

**Title: Tuesday, December 12, 2002 and Ombudsman Search**

Date: 02/12/17

[Mr. Ducharme in the chair]

THE DEPUTY CHAIR: I'd like to call the meeting to order. Before I commence, we have some new people who are here at the table. I've been asked as vice-chair to take over the role of chair today because of the fact that our chair, Janis Tarchuk, has had a death in the family, so she was unable to be with us today. It's also my understanding that these meeting packages were delivered to all of our Leg. offices on the morning of Thursday, December 12.

I'd like to welcome an old friend, Alayne Stewart: a lane, not a street, if I remember correctly.

MS STEWART: That's right. Good work.

THE DEPUTY CHAIR: She's the executive search manager from the personnel administration office, that'll be assisting us as we go forward through this search.

I'd also like to welcome Louise Kamuchik, table officer for the Leg. Assembly. Welcome to our meeting.

MRS. KAMUCHIK: Thank you.

THE DEPUTY CHAIR: Prior to tab 1 we have our agenda, and I would certainly appreciate it if someone could please move the adoption of the agenda. Dr. Pannu. In favour?

HON. MEMBERS: Agreed.

THE DEPUTY CHAIR: Passed.

Under tab 3 we have the mandate of the search committee. It's been provided to you for information purposes only.

Under tab 4 we have the search committee budget that has been attached for the year 2002-2003. I'd like to mention at this time that the funds can be moved between categories; for example, where more may be needed for advertising and less for travel. So it's the global amount, \$55,000, that the committee should be addressing.

Yes, Louise.

MRS. KAMUCHIK: I was going to say, Mr. Chairman, that those figures were prepared based on the previous search committee's budget; however, it does not tie the hands of the committee to operate under that amount. By that I mean: should, for instance, the committee change its advertising plan, which could increase the cost to the committee, it of course is free to do so. The last search committee advertised once in the daily newspapers of Alberta, I believe, and three times in the *Globe and Mail*. If the committee decided to change its advertising campaign to include, for instance, the weekly newspapers in Alberta or, two, appearances or ads in the daily newspapers in Alberta, that would of course affect the cost of the advertising and also affect the proposed budget for the committee.

I'd just like to point that out to you, that you are not tied to this amount to operate. The committee decides its own fate and how it will operate, and we're just here to accommodate that. So if more funds are needed, we would probably have to go for supplementary estimates in the spring or the next time the Assembly meets. Right now we're operating within the committee envelope, and we're just going to make it based on this amount, but you are not tied to this draft budget estimate.

Thank you.

THE DEPUTY CHAIR: In light of that, could I ask for a motion?

MRS. O'NEILL: So moved.

THE DEPUTY CHAIR: In favour of the motion?

HON. MEMBERS: Agreed.

THE DEPUTY CHAIR: Carried.

The next item that we have – I've got my cheat sheets here, and I hope I'm following through with the main one – is the use of executive search, the personnel administration office as advisers. I guess, Alayne, we could ask you to go through the highlights of that. Do you have any comments?

MS STEWART: Well, I suppose it's up to you.

MR. FRIEDEL: Either we like you or we don't.

MS STEWART: Yes, that's right.

I'm assuming that we're okay from our last search for the Information and Privacy Commissioner and the Auditor General.

THE DEPUTY CHAIR: I don't know. Do we need a motion for this?

MRS. SAWCHUK: Mr. Chairman, we did have a motion with our first search committee to utilize executive search with PAO, but we also had discussions about using private headhunter firms and that type of thing, but we did have a motion on record for that.

THE DEPUTY CHAIR: If I could add my comment. Having acted in the role of vice-chair last time, I believe that the services that we received from Alayne were much appreciated, and I'd certainly recommend that we don't have to go any further. I think the services that were provided to us were very professional, very thorough, and I would certainly make a recommendation to someone to make a motion, if possible, to that effect.

MR. TANNAS: I'd like to make a motion that  
for the executive search we use the personnel administration office  
of the province for the two positions that we're seeking officers for:  
the Ethics Commissioner and the Ombudsman.

THE DEPUTY CHAIR: Any discussion? In favour?

HON. MEMBERS: Agreed.

THE DEPUTY CHAIR: Oh, you had a comment?

DR. PANNU: Only a clarification. The ads go out in the name of the committee; don't they?

MRS. SAWCHUK: Yes.

DR. PANNU: Sure. That's fine, then.

THE DEPUTY CHAIR: I guess the motion has been carried. Welcome aboard.

A tentative timetable and procedures. Now that you've been hired, I understand that you're going to speak to that. The floor is yours, Alayne.

MS STEWART: Thanks.

DR. PANNU: Mr. Chairman, if I may ask a question here. I have a tentative schedule that's got option 2. I never received option 1.

