to note – and I've tried to make the point previously – that although that is the total number, we have to take into account the policy positions both past and future with respect to the legislative initiatives that we're responsible for, being the Labour Relations Code, the Employment Standards Code, the occupational health and safety legislation, and the workers' compensation legislation. So while we are continuing to look for red tape reduction initiatives and while we plan to meet the government's one-third goal with respect to Labour and Immigration, it is not necessarily all things at the end of the day that ultimately will be accessible or part of sort of the eligible reduction.

**Ms Lovely:** Thank you so much for the answer.

With that, I would like to cede the remaining amount of time that I have to the next person, please.

9:00

**Mr. Turton:** Excellent. Thank you very much, MLA Lovely, and thank you very much, Chair. Before I start my line of questioning, can you please just let me know how much time I have remaining?

**The Chair:** You have about two minutes, Member Turton, so speak fast.

**Mr. Turton:** Okay. Excellent. Well, thank you very much, everyone, for coming here today. It's obviously a pleasure to be here this morning. My first couple of questions – obviously, I'm only going to be able to get through one question at this point – really have to revolve around the Canada-Alberta job grant. Specifically, under key objective 2.1 it says, "Develop and administer training and employment programs that connect Albertans to good jobs, increasing regional access to training and employment services," and on page 24 of the annual report it outlines the Canada-Alberta job grant program, which shares the cost of training employees between the employer and the government. I guess my first question really has to deal with that the report states that in 2019-20 7,844 applications were received and 6,703 were approved. I was wondering if the ministry can please tell this committee what criteria is used to evaluate these applications.

**Mr. McLeod:** Thank you very much for the question. As you may be aware, the Canada-Alberta job grant is a significant initiative within the Department of Labour and Immigration, spending a significant amount of resources and touching a significant number of Albertans. It is an employer-driven training program, where job creators and government share the cost of training new and existing employees. The program is federally funded, using workforce development funding. Employers choose which employees and what kind of training best suits their needs, subject to certain program criteria, and receive grant funding from government to cover part of the cost of training. Government contributes two-thirds of the cost, to a maximum of \$10,000 per trainee per fiscal year. If hiring and training an unemployed Albertan, up to 100 per cent of training costs may be covered, up to \$15,000 per trainee. The program helps employers . . .

**The Chair:** Thank you, Deputy. I'm sure we'll get a chance to go back to it.

We'll now move into our second rotation, a 10-minute rotation. We'll begin with the Official Opposition, please.

**Ms Gray:** Thank you very much, Chair. I'd like to again talk about, as referenced on page 19 of the annual report, the important supports being offered to workers and businesses during the COVID-19 pandemic. We have talked to date about the government's announcement on March 13 of paid leave that then morphed into unpaid job protection, without the government truly addressing that. As frustrating to me as a member of the Official Opposition, seeing that taken away from Albertans was, frankly, heartbreaking.

I apologize because this is a very small detail, but it really stuck with me. At one point the government of Alberta was tweeting about this 14-day paid job-protected leave, and they bothered to capitalize the word "paid" in the middle of the tweet to emphasize that, that portion of it, because at the time the Official Opposition was asking questions. That being said, I understand that that is not the focus, but it's very, very frustrating for me and for many, many Albertans.

Now, around that same time that the 14 days of paid, or what then became unpaid, leave was being introduced, the ministry did adopt a short-term solution to help Albertans who were having to withdraw from the labour force to support public health measures, and that was the emergency isolation program. That program is referenced no less than seven times in this annual report, so based on my understanding, that would be a reasonable topic to ask questions about. It was a bridge to Ottawa's failed program that we now see so many flaws in.

At the time it was launched, though, the emergency isolation program, Albertans were incredibly frustrated because the portal didn't work, and the ministry really struggled to live up to its public commitments. I'd like to ask a line of questions just around the emergency isolation program. When did you get Treasury Board approval to launch the emergency isolation program, and what analysis and due diligence was done to ensure it would work? I would say that coming into this meeting, I would have imagined that the paid job protection and the emergency isolation program might have gone to Treasury Board in the same package. I'd be very interested to hear more about that.

**Mr. McLeod:** Thank you very much for the question. In March 2020 the federal government announced that they were implementing the Canada emergency response benefit program. The taxable benefit would provide \$2,000 a month for up to four months. It was typically referred to at the time as the CERB. It would cover Canadians who have lost their jobs, are sick, quarantined, or taking care of someone who's sick with COVID as well as working parents who must stay home without pay to care for children who are sick or at home because of school and daycare needs. The announcement in the middle of March ultimately resulted in some time for them to fully develop the program. That program was ultimately stood up on April 6.

