

HANSARD

NOVA SCOTIA HOUSE OF ASSEMBLY

COMMITTEE

ON

HUMAN RESOURCES

Tuesday, January 26, 2021

Via Video Conference

**Appointments to Agencies, Boards and Commissions
Agenda Setting**

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HUMAN RESOURCES COMMITTEE

Brendan Maguire, Chair
Bill Horne, Vice-Chair
Hon. Margaret Miller
Ben Jessome
Rafah DiCostanzo
Brad Johns
Larry Harrison
Claudia Chender
Kendra Coombes

[Hon. Leo Glavine replaced Brendan Maguire]

In Attendance:

Judy Kavanagh
Legislative Committee Clerk

Gordon Hebb
Chief Legislative Counsel



HALIFAX, TUESDAY, JANUARY 26, 2021

STANDING COMMITTEE ON HUMAN RESOURCES

10:00 A.M.

CHAIR
Brendan Maguire

VICE-CHAIR
Bill Horne

THE CHAIR (Bill Horne): We're about five minutes over, so we'll continue our meeting five minutes longer.

I call this meeting to order. This is the Legislative Standing Committee on Human Resources for January 26, 2021. I'm Bill Horne, MLA for Waverley-Fall River-Beaver Bank, and Chair for this committee today. Today we will consider appointments to agencies, boards, and commissions, followed up by agenda setting for witnesses for the next six meetings.

Also, I'd like to let you know for Hansard, I acknowledge the presence of Chief Legislative Counsel Gordon Hebb and Legislative Committee Clerk Judy Kavanagh. With that, I'd like to start the introductions.

[The committee members introduced themselves.]

THE CHAIR: I guess next we will start the agencies, boards, and commissions appointments. Clearly state when you're naming them and what department they are with. I'll start with the Department of Business, and I'll ask Rafah DiCostanzo.

RAFAH DICOSTANZO: For the Department of Business, I move that Catherine Forbes be appointed as a member to the Halifax Convention Centre Board of Directors (Events East).

THE CHAIR: For the Department of Communities, Culture and Heritage . . .

RAFAH DICOSTANZO: Shouldn't we just say first if everybody's in agreement? Right?

THE CHAIR: We can do it that way for each one. Could you say that over again?

RAFAH DICOSTANZO: For the Department of Business, I move that Catherine Forbes be appointed as a member to the Halifax Convention Centre Board of Directors (Events East).

THE CHAIR: Would all those in favour of the motion please raise your hand. Contrary minded, raise your hand.

The motion is carried.

Ms. DiCostanzo.

RAFAH DICOSTANZO: For the Department of Communities, Culture and Heritage, I move that Meghann Jack be appointed as a member to the Sherbrooke Restoration Commission.

THE CHAIR: Would all those in favour of the motion please raise your hand. Contrary minded, raise your hand.

The motion is carried.

Ben Jessome.

BEN JESSOME: For the Department of Fisheries and Aquaculture, I move that Sean Borden, Nathan Boudreau, and Claude Poirier be appointed as members to the Nova Scotia Fisheries and Aquaculture Loan Board.

THE CHAIR: Would all those in favour of the motion please raise your hand. Contrary minded, raise your hand.

The motion is carried.

Ben Jessome.

BEN JESSOME: For the Department of Finance and Treasury Board, I move that Kiki Kachafanas and Colleen Keyes be appointed as directors of the Nova Scotia Liquor Corporation.

THE CHAIR: Would all those in favour of the motion please raise your hand. Contrary minded, raise your hand.

The motion is carried.

The Honourable Margaret Miller.

HON. MARGARET MILLER: For the Department of Justice, I move that Roland Penfound be appointed as Chair and member; David Caswell be appointed as Vice-Chair and member; and Cynthia Bruce, Birgit Elssner, Andrew Jantzen, Ellen Johnson, Jenny-Rachel Lind, Marcellina (Marcie) Shwery-Stanley and Anne Sinclair be appointed as members to the Department of Justice Accessibility Advisory Board.

THE CHAIR: Brad Johns.

BRAD JOHNS: Two things. First of all, if I could just make a quick correction. I think it was Rosalind Penfound, not Roland.

MARGARET MILLER: Rosalind Penfound, yes.

BRAD JOHNS: Just so that the record reflects that. I have some questions with regard to the appointments to this committee. Perhaps we could have an opportunity to bring motions forward now or after the placements are made.

THE CHAIR: I think it would be right to have the placements made first.

