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Chair

Mr. Phil McColeman

Standing Committee on Human Resources, Skills and Social Development and the Status of Persons with Disabilities

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• (0850)

[English]

The Chair (Mr. Phil McColeman (Brant, CPC)): Good morning, ladies and gentlemen. Welcome to meeting 24 of the Standing Committee on Human Resources, Skills and Social Development and the Status of Persons with Disabilities.

Today is May 15, 2014, and for the next hour we'll be finalizing our committee's review of the main estimates.

To that end, we're very pleased to be joined today by the Honourable Kellie Leitch for her first appearance before the committee as Minister of Labour.

Welcome, Minister.

Joining the minister we have Ms. Hélène Gosselin, the deputy minister of labour; Mr. Kin Choi, the assistant deputy minister of compliance, operations, and program development from the labour program at ESDC; Mr. Anthony Giles, assistant deputy minister of dispute resolution and international affairs from the labour program; and finally, Mr. Alain Séguin, the chief financial officer.

Hon. K. Kellie Leitch (Minister of Labour): No, that's not what he does, but he's excited about the promotion—as am I.

Voices: Oh, oh!

The Chair: No kidding.

Okay, what is the correct title, Mr. Giles?

Mr. Anthony Giles (Acting Assistant Deputy Minister, Labour Program, Policy, Dispute Resolution and International Affairs, Department of Employment and Social Development): I'm the acting assistant deputy minister. My real job is director general of strategic policy.

The Chair: Thank you for correcting the record.

To committee members, we do have witnesses for 45 minutes after the minister. We also have 15 minutes of committee business at the end of today's proceedings. The rounds will be seven minutes for questioning.

Minister, please go first with your presentation.

Hon. K. Kellie Leitch: Thank you very much.

Good morning, everyone. I'm pleased to be here today to appear before the standing committee to answer questions about the main estimates and to speak to you about the work of the labour program.

The labour program works with federally regulated employees, unions, and workers, as well as provincial and territorial ministers of labour, to promote safe, healthy, and productive workplaces across the country.

[Translation]

Our mandate includes enforcing the Canada Labour Code, which covers industrial relations, occupational health and safety standards and employment standards.

[English]

We also negotiate and implement labour cooperation agreements with Canada's free trade partners, and represent Canada in multilateral organizations dealing with labour issues, including the International Labour Organization.

[Translation]

Our government strives, at all times, to balance the interests of workers and employers and promote safe, health and productive workplaces for all Canadians.

[English]

Please excuse my French. I have only been learning it for about eight weeks, but I'm giving it the college try.

The last time I was here, I was actually with Minister Raitt and Minister Finley. This committee received some information about the Helping Families in Need Act, which provides financial relief and job protection to working parents who must take time off from their jobs to either take care of a critically ill child or deal with the trauma of a missing or murdered child.

This legislation meant a lot to me. I am very pleased to see that our government has strengthened the legislation further by enhancing access to employment insurance sickness benefits for claimants who receive the “parents of critically ill children” and compassionate care benefits.

[Translation]

Now, as Minister of Labour, I am continuing our government's efforts to improve the well-being of Canadian workers and employers across the country.

[English]

I'm proud to say that, under the leadership of this government, the labour program has an excellent track record. In many areas we are exceeding our targets.

Our government is currently pursuing the most ambitious trade expansion plan in our country's history. In less than seven years, Canada has concluded free trade agreements in nine countries and is negotiating with 30 more. Just recently, we announced free trade agreements with South Korea and Honduras. We are creating jobs and opportunities for Canadian workers and exporters by deepening trade with Asian and South American markets, which are key economic priorities for our Conservative government. I would like to assure all members here that we are firmly committed to ensuring that all agreements signed by Canada are in the best interest of hard-working Canadians.

As Minister of Labour, I am happy to say that while we're working hard to advance our historic trade agenda, our government is ensuring that international labour rights and obligations are respected. We continue to demonstrate on the international stage that a competitive economy includes a safe, healthy, and productive workplace. That is why the labour program is advancing negotiations on several labour cooperation agreements alongside these free trade agreements, committing Canada and our partners to maintaining international labour standards for all workers.