Shortly after the announcement policy work was undertaken with respect to, basically, creating a bridge to that April 6 date, which ultimately turned out to be the emergency isolation support program. Once again, with respect to the very specifics of this, I think we're sort of treading on the same ground that we tread on before. Perhaps we'd best resolve that in that manner. Ultimately, the program provided a total of \$177.5 million in emergency income supports to 93,820 Albertans when they needed it most. The temporary, one-time payment was provided to Albertans to ensure they could continue taking care of themselves and their families while they had to self-isolate and had no income. The emergency income supports were intended to bridge the period of time between the government of Canada's announcement of the program and when it became available, on April 6, 2020.

**Ms Gray:** Thank you very much, Deputy Minister. Certainly, ensuring that Albertans can follow public health directions: incredibly important. I would certainly suggest that paid sick leave is one of the most effective policy tools to allow Albertans to follow public health advice.

But let's continue to talk about the emergency isolation program. I wanted to ask just around the various IT problems that arose through this as the government was working to administratively enact the policy decisions that were made, in theory, by cabinet or cabinet committee. The IT problems that we saw through social media and on the news showed a lot of Albertans spending all day trying to access supports and coming up short. Would you be able to just walk us through how you as the deputy minister of the department of labour were working to ensure that this program was effectively implemented as part of your 2019-20 work that we are discussing today?

**Mr. McLeod:** I guess I'll start off by saying that the time frame from which the start of policy work was initiated to the time frame that this program was ultimately stood up was very short, certainly short by policy development standards. While the program certainly had some challenges as it was rolled out, I should say that I'm very proud of the people within our department that spent significant time and effort to really attempt to come up with the best possible program available.

In terms of my specific involvement I was obviously involved in the policy development process. In addition to that, we, both myself – the department generally works closely with Service Alberta because they were really the folks who stood up the technical side of the program. While I can speak broadly to that issue, certainly Service Alberta may be able to provide some additional detail there.

I think that really the broadest description of the issues were that the program was stood up in a very short period of time. It ultimately served a very large number of people, and the challenge of volume versus the time frame to develop it and stand it up from an IT perspective created some unintended issues that had to be addressed as the program went along. Once again, it ultimately provided in excess of \$100 million of benefits to approximately 100,000 people in Alberta.

9:10

**Ms Gray:** Deputy Minister, thank you. Our time blocks are now much shorter – we're only doing 10 minutes – so I apologize in advance, but I may have to start just interrupting so we can keep things tight.

In answer to my first question in this block – the question was: what analysis and due diligence was done to ensure this would work, and when did you get Treasury Board approval? In response I think that you ranged broadly over the specifics of the program. Can you speak to the Treasury Board or cabinet committee approval that went into the emergency isolation program?

**Mr. McLeod:** Once again, you know, that's sort of the policy approval process. I would be happy to take that away and get back to you, subject to any limitations that might bind us.

**Ms Gray:** Thank you. I appreciate that.

If I may ask, could you endeavour to report back to this committee how many people did receive supports, how much was expended, as well as the ministry's estimate of how many people were eligible? I'll be able to compare that to the number of people who didn't get the supports. Just because we saw such frustration through the IT failures, certainly, I think that that would be of interest to this committee and to Albertans.

My final question on this section is: when a department implements a program like this and we see such challenges, is this a program where you may call the Auditor General to investigate what went wrong or to consider the program for a performance audit? If not, I'd be curious to know your thinking on that.

**Mr. McLeod:** We are in the process of conducting a program audit. In May 2020 the Treasury Board directed Labour and Immigration to provide a plan for completing a program audit, including the time and scope of the audit as well as a timeline for the results to be presented to Treasury Board. Treasury Board also directed that the audit include review of implementation of the program, a plan mechanism for potential clawback, and lessons learned to apply to any future programs. Labour and Immigration developed an audit plan, which outlined that the audit would be structured in two stages: program assessment and potential . . .

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

I will now turn things over to the government side for a 10-minute block, with Member Turton, please, I believe.

**Mr. Turton:** Yes. Thank you very much, Madam Chair. I just want to ask again some of the questions that I was asking at the last round of questions, specifically about the Canada-Alberta job grant. My final question, that I know that you started to answer – I was hoping you could finish – is: can the ministry please tell the committee about the criteria used to evaluate these applications?

**Mr. McLeod:** Yeah. I sort of have a response in mind. With respect to eligibility there was eligibility for various sort of buckets, I would say. With respect to eligible employers CAJG is available to private-sector employers, including some sole proprietors and partnerships, the not-for-profit sector and employers, First Nations and Métis settlements, the Agriculture Financial Service Corporation within a community with a population of 100,000 or fewer, Alberta Treasury Branches within a community with a population of 100,000 or fewer. To be eligible, Alberta employers must have current or potential employees who need training to fulfill current or future positions. Individual employers will have a cap of \$300,000 for the amount of grant funding they can receive per fiscal year. This ensures that funding is available for as many Alberta employers as possible.