4:20

MS STEWART: What I did is that I had sent an option 1 and an option 2 over to Karen. What transpired in the meantime was a discussion with our advertising agency, and they have recommended that we don't advertise right on January 3. What they indicated is that most people aren't back into reading the career opportunities, and just from their experience they had suggested that we didn't go out and advertise on the 3rd of January if we were only going to go with one insertion. So that was the reasoning behind it.

DR. PANNU: All right. So there's only one proposal, then.

MS STEWART: That's right. Sorry. There were two that went forward at first. Good eye.

Based on that comment, I've started the process to commence on January 11 with the advertisement first appearing in the newspapers. That would give a little more time. It would give us till January 3 to finish any adjustments to the drafts that are there.

MR. TANNAS: I wouldn't mind exploring a possibility. Somebody mentioned the weeklies, and it's my understanding – and Gary or yourself, Chair, perhaps knows better than I – that there is a deal that you can get for the weeklies. It's not a big cost, and it could just give reference to the fact that there is this search committee and to see the daily papers for such and such a date. That would cover that, and I don't think it would cost – do you know, Gary?

MR. FRIEDEL: I don't know what the cost is, but if you're talking about that blanket structure that they have . . .

MR. TANNAS: That's right. It's only a few hundred dollars; isn't that right?

MR. FRIEDEL: I've never had any experience with that.

MR. TANNAS: You might have a check with the Weekly Newspapers Association. I mean, if it's going to cost thousands of dollars, no, but if it's only going to cost a couple of hundred dollars or a few hundred dollars, then we would need to look at that.

MS STEWART: So would that be a general statement that the committee is commencing this search?

MR. TANNAS: Right, and see the dailies for details on January 11 or whenever.

THE DEPUTY CHAIR: I imagine we will also have something on a web site that would refer people to.

MR. TANNAS: Or see the web site.

MS STEWART: We did an estimate for the weeklies. I'm not sure whether it was part of what was submitted or not. We did an estimate on the Ethics Commissioner for the weeklies, and the weeklies alone would be \$23,000.

MR. TANNAS: That's if you put a proper ad in each and every one.

MS STEWART: Yes. That's right. I'll look into this other one. I'm not familiar with that.

MR. TANNAS: I'm not suggesting putting in an improper ad. There is another deal, but it's not worth taking a lot of time on it right now.

MS STEWART: I'll research that.

MR. TANNAS: Okay.

DR. PANNU: Mr. Chairman, we obviously are discussing item 7 on the agenda; are we?

THE DEPUTY CHAIR: No. We're working on item 6.

DR. PANNU: Oh, yes. We're looking at 6. Okay.

THE DEPUTY CHAIR: We're under Timetable and Procedures.

MS STEWART: Sorry. We were starting to talk about when we were going to advertise.

DR. PANNU: I was getting a little worried there. I thought maybe I was sleeping when item 6 was discussed.

THE DEPUTY CHAIR: Mary, you had a comment?

MRS. O'NEILL: I am wondering, Alayne, if you have any read, I guess, when you've done the searches before, of who inquired from what source, just for us to get that sense of where we want to go.

MS STEWART: No. We did look at that and found that it was difficult to get a code for where they saw the advertisement. The only way we could tell was if they put it in their covering letter. We did go back and check. What we had done, though, was look at the number of applicants that came from within Alberta and from outside of Alberta.

The other thing that has happened, or the other event, I guess, is more use of the Internet and having the major newspapers have a link for their newspaper advertisements on a career link. We are finding on our other searches that we're getting a lot of inquiries and applicants through that source versus the newspaper. So we've noticed a change there.

I do have a list of the outside of Alberta versus the inside of Alberta, but I don't have the actual newspapers broken down.

THE DEPUTY CHAIR: Before we get all involved in which advertising media were used, maybe we could just follow through with our timetable, and I believe it's the next item that we'll be discussing.

MR. FRIEDEL: One question. I see that the target date for interviews is March 17 to 21. That's not Easter week; is it?

MRS. O'NEILL: No. Easter is late in April.

DR. PANNU: And the spring break: when is that?

THE DEPUTY CHAIR: I believe that is the tentative spring break. That week is safe.

DR. PANNU: Okay. Mr. Chairman, I have one minor concern with the schedule here and hope that the committee can accommodate that concern since I come from a caucus of two. I'm here between now and the end of January. January 24, 25, 26 I'm in Toronto relative to that leadership convention of the NDP, and then my wife and I are hoping to take two weeks off immediately following that.

We should be back by February 11 or 12, so this February 10 to 14 slot is the one where I would hope that some adjustments can be made. I would want to be present at that very important stage in the process, so if you could delay that by a few days. It will obviously throw off the whole schedule by a certain number of days, but if it's not too crucial, then I would ask that we change those dates, perhaps, to February 14 onwards.