BRAD JOHNS: I would like to put forward a motion. Just before we vote on these, there's something not right here. I was quite shocked to find that a committee - that basically all of the members were just put on in February 2018 - here we are three years later - and we're re-appointing a majority of those. Five out of the 11 are not being reappointed or need to be redone. I would like at some point in time to make a motion to send a letter to the minister and ask for some clarification.

THE CHAIR: Fine. We'll deal with that shortly. Ms. Chender.

CLAUDIA CHENDER: I just got kicked out of the meeting. Are we still looking at the Department of Justice Accessibility Advisory Board?

THE CHAIR: We just finished, but we can go back and look at that, if you have an issue.

BRAD JOHNS: We haven't voted on that yet.

CLAUDIA CHENDER: I don't think we finished. I just wanted to make a point of clarification, which is that the Chair is Rosalind Penfound, not Roland Penfound.

THE CHAIR: That correction has been dealt with.

CLAUDIA CHENDER: Okay. Thank you.

[10:15 a.m.]

THE CHAIR: We have a motion on the floor first to appoint the Accessibility Advisory Board.

Would all those in favour of the motion please raise your hand. Contrary minded, raise your hand.

The motion is carried.

We'll do the last one, the Nova Scotia Legal Aid Commission. I need somebody to make a nomination for that. Rafah DiCostanzo.

RAFAH DICOSTANZO: I move that Ronald Chisholm, Trinda Ernst, and Jade Pictou be appointed as part-time directors to the Nova Scotia Legal Aid Commission.

THE CHAIR: Would all those in favour of the motion please say Aye. Contrary minded, Nay.

The motion is carried.

Now we'll go back to Brad Johns' interest in the Accessibility Advisory Board and writing a letter to the board or to the Department of Justice. Brad?

BRAD JOHNS: Thank you, Mr. Chair. As I said, it just seems funny to me that there's such a high turnover on such a new committee. I put a motion forward that we write to Minister Furey and ask for an update on the progress of this committee and to see whether or not the deadlines are being met. I do know that there was an extension last week to the building accessibility portion of this committee, but I'd like to get an update on the progress and to see where the deadlines are being met that this committee has out.

I'm also curious to know, I believe that just for clarification, if the letter could ask whether or not this committee actually has Rick Hansen certification. I think it does, but I'd like confirmation of that if possible.

Because of the fact that it seemed like there was such a high turnover here, five of 11 being replaced, I actually decided to go look online and I noticed that the annual report has not been listed as well. So I'm wondering if the letter could include a request for an update in regard to the annual report as well.

THE CHAIR: Mr. Jessome.

BEN JESSOME: Perhaps maybe, there's a number of moving pieces there, it sounded like. Perhaps Mr. Johns could put something in writing that we could take a peek at before today's committee meeting is over. Frankly, if these are intended motions, it's always helpful to have them in advance, just for the record for the benefit of all committee members.

THE CHAIR: I will pass that on to Judy Kavanagh, the clerk. Were you able to hear that, Judy?

JUDY KAVANAGH: If Mr. Johns or somebody wants to email them to me, I'll be happy to forward them to all the members. As Mr. Jessome says, it's not a requirement, but members might find it helpful.

THE CHAIR: Mr. Johns, is that satisfactory to you?

BRAD JOHNS: I won't type it up right now, but I will type it up and forward it to Judy. I think it was pretty straightforward. Basically we're asking for an update on the progress and whether or not deadlines are being met and whether or not it has Rick Hansen certification and where's the annual report.

I can certainly send that off to Judy now, but I don't really necessarily think that needs to be done. They're pretty straightforward requests.

BEN JESSOME: Just quickly, Mr. Johns, your initial comments were concerning the composition and the turnover of the board. I wasn't clear on why or how that was relevant, nor whether that would be included as part of your message, so I just wanted to be clear on that. Most of these boards have an annual or bi-annual turnover, so I'm not sure where the relevance for that comment came from. I just wanted to be clear on that before we voted on this motion.

BRAD JOHNS: I have no comments that are worth making at the moment.

THE CHAIR: Okay. That completes the ABCs. We now . . .

CLAUDIA CHENDER: Mr. Chair.

THE CHAIR: Yes, Ms. Chender.

CLAUDIA CHENDER: Two things. Are we voting on Mr. Johns' motion?

THE CHAIR: I guess we should then, yes.

CLAUDIA CHENDER: I have another one I'd like to propose after.

THE CHAIR: Okay. Before that, I'll get Mr. Jessome.