With respect to the trainees or the individuals themselves CAJG trainees must fit one of the following categories: Canadian citizen, permanent resident, protected people under the Immigration and Refugee Protection Act who are entitled to work in Canada, business owners, incorporated or unincorporated sole-proprietor partnerships with four or fewer employees, including all owners, are now eligible employees, employed family members, and all eligible folks living in Alberta.

In terms of training requirements the total instructional hours must be 21 or longer per trainee per application, the training must start within six months after receiving the Canada-Alberta job grant approval, must be completed within 52 weeks of the training course start date, and result in some form of credential, record of completion, certificate, grade, or so on. Training may be delivered on a full- or part-time basis and may be a combination of online, on-site, or in a classroom setting. Apprenticeship technical training programs and self-study models like instructional books or DVDs are not supported by the Canada-Alberta job grant. Complete details of the program can be found at [alberta.ca/canada-alberta-job-grant.aspx](http://alberta.ca/canada-alberta-job-grant.aspx). Finally, some common examples of training include leadership training, sales training, accounting and financial training, project management, and other similar activities.

**Mr. Turton:** Well, thank you very much for the comprehensive answer. I definitely appreciate it.

Page 24 also discusses that “in 2019-2020, input from stakeholders was used to amend the Canada-Alberta Job Grant program requirements, allowing travel costs to be covered to support rural employers and reducing the minimum hours threshold for training from 24 to 21.” Can the ministry please explain how they engaged with stakeholders for this review and how the feedback was analyzed to inform these changes?

**Mr. McLeod:** Ultimately, these changes were developed to improve access to the program. Employers across many regions of the province may not have the same access to third-party training, especially training outside the region or urban centres, where these types of services tend to be concentrated. In some instances employers and workers may need to go outside their base location to access the type of training they need for their type of work. In response the program made a change to allow travel costs to be

covered as part of the grant, provided the other criteria were met. The changes were based on input from workforce consultants engaging with employers across the province related to access barriers for rural employers and feedback coming directly to the CAJG through the ongoing operation of the program.

I should point out that workforce consultants are Labour and Immigration department employees who are located in a variety of centres across the province and really are a liaison between the employer community and the department itself, a key tool for us both in terms of staying connected to the employer community and also helping us develop policy and make changes such as the one we're discussing right now.

In regard to the 21 hours reduction from 24 hours the change was made based on stakeholder feedback and comments on some of the declined files. Adjusting the hours reflected the training patterns of common three-day courses, courses usually taking seven hours per day, totalling 20 hours. As such, common courses could fall slightly short of the former hour threshold of 24, so a reduction of three hours was implemented. Together these changes help more employers access the program than were previously able to do so and, in particular, on a province-wide basis.

**Mr. Turton:** Perfect. Obviously, being a process guy, I'm always interested in terms of stakeholders and how they're reached out to and their input is taken into consideration when talking about these policy changes, so I appreciate the answer that you gave.

My last question that I have here is actually going to be on labour market partnerships, specifically on page 27 of the report, under key objective 2.3, "improve participation in Alberta's workforce particularly among underrepresented groups." It also mentions that "in 2019-20, 45 Labour Market Partnerships, totalling nearly \$1.8 million in grant funding, supported a variety of industry and community driven initiatives." I guess the first question I have is: what are the eligibility requirements for organizations to have access to this grant funding that you mentioned in the report?

**Mr. McLeod:** Thank you again for the question. The labour market partnerships program is designed to enhance or replace human resource development and labour market adjustment strategies through community partnerships. The program provides grant funding to organizations for time-limited projects that seek to address a specific labour market need in a specific location or community. This can include workforce development for specific industry sectors, career fairs, regional entrepreneurship, business support networks, workplace inclusivity, and efforts to connect both employers and underrepresented groups to the labour market.

9:20

The program allows organizations to partner with one another and develop tailored proposals to address specific issues or needs. To be eligible for this grant, the organization must be a large employer, industry employer association or organization, a municipality, or nonprofit organization which is provincially or federally incorporated for a minimum of one year. Proposals are submitted and evaluated against workforce priorities for the year. Eligibility requirements can be found and are publicly available on the GOA website at [alberta.ca/workforce-partnerships.aspx](http://alberta.ca/workforce-partnerships.aspx).

To provide you some examples, the town of Claresholm, for example, was provided with an \$84,000 grant for their dynamic labour market project. This research and analysis project included a workforce profile, employer survey, labour survey, and development of a strategy and action plan. This project has helped to increase regional labour market intelligence and dissemination and allowed Claresholm to continue to plan for its economic future.