MRS. SAWCHUK: The 14th is a Friday, Dr. Pannu. Meet the following week?

DR. PANNU: Yeah. I would much appreciate it if that could be done.

THE DEPUTY CHAIR: So the week of the 17th to the 21st?

DR. PANNU: Yes.

DR. TAFT: Isn't there a distinct risk that the Legislature will be sitting then?

DR. PANNU: Well, it's going to be sitting throughout the process afterwards. Yeah, you're right.

THE DEPUTY CHAIR: Yes. We did meet as a committee during session. Sometimes it was in the morning. There were other accommodations that were made on the Fridays.

When is Family Day?

MRS. O'NEILL: It's the 17th.

THE DEPUTY CHAIR: I'm not aware of the start-up date, but if it follows past practice, the start-up date could happen on the 18th.

You had indicated, Dr. Pannu, that the 10th was too early for you, but if we set the dates between the 12th, 13th, and 14th, would that work for you?

DR. PANNU: The 14th would. My travel agent is still trying to get the last day for return for me. It's going to be anywhere between the 11th through the 13th.

MR. TANNAS: I'm away on the 11th and 12th but coming back, so I'll be here on the 13th and 14th.

MRS. O'NEILL: I've forgotten what we have under February 10 to 14. Are those daylong meetings?

MS STEWART: It was a day to go through the binder of applications that we would have prepared for you with the one-page summaries and the resumes of all of the individuals that applied on the competition.

THE DEPUTY CHAIR: Now, Alayne, let's say, for example, that we were able to identify the date of the 14th as the day to have the meeting. Would it be possible for all of the committee members to have that binder in advance to have an opportunity to review prior to that meeting?

MS STEWART: February 3 to 7 was to do the screening and prepare the binders, so I would say that the 7th would be the target that we would look at to have that out.

Looking at the past competitions for Ethics Commissioner and Ombudsman, the Ethics Commissioner had 289 applications and the Ombudsman had 241. So I've been trying to add a little more time

in some of the interview time slots, just anticipating we may have more applications on these files than we may have had on the Auditor General and the Information and Privacy Commissioner.

4:30

DR. PANNU: Very much work for you to start with.

MS STEWART: That's why I was thinking, you know, that probably the 7th would be the earliest we'd be able to get the binders out.

THE DEPUTY CHAIR: Okay. Then that would give us a week, and for those that would be coming back, you may have a day or so to do some quick reading. Let's say that I identify February 14 as the meeting date now. It's a Friday. We'd have all that day. We won't be in session, so we could hopefully be able to adjust our constituency calendars accordingly.

MS STEWART: Again, depending on the numbers, you know, there is the option of giving just the one-page summary, if you want, for the A and B candidates. I know. It's hard to judge ahead of time.

MRS. O'NEILL: It's hard to judge because of the numbers, but I must say that if it is a manageable number for you, I appreciate being able to see the names, at least, of the others who had applied even though the binder is big. I think we did call up one from one of the others.

MS STEWART: On the C list – I'm trying to recall – I think we just did a one-page summary, and I came with the resumes. You could get a copy of them on the ones that we would have rated as a C candidate. At least you'd have a summary of the qualifications that they're presenting.

THE DEPUTY CHAIR: So have we got agreement, then? Hopefully by the 7th we'll have our binders available to the committee members, and then we would automatically place February 14 as a full meeting day to shortlist.

DR. TAFT: What day of the week is that?

THE DEPUTY CHAIR: That would be a Friday. Just to accommodate everyone that's going to be on holidays, and then it would work if we do go into session, let's say, the week after.

DR. TAFT: Happy Valentine's Day.

MR. TANNAS: That's right.

DR. TAFT: Don, you forgot it was Valentine's?

THE DEPUTY CHAIR: We'll come with our arrows and our little red hearts.

DR. PANNU: Could we have a time for the meeting as well since I'm going to be away? If this is the committee that's going to meet, you may as well determine the time at which you are going to be meeting.

THE DEPUTY CHAIR: How about 9 a.m. on February 14?

MS STEWART: Anything else on this?

The one area just to ask about. I did a one-page brief preliminary

interview report the last time. Did that work for you as a committee?

THE DEPUTY CHAIR: Yes, it did.

MRS. O'NEILL: We found that in some instances their interview didn't quite resonate with the summary, but it was good to have.

THE DEPUTY CHAIR: So we're fine with this timetable for the Ethics Commissioner?

AN HON. MEMBER: Yes.

THE DEPUTY CHAIR: Okay. Then if you flip over to the B side, you'll have the tentative search schedule for Ombudsman.