BEN JESSOME: Through you, Mr. Johns, you made the comment, so as a member of this committee, I'd appreciate a simple clarification on what relevance that had or if you would like it included in the motion that we're going to vote on.

BRAD JOHNS: Mr. Chair, respectfully through you to Mr. Jessome, what's the clarification that you need?

BEN JESSOME: You simply made comments, I'm not trying to belabour this, I'm simply trying to clarify the relevance of your comments related to the turnover and composition of the primary board for this committee in relation to the turnover ratio, whatever your comments implied at the start of your motion, please and thank you.

BRAD JOHNS: It seems somewhat irregular to me to have a committee that's only three years old have 50 per cent of the people re-appointed - not re-appointed, but 50 per cent are new people. That, in conjunction with the fact that an annual report has not been placed online, raises some concerns with me.

I know that it is an Accessibility Advisory Board. I want to make sure that everything is in place that allows that board and that committee to meet. Are there any challenges they're having? It seems to me funny that most of these are new appointments.

Based on those facts, I'd like to see an update of the progress of the committee, as well as whether or not they're meeting the deadlines that are set out, and as I said, the Rick Hansen thing as well, and where the AGM report is. I hope that's clear.

THE CHAIR: Rafah DiCostanzo.

RAFAH DISCOSTANZO: I would like to hear Judy, if she got all these requests - are you having to go back to Hansard? There seems to be a lot of things, and it should have come in writing. He's losing me each time Mr. Johns repeats his request. There are a few different things that he's asking and repeating them. I'm just making sure that Judy has everything before we agree to send that letter.

JUDY KAVANAGH: I always wait for the Hansard transcript before I send a letter like this - I need to get the official wording.

THE CHAIR: Okay. Ms. Miller please.

MARGARET MILLER: My question is, can this be provided for us for our next meeting and vote on this motion at that time?

THE CHAIR: Mr. Johns.

BRAD JOHNS: Considering the confusion that members seem to have in regard to this, I certainly don't have a problem with deferring this to our next meeting, and I'll forward a motion to the clerk so that she can forward it to the MLAs. I'm fine with that.

THE CHAIR: Is that agreeable? We'll defer that until the next meeting. Ms. Chender.

CLAUDIA CHENDER: I would also like to put forward a motion. It's just one point, which is that, as we read through these big packages we get for this committee, for the ABCs, there is a question in each of the applications around the gender makeup of the committee and sometimes around the diversity makeup of the committee. We would have seen in the board that we were just speaking about, the advisory board, that they tick those boxes as they should because it's a committee that is dedicated, in fact, to disability and to accessibility. Most of the other ABCs don't.

In particular, I noted in this package that the Nova Scotia Fisheries and Aquaculture Loan Board has no women on it and that the box around gender was ticked no. I wondered whether we could write a letter to the minister and just ask what efforts were made to reach out and ensure gender balance and if no efforts were made, what efforts might be planned.

THE CHAIR: Would that be a general motion for all of our committees?

CLAUDIA CHENDER: No. In particular, I'm speaking of Minister Colwell and the Nova Scotia Fisheries and Aquaculture Loan Board. I think we know that our historic fishing communities are made up of men and women, and yet we see only men on these boards, and so it's for this board in particular, although I just note in my comments that this board is not isolated in that issue but certainly, it's an example of that today.

THE CHAIR: Margaret Miller.

MARGARET MILLER: To Ms. Chender's point, as a former minister of a department, we rely on the public to come forward. Many times, on a lot of these, you do have mostly men apply. There aren't a lot of people of different abilities and/or women who do apply with these boards. I would not be surprised to hear that they just didn't have qualified applicants in some of these cases.

I know that this has always been a big part of any minister's role - to find equitable people to put on these boards and commissions. I know that is the goal for it, but it isn't always able to happen. Certainly, I would support writing to them and asking why.

THE CHAIR: Claudia Chender.

CLAUDIA CHENDER: I see that my colleague, Ms. Coombes, has her hand up, so maybe I'll say something and then defer to her. I thank Ms. Miller for those comments. The reason for my asking is that we know - and if anyone saw the recent *Globe and Mail* feature on the power gap - that we have massive structural issues when it comes to women serving in positions of leadership in this country, in this province, and even in this government.

With respect, while that may have been the way that we do things - rely on people to come forward - we know that that method will not, in fact, yield the diversity that we seek on these agencies, boards and commissions, which is a stated goal of these agencies, boards and commissions, and is, in fact, in the package.

Thank you for your support in writing a letter. I look forward to hearing the minister's comments if the motion passes but just to say that we may need to do more than that, and that's what I'm suggesting here.