A second example: the Alberta Veterinary Medical Association was provided a \$100,000 grant in collaboration with the Alberta Veterinary Technologist Association. This project includes a workforce study and development plan to address the sector to fill a critical work shortage. As you may be aware, rural veterinarians are in short supply these days, so that was at least part of the intention behind that grant.

**Mr. Turton:** No, absolutely. I guess, obviously, there are always benchmarks to ensure that the goals and objectives are being met. I guess I was just hoping you can touch base upon: what measures does the ministry have to determine the success of these partnerships and ensure outcomes are actually being achieved? Obviously, you mentioned a lot of different examples right across the province, but, I mean, we have to make sure that taxpayers are getting value for their dollars. How do we determine the success of those partnerships?

**Mr. McLeod:** That certainly is a key element to pretty much all of the programs that we have in what I would probably describe as the labour and training environment. The department prepares a monthly metrics report that details the outputs of labour market partnerships, including regions where the projects occur, funds spent, and types of organizations receiving the grants. In 2019 Employment and Social Development Canada, in collaboration with provinces and territories, implemented a comprehensive evaluation of labour market partnerships across Canada. The evaluation examined labour market programs, outcomes, best practices, and lessons learned.

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

I'll move things on now to the Official Opposition side for their 10 minutes.

**Mr. Schmidt:** Thank you very much, Madam Chair. All of my next questions relate to page 48 of the annual report, response to the COVID pandemic and occupational health and safety. Since we are concerned about the expenditure of resources, I would draw members' attention to the fact that there is a specific line item in the budget directly related to occupational health and safety matters.

We know that Labour and Immigration plays an important role in enforcing COVID-19 public health measures along with the Ministry of Health and the Ministry of Justice. A couple of weeks ago when Justice appeared before this committee, we asked the department officials about their enforcement policy with respect to COVID-19 protocols. At that time the department told us that Justice officials directed law enforcement to take a measured approach to enforcement. Can the deputy minister tell the committee what enforcement policies with respect to COVID-19 protocols were – what was the enforcement policy direction given to occupational health and safety officials in the department with respect to COVID-19 measures?

**Mr. McLeod:** The enforcement policy, ultimately, is driving towards compliance with the legislation. All steps in that process are shooting for that ultimate goal. As a general rule it's a progressive system although, depending on the facts on the ground, the system can choose whatever tool is ultimately deemed to be appropriate.

**Mr. Schmidt:** Thank you, Deputy Minister. Can you expand on that? Like, what was your method of getting to compliance? Was it similar to the Justice ministry's assertion of taking a measured approach? Was it going to be, like, a broken windows policy to crack down on any infraction no matter how minor? What was the

department's plan to ensure compliance with COVID-19 health restrictions?

**Mr. McLeod:** Once again, the ultimate goal was to achieve compliance, so depending on the specific circumstances of the case the response could be different. Ultimately, it is based on an assessment of the facts on the ground, the risks observed, the controls observed, and, ultimately, whether there's noncompliance with respect to the statute.

**Mr. Schmidt:** Okay. Thank you very much. So did the ministry, at the beginning of the pandemic, set up some kind of measures of success for assessing how well the department is enforcing COVID measures? Did they develop any targets? Like, you mentioned that your goal was compliance. Was there a compliance target set for COVID-19 health measures specifically?

**Mr. McLeod:** No. My understanding is there were not compliance targets set, and we certainly were developing, during the months of February and March, a whole host of activities. I'd be happy to talk to you about those. Ultimately, with respect to those activities, as I said, the ultimate goal was to ensure that we had safe workplaces across the province, that we interacted . . .

**Mr. Schmidt:** Thank you, Deputy Minister. I appreciate the fact that you've set a goal. I'm trying to figure out if the department had any way of actually – if they'd established a plan to achieve that goal. You said that you don't have any measurements of compliance with COVID rules as a goal. You know, you talk about a whole bunch of other response times and dealing with complaints and those kinds of things. What were the measures that were set up in dealing with COVID-19 occupational health and safety complaint processes? What measures were established? If it wasn't compliance, what were they?

**Mr. McLeod:** Once again, it comes in various forms, depending on the work site, but ultimately the goal, the statutory obligation is to ensure compliance with the occupational health and safety . . .

**Mr. Schmidt:** Deputy Minister, as you can appreciate, you have well established that that was your goal. What was the plan to get there? Tell us what performance measures the department set up to meet that goal.

**Mr. Singh:** Point of order.

**The Chair:** Yes. Please, Member Singh, I believe.

**Mr. Singh:** Thank you, Madam Chair. The point of order is under 23(c) of the standing orders, the member "persists in needless repetition," and under 23(b), if a member "speaks to matters other than the question under discussion."

Thank you, Madam Chair.

**Ms Pancholi:** Madam Chair, if I may, I think the member appears to just simply be responding to the questions he's receiving and seeking clarification as to the information that's been provided by the ministry officials. I think it's very important that he's clarifying the question, and this is not a point of order.