Canada currently has labour agreements with the United States and Mexico, Chile, Costa Rica, Peru, Colombia, Jordan, Panama, and Honduras. Labour cooperation agreements support our free trade agenda and defend Canada's competitive position by creating a mutual respect on labour rights and seeking to ensure that our trade partners do not gain any unfair trade advantage by not effectively enforcing their own labour laws.

Our government is pleased to work with our partner countries to ensure mutual prosperity within the region and achieve greater levels of international cooperation on labour issues.

Canadians have told us, time and time again, that what they want most of all are jobs, growth, and economic prosperity. These labour agreements contribute to this goal by creating a level playing field for Canadian businesses while expanding our markets and creating good, well-paying jobs.

As an orthopedic surgeon—a pediatric one at that—I'd also like to emphasize that our government is committed to protecting child rights and eliminating child labour around the world. This is why the labour program negotiates commitments to abolish child labour and eliminate forced and compulsory labour in its labour cooperation agreements.

In addition, the labour funding program supports technical assistance projects to help Canada's free trade agreement partners meet these commitments, including through strengthening labour administration and labour inspections.

[Translation]

I am particularly pleased about our performance in industrial relations.

[English]

The labour program plays a significant role behind the scenes helping employers and unions build and maintain cooperative relationships, thereby contributing to Canada's continued economic prosperity. We have mediators and conciliation officers who help at

every stage of the collective bargaining process, even before formal bargaining begins. In 2012-13, with the help of our government, 94% of all disputes were settled without a work stoppage. This level of success has been a consistent pattern for the past five years.

• (0855)

[Translation]

We also have labour standards officers who ensure that employees working in federally regulated workplaces are protected.

[English]

As I just said, we also have labour standards officers who ensure that employees working in federally regulated spaces are protected.

Mr. Chairman, our government believes that all Canadians have the right to work in a safe and healthy environment. To make sure workplaces are safe, the labour program conducts proactive inspections, investigates complaints, and raises awareness about workplace safety laws and best practices. We're seeing excellent results. Over the period of 2007 to 2011, the number of disabling injuries has decreased by 22% for all federally regulated sectors.

As stated in the most recent budget, our government is firmly committed to delivering lower taxes, less red tape, and a balanced budget by 2015. That is why we will continue to exercise fiscal restraint while maintaining the highest level of service to Canadians. We are implementing cost-saving measures to modernize the labour program, to cut red tape, as I said, and renew our operations and program delivery.

We are modernizing our core business and enhancing service delivery. By way of example, we received an additional \$1.4 million in operating funds because of these efforts for the wage earner protection program, which provides financial support to workers who lose wages when their employers go bankrupt.

[Translation]

This additional funding and our partnership with Service Canada are helping us deliver benefits to applicants more quickly.

[English]

This additional funding and our partnership with Service Canada are helping us deliver benefits to applicants more quickly. The labour program continues to replace its paper-based services with electronic tools to further reduce red tape and administrative burdens on small businesses, while making it easier for employers to comply with regulations.

This has been particularly useful for employers submitting their required reporting on health and safety as well as employment equity.

Mr. Chairman and members of the committee, we in the labour program never forget that our government is focused on helping create the conditions for continued economic prosperity, and we're doing our part, striving to balance the interests between workers, employers, and the Canadian public at all times. A safe, healthy, and collaborative as well as productive workplace are part of our winning formula for economic growth and a better standard of living for all Canadians.

For me and I think for everyone at the labour program, our goal is to make sure we have safe, productive workplaces and to make sure that every Canadian working in a federally regulated space goes to work healthy and happy and returns home to their families exactly the same way at the end of the day.

Thank you very much and I look forward to your questions.

The Chair: Thank you, Minister.

We'll move now to our first round of questions, and Ms. Sims for seven minutes.

Ms. Jinny Jogindera Sims (Newton—North Delta, NDP): Thank you very much, Mr. Chair, and welcome to the committee, Minister, your virgin visit, so to speak.

Minister, I know, and I've heard you say this a number of times, that health and safety is a priority for you. However, C-4 changed the definition of danger, and that continues to concern me. I wondered if there isn't a kind of a contradiction between saying it is a priority and then making it more difficult for an employee to refuse to work in what he or she perceives as danger. Now, under the new rules, it has to be serious and imminent danger for the claim to be accepted.