MS STEWART: I have this one starting later for the advertisement. When we went out last time for Auditor General and Information and Privacy Commissioner, we advertised them both on the same day and then went ahead with the Auditor General first and all of the applicants waited on the Information and Privacy Commissioner until we finished the Auditor General. So I thought that if we could stagger our advertisement date and starting of the competition, our applicants wouldn't be waiting as long to hear back from us as to our progress on that one. That's just so you know why I made that change this time from our last search. Does that sound all right?

THE DEPUTY CHAIR: Having met with the two officers that we're searching to replace, both of them have indicated that they were willing to extend their period of service if necessary. I see that you've got the one that could be put into place in time for April 1, and the other one would be shortly thereafter, so I don't think we'd have a problem there.

MS STEWART: Okay.

DR. PANNU: And if Mr. Chairman or Alayne would check that this schedule doesn't conflict with the two breaks that we have during the spring session.

THE DEPUTY CHAIR: It may conflict in the last week as far as our final interviews. They may have to be put back a little bit.

We're fine with that one?

Then we can move on to item 7, Draft Advertisement and Advertising Media.

MS STEWART: Now we're moving into the advertising. This work-up for the media estimate was based on the draft copy that's attached. Now, of course, there will be some adjustments to the draft copy, but it should give us a bit of an idea as to what the cost would be. This estimate is based on the Alberta dailies and the *Globe and Mail*, so I used the same news media that we used for our last searches, that we did last year, but came prepared with an estimate of the weeklies in case you wanted to look into that further.

MR. FRIEDEL: I think Don's suggestion is worth looking into. If you want to make it as a recommendation, Don. What did you say? We're talking hundreds of dollars, not many thousands.

The other thing. If our pride doesn't preclude this, could we look at some free advertising with some press releases saying, you know, that we're recruiting for these two positions? Many papers will pick that up. If that should happen to show up about a week or so before the ads go out, people who might be interested would then be looking at the career ads of the dailies.

MS STEWART: Karen, do you know the process that we go through for that?

THE DEPUTY CHAIR: Prior to coming into politics, I used to use that service. Now, I'm not certain if it goes to all the rural weeklies or those that were affiliated through a conglomeration, let's say, like the boys' network or whatever, but there is a situation where it is not that expensive in terms of getting it, say, set up in the classified ads, where that bonus is. It wouldn't be, for example, a quarter-page advertisement in a certain section; it would be in the classified ads section.

MS STEWART: Good. So we'll check the process for that. Thank you.

Also, Don, a comment about the form of a blanket structure for some of the weekly newspapers. I'll check into the process for that too.

MR. TANNAS: As Gary has said, it really is effective if you have a news release just before you get the ad. A lot of the weekly newspapers will give you a story as well as their ad kind of thing. We get the message out, and I don't think it'll be that terribly expensive.

MS STEWART: Okay. Good. Thanks.

MRS. O'NEILL: I think, too, that if we can slide the official retirement announcements into the information – I know they've been rumoured, but they haven't been specifically announced. For instance, when the current Ombudsman or Ethics Commissioner speaks, we would just be in readiness, I suppose, more than anything else or have a press release ready to send out. Maybe that's not very formalized, but I think it could work in some instances.

4:40

MR. FRIEDEL: You're talking about the announcements by the existing officers that they're retiring.

THE DEPUTY CHAIR: I believe that has been done already. Is it the Speaker's office that they notify?

MR. FRIEDEL: I think it's generally known, maybe not out in the public.

MRS. KAMUCHIK: It's probably been picked up by some of the smaller news media. I don't know if it's appeared in the larger dailies. I have to admit that I don't read them all, but it has been picked up since, not long after the announcements were made or the resignations tendered in to the Speaker back in October.

THE DEPUTY CHAIR: Could it be possible that maybe a press release be established from the Speaker's office saying that he has received that, that a search committee was established through the Legislature, and just a little bit of what the anticipated search time frame will be? That might get picked up now, and that could be, you know, passed out before Christmas and get some free advertising there.

DR. PANNU: So a press release?

THE DEPUTY CHAIR: From the Speaker's office.

So what you're suggesting then, Alayne, is that this be the media as far as the dailies that we would be using that you have under tabs 7 and 8?

MS STEWART: That's right.

THE DEPUTY CHAIR: Is it possible to have a motion to that effect, that

we would use these dailies?

Mary. Any further discussion? In favour of the motion?

HON. MEMBERS: Agreed.

THE DEPUTY CHAIR: Carried.

I guess I need another motion to the same effect for the position of the Ombudsman. The first one would have been for the Ethics Commissioner.

DR. PANNU: Sorry, Mr. Chairman. I wasn't paying attention, I guess. We're talking about the content of the ad now?

THE DEPUTY CHAIR: No. We're talking about the newspapers that we would be using.

DR. PANNU: Sure. That's fine then.

MRS. O'NEILL: I so move for the Ombudsman as per the schedule.