THE CHAIR: Ms. Coombes.

KENDRA COOMBES: Most of the comments were made by my colleague, Claudia Chender. I would add that with regard to when you have minorities, when you are looking for diversity on a board or even the government, you must oftentimes ask. You have to do a reach-out.

Many of those who are in that diversity often don't see themselves as being able to serve and therefore have to be reached out to. I would just add those to my comments. It's not them coming to us; we have to go and search them out and ask them to serve.

[10:30 a.m.]

THE CHAIR: Any further discussion? Would all those in favour of the motion please raise your hand. Contrary minded, raise your hand.

The motion is carried.

It would be nice if we do see that motion so we can get the right wording for the clerk.

That completes the appointments to the agencies, boards, and commissions. I'd like to introduce Honourable Leo Glavine who is on board now, and maybe you could speak and say a few words.

Leo, are you there?

HON. LEO GLAVINE: I am so. At the Department of Health and Wellness, we use only Microsoft Teams, so I'm having a little bit of technical trouble.

THE CHAIR: Welcome aboard. We just finished the ABCs and now we're going to go to the next part of the agenda, which is agenda setting. If everybody could turn to the agenda-setting, we have a number of proposed topics, and I will start with the Liberals.

Rafah DiCostanzo.

RAFAH DISCOSTANZO: I propose three topics for the Liberals: the Safe Return to Class Fund, which is our first one, and the proposed witness would be the Department of Education and Early Childhood Development, the deputy minister. The second one would be Nova Scotia Loan Forgiveness Program with the Department of Labour and Advanced Education, also the deputy minister as witness. The third one will be the Youth Workforce Program with the Department of Labour and Advanced Education, and again the deputy minister as our witness.

THE CHAIR: As Chair, I'm wondering if you could add designates for the deputy ministers.

RAFAH DISCOSTANZO: Sorry, I meant to do that for all of them. Deputy minister or a designate for all three. I apologize.

THE CHAIR: Mr. Johns.

BRAD JOHNS: I just missed that first one. Was it the Safe Return to Class Fund?

RAFAH DISCOSTANZO: Correct, Mr. Johns.

BRAD JOHNS: Thank you.

THE CHAIR: Anyone else that has comment? Ms. Kavanagh.

JUDY KAVANAGH: May I please have clarification on the name of the third topic? Is it Youth Workforce Program or Youth Force Program?

RAFAH DICOSTANZO: Youth Workforce Program.

JUDY KAVANAGH: It's one singular program?

THE CHAIR: Or programs. You may want to add an 's' on "Program."

RAFAH DICOSTANZO: I have it written down as "Program," but I will get clarification on that in two seconds.

THE CHAIR: I believe it might be better to have “Programs.” It may be difficult to find one program through the library. It might be a number of programs.

RAFAH DICOSTANZO: I’m going to go with the Chair and add the “s” just to cover it.

THE CHAIR: This is in one motion that we approve all three of those topics.

Would all those in favour of the motion please raise your hand. Contrary minded, raise your hand.

The motion is carried.

We’ll now turn to the Progressive Conservative Party for their two topics. Who would like to make the nominations? Mr. Johns.

BRAD JOHNS: Mr. Chair, the PC caucus would like to put forward An Update on Funding for Inclusive Education and Recent Audit. Our second one would be Student Security Alerts, Lockdowns and Other Protocols. Those would both be representatives from the Department of Education and Early Childhood Development.

THE CHAIR: Would all those in favour of the motion please raise your hand. Contrary minded, raise your hand.

The motion is carried.

Now to the NDP for one of their topics. Ms. Chender.

CLAUDIA CHENDER: I would like to put forward Workers’ Access to Paid Sick Leave in Nova Scotia. The witnesses would be the Halifax Workers’ Action Centre, the Nova Scotia Federation of Labour, and the Canadian Centre for Policy Alternatives.

THE CHAIR: Ms. DiCostanzo, are there any comments?

RAFAH DICOSTANZO: Ms. Miller has her hand up.

THE CHAIR: Ms. Miller, please.

MARGARET MILLER: I know you’ve got the three representatives there to speak on the topic. Could we also add to that the Deputy Minister of Labour and Advanced Education or a designate to that?

THE CHAIR: Ms. Chender.

CLAUDIA CHENDER: That's fine with us and, in fact, I had omitted that so I would agree with that addition.

THE CHAIR: Would all those in favour of the motion please raise your hand. Contrary minded, raise your hand.