**The Chair:** Thank you, folks. I would tend to agree. Sometimes it is difficult when we are virtual, so I think we can just proceed with, you know, appropriate direction to all folks involved that we are here to simply ask and answer questions.

Thanks.

**Mr. Schmidt:** Thank you, Madam Chair. I will give the deputy minister a lifeline here and ask him to commit to tabling a set of performance measures that were set up in the department with respect to enforcing compliance with COVID-19 health measures specifically.

I want to turn now to the issue of remote inspections, which is mentioned on page 48 of the annual report and referenced in a number of other ministry documents. The whole point of on-site inspections is to see what virtual inspections cannot. What work did the ministry do to ensure that remote inspections would effectively protect the health and safety of Albertans in comparison to on-site inspections?

9:30

**Mr. McLeod:** I guess as an opening remark I wish to confirm and emphasize to this committee that the occupational health and safety division and the dedicated professionals that work within that division take the safety of Albertan workers and Alberta workplaces extremely seriously. Alberta takes work sites very seriously. The ultimate goal of the large and broad scope and volume of these activities is the health and safety of Alberta workers.

Second, there seems to have been some, for lack of a better word, concern in some corners with respect to this concept of remote versus in-person inspection. I think the best way I can describe it is that the tool that is used by an individual health and safety officer, including the team that supports a health and safety officer on any given specific inspection or with respect to technical or other related matters, is at the discretion of the officer and the team supporting the officer. In particular, the use of that tool will vary depending on the result that needs to be achieved. There is a spectrum of activities that can occur, and within that structure, once again . . .

**Mr. Schmidt:** If I could just dig a little bit deeper into the statement that the deputy minister just made. The decision to use a remote inspection is entirely at the discretion of the occupational health and safety officer conducting the inspection. Is that correct?

**Mr. McLeod:** The ultimate authority under the legislation is provided to officers under the legislation. That path forward with respect to general cases and specific cases is supported by the balance of the department to ensure that that individual is able to access a work site in the most . . .

**Mr. Schmidt:** Thank you. What framework or criteria did the department establish for using a remote work inspection? Like, were there any criteria set out for occupational health and safety officers to use? Or were they just thrown into the field, saying, "You have this tool if you want to use it; use it how you see fit"?

**Mr. McLeod:** No. The approach used by occupational health and safety, once again, was to choose the appropriate tool for the task at hand, and I indicated that there is a spectrum of activities that could occur and what would be expected . . .

**Mr. Schmidt:** Okay. Yeah. Thank you, Deputy Minister. What was the framework that was given to occupational health and safety inspectors to decide whether or not a remote inspection was the proper tool?

**Mr. McLeod:** The framework was, as I was about to explain – maybe I should back up and say that the concept of remote inspections is not, in many ways, controversial. It specifically has occurred in the past. It has occurred up till the end of March, which is this fiscal year, and is an example of the occupational health and safety professionals exercising their discretion in a way that is most

appropriate to come to the best result in terms of, once again, enforcing compliance under the legislation. It has a variety of tools within it, everything from telephone calls to technically aided assistance to in-person inspections. It doesn't necessarily require only one of those tools.

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

We'll now move over to the government side for their 10-minute block, please.

**Mr. Rowswell:** Thank you, Chair. Page 33: this key objective 3.3 has establishing a Fairness for Newcomers office to work with professional regulatory organizations to ensure that qualification recognition processes are transparent, objective, efficient, and fair and states that the Fair Registration Practices Act be introduced in support of the fairness for newcomers action plan. Can the ministry outline for the committee what the fairness for newcomers action plan is?

**Mr. McLeod:** Thank you very much for the question. The government platform in terms of the fairness for newcomers action plan included a number of commitments related to the fairness for newcomers action plan intended to support the increased participation and contribution of newcomers to the province's labour market and society more generally. These elements include the introduction of the Fair Registration Practices Act, an activity that was completed in the fiscal year in question; creating a Fairness for Newcomers office, which was also completed in March 2020; organizing the Premier's summit on fairness for newcomers; putting foreign credential recognition on the agenda for the first year's meeting; creating an Alberta government mentorship for newcomers program; supporting and extending the work of the international qualification assessment service; working with nonprofit groups similar to Windmill Microlending or others to expand access to low-interest loans to immigrant professionals; supporting the work of immigrant settlement agencies to offer skills upgrading to underemployed foreign professionals; working with the federal government to offer prearrival orientation to foreign nationals selected for permanent residence in Alberta.

**Mr. Rowswell:** Okay. Thank you.

This act also created the Fairness for Newcomers office. Can the ministry tell us what work was done in the 2019-2020 year to establish this office and set it up for success for supporting Albertans?