So, Minister, my first questions are, please define what you consider "serious and imminent" and why did you change the definition?

Hon. K. Kellie Leitch: I think the most important thing with respect to the health and safety of Canadians in the workplace—and I want to be absolutely clear with respect to this—is that our focus remains making sure that these individuals are safe in the workplace. The ability to refuse dangerous work continues to apply. You know, I think it's extremely important that we are all cognizant that this is a group responsibility. Employers, employees, and also those of us at the labour program—the health and safety officers who help with inspections, training, and education—are focused on making sure that individuals know what their rights are, when they can refuse work, and also when they may be in imminent danger.

Broadening a definition, which is what has occurred here, is something that I think Canadians appreciate because broadening a definition provides them more opportunity to make sure that they are safe in the workplace. That's what I truly believe that those health and safety officers we have on the ground, the employers working diligently to have a safe, healthy, productive workforce, as well as the employees that I think look out for each other on the work site, are really striving to achieve. So the broadening of the definition, I think, is in the interests of Canadians because it provides them greater opportunity and more flexibility to step forward when they're concerned about a specific issue.

• (0900)

Ms. Jinny Jogindera Sims: Thank you, Minister.

I've worked in this area of health and safety a fair bit in my previous life, and I absolutely agree that it is not one side that has to provide all the solutions. It is something best done in partnership.

So, Minister, what I heard you saying is that "serious and imminent" actually make it easier for people to refuse because you've broadened the capture, rather than what was there before.

Hon. K. Kellie Leitch: Well, the issue is—and you keep saying "serious and"; it is "serious or"—we all have a responsibility to make sure workers are very specifically well-trained to understand that they can refuse work at any time.

Ms. Jinny Jogindera Sims: Minister, that's good to know—that they can refuse work at any time.

Hon. K. Kellie Leitch: If they're in a dangerous circumstance, they have the opportunity.... I want to be absolutely clear with everyone here and also with Canadian workers that they have the opportunity, if they view themselves in any unsafe scenario, which they view as dangerous, that they move forward to make sure that their employer understands so that we can rectify the circumstance.

Ms. Jinny Jogindera Sims: Thank you, Minister. I have a number of questions and very limited time.

Now, these changes that were made, were they based on internal discussions or were other people consulted besides public servants? Were studies referenced? Who was consulted when these changes were made?

Hon. K. Kellie Leitch: I think it's very important to understand that the labour program and particularly our health and safety officers have a continual mechanism for feedback.

I will have the deputy comment on this as well, but these decisions were made from information that was being received from health and safety officers as well as from individuals who are employers and employees. I think it's extremely important that people understand that.

The best answer to these challenges on the ground in a work site is not coming—no offence—from us. It's from those people who are working in those workplaces. I think, Ms. Sims, you would agree with that. If you were involved as a health and safety inspector or officer in the past, you would understand that those people on the ground understand the scenario. They recognize what the challenges are and how best to solve them.

What we try to do, in the decisions that are taken at the labour program, is to consult widely, get information provided to us, and then move forward.

The deputy may have a comment with respect to that as well.

Ms. Jinny Jogindera Sims: Thank you, Minister.

I have a follow-up question for you, Minister. If an employee perceives that there is a risk of longer-term health implications but no immediate implications, can that employee refuse work?

I'm going to give you the example of asbestos. When I was in my other life, employees would refuse to work where there was exposed asbestos. There may not have been immediate danger, but there was long-term danger, as you know, with it.

What happens in that instance? Can that employee refuse work?

Hon. K. Kellie Leitch: Absolutely. That is considered a serious risk to one's health, and employees can absolutely move forward and consider themselves at risk. I would therefore encourage any employee who finds themselves in that circumstance, whether it involves asbestos or a long-term serious health impact—and we know there are several work site issues that create that phenomenon—to please move forward and make sure that you're refusing work if you're placed in that circumstance, so that we at the labour program, as well as the employer with those employees, can rectify the circumstance. That's by far the best scenario.

Ms. Jinny Jogindera Sims: Thank you, Minister.

The department has stated that 80% of the danger claims made are not legitimate. What happens to the 20% of claims that were legitimate under the old definition? How are they not now disadvantaged by the definition change?