The motion is carried.

The next portion is the letters of correspondence: the letter from the Minister of Health and Wellness in response to a request for information made at the meeting of November 26, 2020; the letter from the Minister of Education and Early Childhood Development in response to a request for information made at the meeting of December 17, 2020; and a letter from the Minister of Environment in response to a request for information made at the meeting of December 17, 2020.

These have been sent out, the replies have been sent out this morning, and you should have them all. Are there any questions or concerns? Ms. Chender.

CLAUDIA CHENDER: In particular, the last piece of correspondence was a response to a motion I made at a previous meeting asking for an update on the timeline of appointments to the Minister's Round Table on Environment and Sustainable Prosperity, and the minister's response, while appreciated, didn't, in fact, offer a timeline, and so therefore I'm going to put forward another motion, and I believe the clerk has a copy of this motion. If she doesn't, she will imminently and perhaps could circulate it. I'll read it now:

"I move that the committee write a letter to the Minister of Environment requesting an update on the reconstitution of the Minister's Round Table on Environment and Sustainable Prosperity and specifically requesting the timeline for those appointments to the Round Table to come forward to our committee."

The new Sustainable Development Goals Act was passed in 2019, and there's a round table that forms a part of that Act. In the minister's letter dated January 12th of this year, he indicates he's eager to fill the positions, but the round table has still not been reconstituted.

I believe the committee has now requested a timeline from the minister on a number of occasions, dating back at least a year. I certainly recognize the challenges we have faced over the past year. However, I think it's reasonable to expect the minister to be able to put forward a timeline for this process, and as the body that approves those appointments, I'd just like to ask the minister for another update with some dates attached.

THE CHAIR: I now ask for the motion to be approved or defeated. Mr. Johns.

BRAD JOHNS: Just for the record, I'd like to say that the Progressive Conservative caucus is in favour of this motion. The department does have, as pointed out in the letter, 55 candidate applications for review, so they know how many are in, and that including the 16 as laid out in the letter, the 16 who were recently screened in. They know the number, but they still haven't come forward with recommendations, so the PC caucus certainly supports MLA Chender's motion.

THE CHAIR: Any other comments? Would all those in favour of the motion please raise your hand. Contrary minded, raise your hand.

The motion is carried.

That is the business on correspondence, I believe. Yes, Mr. Johns.

BRAD JOHNS: Just before we move on from correspondence, I would like the record to reflect that at our last meeting of the Standing Committee on Human Resources, I did ask for a letter which was sent to the Premier in regard to the Nova Scotia Youth Advisory Council. I'd just like for the record to show that we haven't heard back in regard to that request for an update, and I'm certainly hoping that whoever our next Premier is sees that youth council as a priority. I just want that to reflect in the record. Thank you.

THE CHAIR: Mr. Jessome.

BEN JESSOME: Maybe, with the approval of the committee, we could redistribute that letter to the newly elected Premier when that time comes.

THE CHAIR: I've lost my Zoom, so I can't go on any further until I get back on. Can you hear me?

BRAD JOHNS: You're still there, Mr. Chair.

RAFAH DICOSTANZO: We see you and hear you.

THE CHAIR: Oh, really?

BEN JESSOME: You haven't lost it yet, Bill.

THE CHAIR: Beg pardon?

BEN JESSOME: Nothing. Sorry. Excuse me.

THE CHAIR: I don't know what has happened here. I don't see myself or anybody else, but I agree with Mr. Johns, and I'm sure our meeting is almost completed - except for the next meeting.

BRAD JOHNS: Mr. Chair, respectfully, you may have missed Mr. Jessome's comments that the previous letter be forwarded to the new Premier, so I don't know if you might have lagged out for a minute there or not.

[10:45 a.m.]

THE CHAIR: I still can't see, but I understand that that can be done, and I think it should be done that way.

Last but not least, I believe we have the next meeting, which would be Tuesday, February 23, 2021 at 10:00 a.m. to noon, the witnesses to be announced. If the House is sitting on that day, the committee will meet only to consider appointing ABCs.

That should complete our meeting if there are no other comments.

BRAD JOHNS: Mr. Chair, just in closing, good job chairing today, given all the challenges sometimes that the video conferencing world can present. I think you've done a very good job. Thank you.

THE CHAIR: I thank you, Mr. Johns. Until next time, we shall move to complete our meeting. Would all those in favour, maybe you could say it out loud.

Okay. Thank you very much.

The meeting is now adjourned.

[The committee adjourned at 10:46 a.m.]