**Mr. McLeod:** Thank you once again for the question. As mentioned, the Fairness for Newcomers office opened on March 2, 2020. The goal was to ensure that regulated professions and trades registration practices are four things: one, transparent; two, objective; three, impartial; and four, procedurally fair. The Fairness for Newcomers office works with professional regulatory organizations to ensure compliance under the Fair Registration Practices Act, with the aim of reducing barriers and streamlining registration practices to improve the fair and timely recognition of qualified applicants to become licensed, certified to work in a regulated profession. At this time the Fairness for Newcomers office is working one on one with professional regulatory organizations to assess compliance, and in subsequent reporting periods the department will be able to report on the activities and results of the office.

I should also add that one of the major initiatives in the fiscal year 2019-2020 was to both stand up the office, which took some time, obviously, and secondly, the next sort of agenda item that it had was to go out and develop and understand the lay of the land: what were

the facts on the ground, what were the problems that existed, and how would the office be able to help to address that? I would be happy to report at the next Public Accounts as to the work of the office in the following fiscal year, but I think that's my answer for today.

**Mr. Rowswell:** Okay. Thank you. I appreciate that.

Page 34 makes reference to the foreign qualification recognition and touches on that a little bit, which is something of great importance to many immigrants. It mentions that the ministry works closely and collaboratively with PROs that you mentioned, immigrant-serving organizations, employers, and postsecondary institutions to improve the assessment and recognition of internationally trained individuals' education, skills, and experiences. With the PROs providing reports to the ministry, helping the ministry identify specific barriers that immigrants face in obtaining licensure in regulated occupations, can the department speak to some of the identified barriers immigrants face in getting their qualifications recognized?

**Mr. McLeod:** With respect to both your last question and this question, I guess I just sort of bring to the committee's attention – I'm sure that most if not all members are aware of this – that the issue of newcomers coming to Canada and then being able to both fully participate in the labour market to their highest ability and degree is a significant issue that has been on the agenda for some time and, in particular, that this government is trying to address. One of the issues that is faced is the ability to become qualified, and in many employment circumstances that ability is dependent on registering approval from a professional regulatory organization. There are others, but certainly some of those occupations you might think of are doctors, nurses, pharmacists, and a host of others that face this challenge. Really, the Fair Registration Practices Act, the Fairness for Newcomers office, and the foreign qualification recognition work that the department does and is doing are all aimed at attempting to assist newcomers to address that problem.

9:40

In response, perhaps, more specifically to your question, foreign qualification recognition is the process of verifying that the education, skills, and experience obtained in another country meet the licensure standards for safe and competent practice in Canada. Many occupations in Alberta are regulated, which means that individuals may need to license via a provincial, professional, or regulatory organization to work in that occupation. This process is crucial to ensuring that the international-trained individuals get the maximum recognition for their credentials earned abroad so that they can fully participate in our labour market, creating both economic opportunity for themselves but also for their fellow Albertans.

Specifically, some of the challenges, which I've sort of alluded to, that international-trained individuals face in terms of becoming fully licensed include credentials not being recognized; lack of English language proficiency, which can be a requirement in some professional regulatory organizations; not having current practice or the ability to practise in the Canadian context; not understanding a professional regulatory organization's assessment process and methodology – and I can say that one of the key goals of the Fairness for Newcomers office is to ensure that PROs are doing all they can to make sure that people who are applying to their regulatory organization for recognition can clearly and transparently see what the steps are that they need to take to accomplish that result – and not being able to pay for exams, further training, and those types of things.



With respect to that last point, I alluded to the concept of microloans. The government has funded in the past and continues to fund in the 2019-20 year ongoing work to ensure that professionals coming to Canada and other people seeking certification have the resources to get that work done, because sometimes there are additional things that have to happen, including training and other courses.

With respect to the second-last point I mentioned, about understanding the regulatory process, one of the key elements within the fair registration practices office is that within a defined period of time, having made an interim decision with respect to admittance and clearly laying out for that professional who's applying what steps need to take place for that conditional admittance to become a final admittance – once again, it's part of the process to just make sure that these individuals can clearly see what they need to do and the work that needs to be done to get them over the finish line.

**Mr. Rowswell:** Okay. Given the time left here, I'll just – is there a measurement to see how successful immigrants have been at getting jobs within their field? Like, I know a number of immigrants that are working minimum wage jobs, and they're just not – it just takes forever to get to what they're doing. Is there any measurement for that?

**Mr. McLeod:** I can't think of a specific measurement that we're using. Obviously, the unemployment rate is one of those key indicators. Maybe the best approach here is for me to get back to you with a more expansive answer to that question.

**Mr. Rowswell:** Okay. I'd appreciate that, just to see if there is a way to go about that.

**The Chair:** Thank you.

We'll now move things over for the final rotation, please.