THE DEPUTY CHAIR: So you move for the Ombudsman also, using the same list as per the schedule. Any discussion? In favour of the motion?

HON. MEMBERS: Agreed.

THE DEPUTY CHAIR: Carried.

The next item now is in regard to the draft advertisements, and we have the first draft that's been enclosed there for the Ethics Commissioner. That's just behind your media estimate.

MRS. O'NEILL: I have Ombudsman.

THE DEPUTY CHAIR: We're still under tabs 7 and 8.

MRS. O'NEILL: Oh, I'm sorry. I'm under tab B.

THE DEPUTY CHAIR: I moved ahead. I'm getting both motions done for the newspapers. Now we're going back to the advertisements.

MS STEWART: I wanted to point out with the advertisements that these have not had a review by the current Ethics Commissioner and the current Ombudsman. I have sent copies out to them and let them know that I was doing some research and background information for your committee, and we'll hear back from them, but they haven't had the opportunity to provide me with input at this point. So you know that that's in progress also.

THE DEPUTY CHAIR: Alayne, also in the ads, the drafts that you've prepared, you're basically putting the current salary ranges. I think we could probably be safe to use the current salary ranges but to put, let's say, in brackets that it is presently under review, because the committee decided at the previous meeting that we would be reviewing the wages of all of our leg. officers prior to the end of March 2003.

DR. PANNU: Mr. Chairman, with respect to the job description, as it were, for the Ethics Commissioner, in the language in the third

paragraph there, "a practical knowledge of law" and practical knowledge of the parliamentary system and administrative system, the word "practical" is something that's not clear to me, exactly what it would convey, what it would suggest, so if you can clarify it. Is it sound knowledge? I notice that in the second advertisement for the Ombudsman the term that is used is "a working knowledge of the parliamentary system."

MS STEWART: We have used it at times interchangeably.

DR. PANNU: Yeah. So could we make it sort of comprehensive or sound knowledge of the system? Would that be more clear?

MS STEWART: It could be. You want some clarity.

DR. PANNU: Just so we don't leave any confusion or sort of vagueness in the language. It would be better.

DR. TAFT: Well, along these lines, I think Bob Clark has been the only Ethics Commissioner without a legal background in the country. Raj and I haven't talked about this at all before, but I was wondering about a greater emphasis on the knowledge of law. Very commonly they're judges or retired judges or senior legal people. So maybe a thorough knowledge or comprehensive knowledge or something like that.

DR. PANNU: I guess we could put in a comprehensive knowledge of law and the judicial process because that would attract perhaps some people, outside of practising lawyers, from the judiciary and others. It would be just to signal people, you know, that the position kind of requires those skills or expects that those skills would be seen as valuable skills, that sort of thing.

MRS. O'NEILL: My concern, while we're doing this wordsmithing, is that if you're going to use the words "comprehensive knowledge of law," that suggests that you are a lawyer, and that is not a requirement for this position. I don't know that I could do anything more than suggest to you, Alayne, that you find with the advice offered here a word that might be acceptable, but I do object to the words "comprehensive knowledge of law."

MS STEWART: In looking at the qualifications, this section was drawn more from the previous advertisement and the previous profile.

DR. PANNU: Why don't we simply say, "Knowledge of the legal and judicial system"? All right? That takes away that adjective that Mary has concern about.

MRS. O'NEILL: Well, when you say the "judicial system" though, then I'll object to adding that part in too. I mean, you can get canon lawyers who are ethicists who don't have a great comprehensive knowledge of the judicial system too. I understand what your dilemma is, because "practical" doesn't quite make it, but I'm fearful of going too far in suggesting that one has to have a formal legal background.

DR. PANNU: It's a question indicating desirability, not that it is a requirement. I think there are so many other things, you know, there. I wasn't suggesting that we make it a requirement now. If that's what my suggestion does, then that's not what I mean to do.

MRS. O'NEILL: Would the deletion of "practical" . . .

MR. TANNAS: It does say "applicants should present diverse

experience,” so if you put in the comprehensive . . .

MRS. O’NEILL: What about: a knowledge of law?

MS STEWART: Could we delete the word “practical” and just have “knowledge”?

DR. PANNU: If you leave out “practical,” I think that does, then, take care of it. Yeah.

DR. TAFT: So where are we?

THE DEPUTY CHAIR: We excluded the word “practical.”

DR. PANNU: We dropped the word “practical,” and then it leaves it relatively sort of open, and “knowledge” means a knowledge of law.

THE DEPUTY CHAIR: A knowledge of law.

DR. PANNU: Yeah, and similarly a knowledge of the parliamentary system.

THE DEPUTY CHAIR: So we remove just “working” out of that?

DR. PANNU: We are dealing presently just with the Ethics Commissioner, and there is no reference to “working knowledge” there; is there?