Hon. K. Kellie Leitch: I want to be very clear. When we receive complaints, every one of them is examined. It's not that we take 80% and say that we never looked at them. Every single complaint that comes to us we take a look at. Then, on the advice of the health and safety officer—and Kin Choi may have some comments with respect to this, as this is the field for which he is the ADM—we evaluate and move forward.

I'll let Kin walk through the details with respect to the specific 80%.

I can walk through them too, but would you like to, deputy?

• (0905)

The Chair: We're very close to being out of time, so give just a very quick answer, please.

Ms. Hélène Gosselin (Deputy Minister of Labour, Department of Employment and Social Development): I'll just say briefly that the 80% weren't deemed illegitimate. It was that more than 80% of the decisions regarding refusals to work were decisions of no danger.

We will continue to investigate all refusals to work that come to us. The intent of the change was to clarify the definitions, so that the workplace parties themselves could address more of these issues in the workplace. That's how the internal responsibility system process is meant to work under the Canada Labour Code.

The Chair: Thank you very much.

Now we move on to Mr. Armstrong for seven minutes.

Mr. Scott Armstrong (Cumberland—Colchester—Musquodoboit Valley, CPC): Thank you, Mr. Chair.

I want to thank the minister and her officials for being here this morning.

Minister, as you know, our government introduced the economic action plan of 2009 to respond to the global recession. Canada has not only recovered all of the output and all of the jobs lost during the recession, but we have exceeded pre-recession levels. Over the last four years, employment has increased by more than one million Canadians. This gives Canada one of the strongest records on job growth among G-7 countries over this recovery.

Our government has recently introduced economic action plan 2014, the next chapter in our plan, which will lead us towards a balanced budget by 2015.

Minister, with that information, could you please inform the committee how the labour program has contributed towards balancing the budget while maintaining the high quality of service that we provide for Canadians?

Hon. K. Kellie Leitch: Thank you very much, Mr. Armstrong. I appreciate the question.

The labour program plays a very important part in fostering Canada's prosperity, and economic action plan 2014 was obviously a component part of that. It aims to achieve a fair, safe, and productive workplace through an efficient regulatory framework.

Effective labour relations and laws and policies, particularly in the area of occupational health and safety, help businesses succeed. Economic action plan 2014 showed that Canada has one of the best job creation records of the G-7 countries since the recession.

The federally regulated sector of employers and employees plays a vital role in this by generating economic activity and providing, quite frankly, the critical infrastructure for the Canadian economy as well as some of the essential services for our national economy. The productivity of the federal sector needs to be stable for those things to be achieved. We know, whether in the case of a port or of our national rail service, that making sure we can move goods and services across the country in a safe and stable manner means that the Canadian economy will be able to move forward.

Under part I of the Canada Labour Code, which establishes the framework for labour management relations to conduct collective bargaining—for which, as I mentioned in my opening statement, I think we have an excellent track record, with 94% of disputes being settled by mediation or otherwise—the Federal Mediation and Conciliation Service aims to make labour relationships cooperative and productive, so that we have a stable environment. It has offered, through preventative mediation program services, which were expanded in budget 2011, the capacity for that stability, or a safe and healthy workplace, so that we have more productive employees who are able to contribute to the economic growth of the country.

Workplace accidents and injuries obviously have been declining because of the work that has taken place under the labour program, working with employers and employees. Fewer injuries mean a more productive workplace, which means a forward movement with respect to the Canadian economy.

We also play a role with respect to strengthening our trade relationships. As I mentioned in my opening statements, the labour cooperation agreements that we have with numerous countries facilitate and aid our expansion of our trade agenda as a country, and that can only contribute to the economic wealth of our country and the prosperity of Canadians.

Mr. Scott Armstrong: Thank you.

How much time do I have left?

The Chair: You have about three and a half minutes.

Mr. Scott Armstrong: Minister, Canada's labour program has a very important role in contributing to Canada's overall economic prosperity as well as the well-being of all Canadians.

What is it about federally regulated industries that make them so crucial to the Canadian economy and the well-being of Canadians?