**Mr. Schmidt:** Thank you, Madam Chair. I want to stick with this issue of occupational health and safety enforcement. When Justice officials appeared before this committee a couple of weeks ago, they indicated that they had developed protocols for enforcement of COVID-19 health measures with Alberta Health and Alberta Health Services. Has Labour and Immigration developed any protocols with Alberta Health, Alberta Health Services, or Alberta Justice with respect to enforcement of occupational COVID-19 health measures?

**Mr. McLeod:** Once again, with respect to specific inspection activity there are a range of activities that the department undertakes to do that. It's a broad discussion, but perhaps it would be useful for me to talk about some of the work that the department did in the lead-up to COVID.

**Mr. Schmidt:** No, Deputy Minister. I appreciate that – perhaps when COVID is over, we could have a coffee and we could have this long, rambling discussion – but our time is tight, and I have specific answers that I'm looking for. Did the department develop any protocols for enforcement of COVID-19 health measures with Alberta Health Services, Alberta Health, Alberta Justice, or any other government agencies?

**Mr. Guthrie:** Point of order under Standing Order 23(b), speaking to matters other than those under discussion. Chair, I appreciate the fact that the member does reference page numbers and the report itself, but the line of questioning does not actually deal with the content of the report. One can always loosely reference the AG

report, but we should actually deal with the material that's within the scope, and that material, once again, should not deal with the creation of policy or policy which the member feels should have been created. I request that we stick within the confines and mandate of the Public Accounts Committee.

Thank you.

**Ms Pancholi:** Madam Chair, page 48 of the annual report specifically speaks to the ministry shifting “to completing most inspections remotely to help protect the health and safety of Albertans and of OHS officers and to comply with public health orders in place at the time.” This is not just simply referencing a page number. It's actually a line in the annual report speaking to a shift to this kind of inspections and enforcement. This is precisely what the member is asking about.

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

You know, I am finding here that the government side has posed a number of queries on the development of policy. The first line of questioning dealt with consultation with external stakeholders, allocation of internal resources, and tracking of outcomes for matters that were specifically referenced as performance measures and desired outcomes in the annual report. I didn't issue a caution to the Member for Camrose because it was entirely appropriate for her to be asking questions around how a particular set of outcomes was achieved in the allocation of resources within the department. So this is not a point of order. Otherwise, I would have had to issue a caution to the Member for Camrose, which wouldn't have been appropriate at that time either.

**Mr. Guthrie:** Just to clarify, you're going to allow discussion about the creation of policy moving forward and content that is outside the realm of this report?

**The Chair:** Not quite, hon. member. What happened here is consistent with the types of questions that folks have always, really, been asking, which is on a particular goal that is articulated within an annual report: how are the resources allocated, what is the decision-making process, how do we track outcomes, and what are the kinds of consultations with stakeholders? The Member for Camrose discussed this in reference to red tape reduction earlier in the lines of questioning. It was completely appropriate, and she received answers that were also completely appropriate around consultations with external stakeholders, allocation of internal resources, and tracking of outcomes.

As long as we are staying within those confines, we are also going towards efficiency of allocation of resources, which makes part of a value-for-money audit for the Auditor General in follow-up work. That all is within bounds. Again, I think it's in order. The Member for Spruce Grove-Stony Plain as well asked about criteria to evaluate applications for the spending of money within labour market development agreements, again entirely within order, which is why I did not intervene at that time. I think we're going to let this keep going. If it happens that we are talking about things that happened last week or other judgment calls, then, you know, we'll tap the brakes at that time.

9:50

**Mr. Schmidt:** Thank you. Just to refresh the deputy minister's memory, were there any protocol agreements or discussions held with the Justice ministry, the Alberta Health ministry, Alberta Health Services on an overall approach to enforcing COVID-19 health measures in workplaces?

**Mr. McLeod:** I'm doing my best, Member, to answer the question and to provide you with the information you're looking for. In particular, with respect to the allocation of resources, the department from the get-go was developing training materials, hazard control, revising virtual and triage procedures to ensure they were adapted to an increase in reactive volume work. COVID-related files were treated as the highest priority for responses. Compliance requirements dependent on in-person training or that placed demands on the health care system were updated to allow flexibility using a risk-based approach. Identifying potential industry sectors to be most impacted was developed. Adapting major incident response protocols to triage and redeployment was developed.

You know, I have sort of a long list of activities that the department was engaged in, including discussions around the application of the general approach that is consistently used to evaluate risks in a workplace and to confirm that there is compliance or to bring the employer into compliance.

**Mr. Schmidt:** Thank you.

Did you consult with Justice or with Alberta Health or the chief medical officer of health on developing this risk-based strategy? Was the assessment of risk based on health risk as informed by discussions with the chief medical officer of health or Alberta Health?