MS STEWART: There’s “a working knowledge of the parliamentary system” on there, the last.

MRS. O’NEILL: And, further, a “practical knowledge of the parliamentary system.”

MS STEWART: Now, that was adjusted.

4:50

DR. PANNU: In your copy, not here.

MS STEWART: I noticed that it was there a couple of times.

I had a verbal conversation with the current Ethics Commissioner just briefly, and he had raised a couple of points with me, and one was that you need to have a knowledge of business and management practices along with the financial investments and trust components. So in the last sentence I took out the second parliamentary reference. Now I’ve got that “practical” knowledge in there again, but we’ll have to have a look at that word. “Your practical knowledge of business, management practices, and financial investments and trust will be key in this role.”

DR. PANNU: I think just “knowledge” would be fine, if you want.

MS STEWART: Just “knowledge” there too?

DR. PANNU: That’s right.

THE DEPUTY CHAIR: So it reads: your knowledge of administrative management practices and financial investments and trusts . . .

MS STEWART: No. Your knowledge of business, management practices, and financial investments and trust will be key.

THE DEPUTY CHAIR: Okay.

MR. TANNAS: I remember agonizing over this, and certainly one of the things that we wanted in the first Ethics Commissioner was some understanding of the parliamentary process. No offence to lawyers, who are based on, you know, an adversarial kind of training, and that’s what they go at. In a sense, a mediation kind of thing would be much more valuable than that black-and-white gotcha kind of approach. I guess what I want is somebody who has an understanding of what it is to be a member and all those things that come your way. Now, that doesn’t mean to say that everyone has to be an ex-MLA. That’s why I like the idea of some knowledge of the parliamentary system and the empathy.

MRS. O’NEILL: Don, it’s up further in that paragraph.

MR. TANNAS: I know, but Alayne just said that she’s removed it from here.

DR. TAFT: It’s in there twice.

MR. TANNAS: The one is saying that it’s key, and the other is demonstrating.

DR. PANNU: I mean, that in a sense is our job as a committee, to make those judgments, whether or not the knowledge that we are asking people to have includes that kind of understanding, you know, including mediation skills.

MR. TANNAS: I didn’t explain myself well then. What I was just saying is that that last sentence is “key”: “and trust will be key in this role.” I was trying to say that that parliamentary understanding or empathy or whatever you want to call it is also key, but if we don’t think it is, well, fair enough; take it out.

MS STEWART: Oh, I see what you’re saying: and a working knowledge of the parliamentary system.

MR. TANNAS: I wasn’t worried about the redundancy of it, just the “key.”

MS STEWART: You wanted it part of that last statement.

MR. TANNAS: I think so. Yes.

MRS. O’NEILL: Could I suggest that to include what Don is concerned about – if that last sentence were to read, “Your knowledge of the parliamentary system and of business, management practices, and financial investments and trust will be key to this role,” would that be satisfactory, Don?

MR. TANNAS: Indeed.

MRS. O’NEILL: Okay. So we’ll move that.

DR. PANNU: Say it again, Mary.

MRS. O’NEILL: Your knowledge of the parliamentary system, business, management practices, and financial investments and trust will be key to this role.

DR. PANNU: That clarifies it, I’m sure.

THE DEPUTY CHAIR: Any further wordsmithing?

MR. TANNAS: I was just going to say that.

DR. TAFT: There's a comma here I don't like.

MRS. O'NEILL: I'll take it out.

DR. PANNU: You mean before "and"?

MRS. O'NEILL: Yes. I don't like it there either.

DR. TAFT: I was just kidding.

DR. PANNU: Would someone read that paragraph now?

MS STEWART: I have: your knowledge of the parliamentary system, business, management practices, and financial investments and trust will be key in this role. Am I correct?

MRS. O'NEILL: I was hoping to cluster the whole issue of business, management practices, financial investments and trust in one. Oh, this is committee. Committees shouldn't write a document, but what I had suggested – and maybe it's just quite insignificant – was: your knowledge of the parliamentary system, and of business, management practices and financial . . . Now, that is so minor that I hand it over to you to make the determination.

MS STEWART: That's fine.

DR. PANNU: So that last sentence affects the sentence above that: you know, the "practical knowledge of law." I think we have fixed that; have we?

MS STEWART: Yes, we'll fix that.

DR. PANNU: And the working knowledge . . .

MS STEWART: We'll delete "and a working knowledge of the parliamentary system," and I'll put my "and" somewhere else a little further up. So I'll have "knowledge of the law."

MRS. O'NEILL: Knowledge of law, not the law.

MS STEWART: "Of law." Yeah. Sorry. "And an understanding of administrative law concepts including natural justice." "You have exceptional communication skills" and then the last sentence: "your knowledge of the parliamentary system."