Hon. K. Kellie Leitch: I think the one thing we all have to keep top of mind, when it comes to the well-being of Canadians, is that part II of the Canada Labour Code focuses on health and safety. Part II of the Canada Labour Code moves forward in making sure that Canadians go to work safe and healthy and return home the same.

One thing announced in economic action plan 2014 is that the labour program is supporting the government's efforts to align and implement a common classification for labelling workplace hazardous chemicals. This is something that I think is extremely important to making sure that Canadians are safe in the workplace and that we are also facilitating our trade opportunities with individuals in other countries, coming into line with norms that other countries have so that we can facilitate trade.

It's a win-win. We're increasing prosperity by making sure we have excellent trade relationships, and we're also making sure that Canadians are safe in the work site from hazardous chemicals or goods.

• (0910)

Mr. Scott Armstrong: This is the last question, Minister.

In both of our backgrounds, mine as an educator and yours as a pediatric physician, we've dealt over time with families who have experienced critically ill children. I know this is near and dear to both of our hearts.

Can you elaborate a bit on the impact that the changes we have made to support parents of critically ill children is going to have on Canada?

Hon. K. Kellie Leitch: This is something that I think this committee has looked at before, in Bill C-44. I know that many of you were on the committee at that time.

From a personal perspective, I think this is extremely important legislation. Those of you who have children or those of you who deal with children know that making sure a parent is with them at a time of need is exceptionally important. I can't really describe to you how important it is to the child, albeit I've seen many times in an intensive care unit what the difference is in their well-being and recovery when their parent is there.

To take the economic burden, the issue of concern for a parent, off their shoulders so that they can focus on what is the most important asset they have—their child—at a time of great stress is, I think, extremely important. The things that we can do—and I'm delighted to say that all members of the House supported this legislation, both the government as well as the opposition parties—have created a phenomenon whereby I think Canadian parents are well supported in one of those most critical times in life.

The Chair: Thank you for that round.

Mr. Cuzner, you have seven minutes.

Mr. Rodger Cuzner (Cape Breton—Canso, Lib.): Thanks very much, Mr. Chair.

It's great to see the minister here today, and the officials. Thanks very much.

I want to dovetail off a line of questioning that Ms. Sims had with regard to the change in the definition of “danger”. You alluded that it bubbled up from the front-line officers.

Would you have been made aware of the need to change the definition when you first took over the ministry? When do you remember first dealing with the issue of the change?

Hon. K. Kellie Leitch: I'm trying to think. To be frank with you, I don't know a date off the top of my head.

What I can tell you is that a budget—

Mr. Rodger Cuzner: Would one of the officials be able to supply that?

Hon. K. Kellie Leitch: I'm happy to ask them to.

What I can tell you is that this was done in budget confidence. I was not a minister at the time it was considered. Also, even as a minister I'm not privy to what was placed in the budget, so I'll ask the deputy if she has a comment as to that point.

Mr. Rodger Cuzner: No, I only have the seven minutes.

Would it have been long enough ago that you would have been able to run this by the regulatory review committee, or the committee that your predecessor Minister Raitt put together, the Advisory Council on Workplace and Labour Affairs. Would it have been run through those two?

Hon. K. Kellie Leitch: With respect to the advisory council that I have, it had not been established by that time. It is at ministerial discretion, so it had never come to that body because that body had not met.

I'll let the deputy comment on your other question.

Ms. Hélène Gosselin: With respect to the regulatory review committee, we will be discussing with them—

Mr. Rodger Cuzner: So it hasn't....

Prior to the change, it hadn't been—

Ms. Hélène Gosselin: Not to my knowledge.

We normally discuss regulations and regulatory changes with that committee.

Mr. Rodger Cuzner: Is that where we are now? We're going to make changes to labour in this country through the budget process—

Hon. K. Kellie Leitch: Roger, could you let—

Mr. Rodger Cuzner: —as opposed to through the department?

The Chair: The minister is intervening here.

If you could let Madam Gosselin finish her comment, that would be appreciated.

Mr. Rodger Cuzner: The question was whether it was brought before the advisory committee before the change, and I think that answer was no, so I got that answer.

Ms. Hélène Gosselin: I wanted to clarify that you mentioned the regulatory affairs committee. We discuss changes to regulations at that committee. We will be proceeding with changes to regulations, and we'll be discussing those with the committee.