**Mr. McLeod:** Yes. The risk in question is, obviously, a health risk. Officers are trained in those procedures prior to. They received additional training. It is a health risk. There were discussions with the Department of Health with respect to that process. There were discussions with the Department of Health in terms of co-ordinating activities. I think that's where I'll end.

**Mr. Schmidt:** Thank you very much.

The Department of Justice committed to responding back to the committee with a complete record of their discussions with Health with respect to enforcement, and I hope the deputy minister can do the same for this committee and his department.

How many COVID-related complaints were received by the department in fiscal '19-20?

**The Chair:** Is there an IT problem?

**Mr. McLeod:** No. Sorry. I was just looking at a document that was provided to me.

I don't have right in front of me a specific listing of the number of COVID-related complaints. I can say that there were 193 inspections or reinspections completed, with 31 compliance orders issued in the relevant time period, being March 6 to March 31, 2020, once again, COVID related.

In terms of the number received, I can do my best to find that number.

**Mr. Schmidt:** Okay. Can you tell me what enforcement actions were taken?

**Mr. McLeod:** There were a variety of actions taken to ensure that there was compliance with respect to . . .

**Mr. Schmidt:** No. Sorry, Deputy Minister. Forgive me. I wasn't clear. You said that there were 191 inspections and then – what was it? – six enforcement actions related to COVID. Is that correct?

**Mr. McLeod:** There were 31 compliance orders.

**Mr. Schmidt:** So 31 compliance orders. I guess: can the deputy minister table for the committee a complete list of those 31 compliance activities, who they were and what actions were taken? Can the deputy minister table that for the committee?

**Mr. McLeod:** We can give you a summary of the compliance orders.

**Mr. Schmidt:** Thank you.

Can the deputy minister tell us now whether any businesses were closed as a result of occupational health and safety inspections, specifically with respect to COVID?

**Mr. McLeod:** During the time period ending March 31, 2020, no businesses were closed.

**Mr. Schmidt:** Okay. Thank you very much.

Of those 191 inspections, how many were done remotely?

**Mr. McLeod:** I don't have an answer to that question, in part because, as I've indicated, inspections are sort of on a continuum. It is both past practice, current practice, and, I would say, practice that was – if you're familiar with CCOHS, it's basically a subcommittee of CCOHS, a national organization dealing with occupational health and safety with governments across jurisdictions. It was a response that was confirmed and adopted by CCOHS specifically in response to COVID protocols. This, I guess, is a somewhat roundabout way of saying that we ultimately don't track and have not tracked in the past whether we were using a remote inspection, a partially remote inspection, an on-the-ground inspection. The system was not developed to do that. We have literally thousands and thousands and thousands of inspections, so we don't specifically track that information.

**Mr. Schmidt:** So you have no specific – we couldn't go back through the occupational health and safety inspection files and determine whether or not the inspector completed a remote inspection or an on-site inspection? Like, that information is not in any department record?

**Mr. McLeod:** I guess what I'm saying is that we have not tracked that information with respect to inspections in 2019-2020. I can take it away and see what other information may exist and get back to you.

**Mr. Schmidt:** How many remote inspections were conducted by occupational health and safety inspectors before COVID hit?

**Mr. Singh:** Point of order.

**The Chair:** Yes. Please, Mr. Singh.

**Mr. Singh:** Thank you, Madam Chair. The point of order is under section 23(c) of the standing orders – the member “persists in needless repetition” – and Standing Order 23(b), that the member

speaks to matters other than  
(i) the question under discussion.

Madam Chair, the committee has convened for the purpose of considering the ministry's accounts. The matter has been previously raised many times already, and we do not need to hear it again as it is needless repetition. Also, the matter that has been raised by the member is not with the outstanding recommendations from the office of the Auditor General or the ministry annual report 2019-20.

Thank you, Madam Chair.

**The Chair:** Thank you, Member Singh. The member was actually querying a difference in how video inspections are done, and there's a large amount of discussion of enforcement mechanisms and how enforcement gets done in occupational health and safety. So in the interests of time, I will simply rule that the member should move on with his questioning to a new topic.

Thank you, Member Singh.

**Mr. Schmidt:** My question was specifically: in the fiscal '19-20 year how many remote inspections were conducted prior to COVID becoming an issue in Alberta?

**Mr. McLeod:** Once again, I'm doing my best to provide you with the information. Remote inspections or versions of remote inspections were conducted prior to COVID in the 2019-2020 year. We do not track that information. We have a total of approximately 13,000 or 14,000 inspections during the year. That's the best I have.

**The Chair:** Hon. members and guests, we have 10 a.m., so this meeting has automatically adjourned given that we did not receive unanimous consent. Thank you very much to the officials for joining us, and the committee will be in touch.

Thank you.

[The committee adjourned at 10 a.m.]