DR. PANNU: Rather than "a working knowledge of the parliamentary system," how about "the workings of the parliamentary system"? I mean, really, what we are interested in is someone knowing how the systems work. "Workings of the parliamentary system."

DR. TAFT: Hey, I can live with that.

DR. PANNU: Yes. Sure. That simplifies it.

MS STEWART: How about if we go with "your working knowledge"? How's that? Would that be okay?

THE DEPUTY CHAIR: Louise just got qualified to apply.

MR. FRIEDEL: Is my presence to form a quorum necessary?

THE DEPUTY CHAIR: Yes, sir.

MR. FRIEDEL: Well, you have four minutes of my time, and I have no leeway, because we're half an hour over what I had expected to be here. I have absolutely no leeway.

THE DEPUTY CHAIR: Yeah. We're safe.

So with the advertisement as amended for the position of Ethics Commissioner, are we ready for a motion on that?

MS STEWART: Did you want me to get the input from the current . . .

MR. TANNAS: This isn't written in stone anyway. We could wordsmith forever.

THE DEPUTY CHAIR: The advertising on this one is going to go out sometime in the early part of January, so it'll probably be our last kick at the cat. Are you happy enough with the information you've given that we trust that Alayne will have it right when it goes out to the press?

Okay. I'll need a motion to that effect, if I could.

DR. PANNU: All right. Okay.

THE DEPUTY CHAIR: Dr. Pannu says that he trusts Alayne. In favour? Carried.

The next one would be the advertisement that's necessary for the position of Ombudsman.

MR. FRIEDEL: If I might interrupt, Mr. Chair, can I wish everybody a Merry Christmas? To those I won't see in the next few days, best of the new year. I'm looking forward to seeing all of you in the combat room.

MR. TANNAS: Okay. Do you want a motion?

THE DEPUTY CHAIR: Yes.

MR. TANNAS: I would move that we approve the media estimate under tab B.

THE DEPUTY CHAIR: We've done that one already. I'm sorry. It was just the first draft as far as the Ombudsman.

MR. TANNAS: The ad. Oh, sorry.

THE DEPUTY CHAIR: Yeah, the ad.

MR. TANNAS: I thought we had, and I was going to say: why are we doing this again? Maybe you insist forever.

DR. PANNU: For the draft of the Ombudsman's position, the same sort of cleaning up of the language as we did with the other?

THE DEPUTY CHAIR: Yeah. The same thing.

DR. TAFT: Just one emphasis that seemed particularly strong, and in some ways too strong when I read it, was the use of the word "exceptional" in the last sentence of the third paragraph. "Exceptional investigative . . . skills." It strikes me that "exceptional" narrows it down to – I don't know – a detective or something. That was the immediate impression that came to me. Good or strong investigative skills or something, but "exceptional" would work.

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THE DEPUTY CHAIR: “Strong” would work.

DR. PANNU: Yeah, strong would be good.

MS KAMUCHIK: You already have it in there.

DR. TAFT: Sorry?

MS KAMUCHIK: It’s already there: “strong consultative abilities.” So another word for strong.

DR. PANNU: Where is that?

MS KAMUCHIK: It’s the last sentence.

DR. PANNU: Oh, “strong consultative abilities.” How about “sound consultative abilities.” Since you want to use the word “strong” first, then you want to find a slightly different word, you know, for the second in the same sentence.

THE DEPUTY CHAIR: Got it.

MS STEWART: And we’ll make the same changes. Take out the word “practical.”

THE DEPUTY CHAIR: Are you making a motion for that, Don?

MR. TANNAS: Sure. I could do that.

THE DEPUTY CHAIR: Approve it as amended, that you trust Alayne also.

MR. TANNAS: I do.

THE DEPUTY CHAIR: In favour of the motion?

HON. MEMBERS: Agreed.

THE DEPUTY CHAIR: Carried.

There were draft position profiles that were not in the package, and we’ll just pass those out to you right now. As before, these position profiles that speak to the advertisements for the positions will be posted on the Assembly web site. Now, you may want a little bit of additional time rather than today to review that, and I think we’ll have enough time in terms of, you know, having a chance to meet prior to the crucial dates on that.

Do we need motions today on that, or can we do those at a later date, Karen?

MRS. SAWCHUK: Mr. Chairman, we’re going to be posting these in conjunction with the newspaper advertising. This gets done on the same day.

THE DEPUTY CHAIR: Enjoy reading it, ladies and gentlemen.

MS STEWART: For the Ethics Commissioner deadline we would need it by the 3rd of January . . .

MRS. SAWCHUK: . . . which is basically the two weeks of Christmas break kind of thing for a lot of people.

MS STEWART: Now, you know, we could have it by the Friday of

January 10. It would be on the web site the day before the advertisement appears just so that they go into the advertisement and can link it to the position profile.

MRS. SAWCHUK: It’ll get done that night. They won’t put it on during a business day. Actually, they probably won’t do it until Monday.

MRS. O’NEILL: Are these not job descriptions basically? How could we alter them anyway, really? Alayne, is there a way that you would expect us to?

MS STEWART: Well, I pulled the information from previous profiles, information from annual reports, and also have the information out to the current incumbents to see if I’m using the correct language in describing what they are doing.

DR. PANNU: I think what I would like to see is a sort of correspondence between the language of the ad and the language used here – that would be my only concern – so that we don’t send different messages out. Again I see words like “practical knowledge” and “exceptional communication skills” here.

MS STEWART: It’s all there. That’s right.

DR. PANNU: It’s taken from there, so that will need to be, I think, fixed so that it reflects what we have decided to do.

THE DEPUTY CHAIR: The only other question is basically on the last page of it, and it’s in the darker font: “Canadian Citizenship?”

MS STEWART: Now, the reason I had a question mark is because it was in the previous profile and I went through the act and was trying to find it in the act and couldn’t find it, but it could have been because I was reading too much. I did not see it in the legislation, so that’s why I was wondering: am I missing it from somewhere else? It is in the Ombudsman Act, but I didn’t find it in this . . .

MRS. KAMUCHIK: It may not necessarily be in the other acts.

MS STEWART: Yes. It was in the previous profile, so I thought: well, maybe I’ve missed something then.

DR. PANNU: So do we have included now the reference to Canadian citizenship?

THE DEPUTY CHAIR: It’s not presently. I guess it’s an option that we would either include or not include at this point in time.

DR. PANNU: In my view it should be included. How else would you deal with it?

DR. TAFT: I’m inclined that way too.



MRS. O'NEILL: Yes, the same as the Ombudsman.

THE DEPUTY CHAIR: So the consensus is that you will include it.

MS STEWART: But I put it as a question mark because I couldn't find the source.

DR. PANNU: You know, that reminds me of this. You talk about "knowledge of the parliamentary system." I think we need to perhaps specify it a little more: Canadian parliamentary system. Yeah, that's the minimum that we require. Parliamentary systems are different in different places. The Canadian parliamentary system is a broad enough category.

MRS. O'NEILL: That raises a point, if I may be so specific. Yes, we are talking about the parliamentary system, which has a number of aspects to it from different countries, but really we're talking about a provincial legislative system.

DR. TAFT: Can we just leave the wording that we have, which was "parliamentary system," Raj?

DR. PANNU: Sure. Okay.

MS STEWART: We can probe that through the interview process.

DR. PANNU: Yeah. Sure.

THE DEPUTY CHAIR: Okay. I'll probably ask at this time, since we've made the references as far as different amendments, if I could have some motions on both of these as amended.

DR. TAFT: Do you want me to cover them both in one motion?

THE DEPUTY CHAIR: How about separate motions? You can start with the Ethics Commissioner.

DR. TAFT: I'll move that  
the position profile for the Ethics Commissioner be accepted as  
modified in the discussion.

THE DEPUTY CHAIR: All in favour?

HON. MEMBERS: Agreed.

THE DEPUTY CHAIR: Carried.

I'd also like to entertain one for the position profile for the Ombudsman.

DR. PANNU: I will make that motion that  
the position profile for the Ombudsman be accepted as modified in  
the discussion.

THE DEPUTY CHAIR: So that it flows with the act.

DR. PANNU: Yes.

THE DEPUTY CHAIR: In favour of the motion?

HON. MEMBERS: Agreed.

THE DEPUTY CHAIR: Carried.

The next item that we had was Salary Ranges/Comparisons with Other Jurisdictions. Alayne, as a committee we certainly appreciate getting that information from you. It will help us in the next project that we'll have for the other Leg. Offices Committee. So we thank you for that.

MS STEWART: Okay.

THE DEPUTY CHAIR: Other business. The date of the next meeting will be at the discretion of the chair, most likely following on the 14th of February, which is the first date we have identified with regard to the Ethics Commissioner. For the Ethics Commissioner we were scheduled to meet on February 14 at 9 a.m.

MRS. O'NEILL: February, not January.

THE DEPUTY CHAIR: Did I say January?

MRS. O'NEILL: I thought you did.

THE DEPUTY CHAIR: I said February.

MRS. O'NEILL: Oh, did you? All right; my apologies.

THE DEPUTY CHAIR: I guess the *Hansard* will have the truth later. February 14, and then we'll be able to set up the dates following that meeting date.

I would now move for adjournment.

MRS. O'NEILL: So moved.

THE DEPUTY CHAIR: In favour of adjournment? Carried. Merry Christmas, everyone.

[The committee adjourned at 5:09 p.m.]