Mr. Rodger Cuzner: I contend that the answer was “no”, prior to the change in the definition, that this was done within the budget. I'm not sure what degree of good that has for labour relations in this country, when it's outside of the department and it's done within the finance department.

Minister, if I could, the tripartite consensus process is one that has served labour well in this country. Do you believe in the process?

• (0915)

Hon. K. Kellie Leitch: Since becoming the Minister of Labour, I've met with stakeholders, whether they be union or non-unionized employees, employers, and individuals who would be directly impacted by federally regulated companies, on literally hundreds of occasions. I think it's extremely important to have the views of Canadians represented. Whether it is meeting almost weekly with Jerry Dias, speaking weekly with Hassan Yussuff, making sure that the steelworkers in the country are well heard, and speaking with Ken, I think these are very important items. I will continue to consult with employers and employees.

Mr. Rodger Cuzner: Specifically, the tripartite consensus process is a process that has served labour—

Hon. K. Kellie Leitch: Yes, absolutely.

Just by way of example—

Mr. Rodger Cuzner: You believe in that. Okay, so—

Hon. K. Kellie Leitch: Roger, may I finish?

So that I'm very clear—

Mr. Rodger Cuzner: Mr. Chairman....

The Chair: Do you have a point of order?

Mr. Rodger Cuzner: No, but—

The Chair: Just let the minister finish her answer and then you'll have your answer. I'll add the time to this, but unless it's a point of order, let the minister speak, please.

Hon. K. Kellie Leitch: By way of example, I became the minister on July 15, and in the third week of August I met with the tripartite. I sat down and had what I thought was a very constructive conversation. I continue to function in that matter. I think it's extremely important that all parties are represented at the table and that we receive meaningful input continually.

Mr. Rodger Cuzner: Bill C-525 changes the fundamental way that employees can organize, and the government supported it. Minister, you stood and supported it.

Mr. Calkins' claim at the time was that union organizers can be dismissed if it's a one-off thing, but that they see a mountain of complaints that end up in labour relations. This is concerning. We know, from CIRB, that the “mountain of complaints” was two complaints, out of 4,000 decisions.

Minister, surely you can't see that as a mountain of complaints.

Hon. K. Kellie Leitch: So Bill C-525—a private member's bill, not government legislation—really focuses on democracy as a fundamental component of Canadian society. Based on feedback from stakeholders, and also from our government and from this committee, key amendments were made to that bill and it moved forward. We live in a free and open democracy. Individuals are elected to the House of Commons. It came to this committee for discussion and debate. Amendments were made to it, which I must say I was very pleased with. Also, I think many people from all parties were pleased. The amendments ensured that all federally regulated workers would have a democratic free right to a fair and secret ballot.

So I strongly encourage people to reflect on—

Mr. Rodger Cuzner: Madam Minister, I think, to a witness, for the most part, they mocked this bill. FETCO; Hassan, who you made reference to; and CLC said there was no need for this bill.

So really what you're saying is that ideology is actually trumping evidence, because there was no evidence of any need for this bill.

Hon. K. Kellie Leitch: Well, I think the evidence was that you passed the amendments at this committee. Amendments were brought forward because there was a thoughtful, constructive discussion here. I was not present for those discussions. It was a private member's bill. The amendments came forward and they went to the House of Commons as well and were voted on. That's what a free and open democracy does. It considers private member's bills as well as government legislation. Regarding bills that are brought forward by the opposition, I think our government has done a great job of evaluating those things on their merit. Evidence alone is that there have been opposition bills that have been openly supported by our government because they were good public policy.

So as I say, with Bill C-525 it was brought—

Mr. Rodger Cuzner: Could you name a couple of those?

Hon. K. Kellie Leitch: There was Elizabeth May's bill on Lyme disease.

Mr. Rodger Cuzner: One....

Hon. K. Kellie Leitch: So let's be very clear—

Mr. Rodger Cuzner: One was her bill on Lyme disease, okay.

Hon. K. Kellie Leitch: I think Lyme disease is a very important issue to deal with. Don't you, Roger?

Mr. Rodger Cuzner: Yes.

Hon. K. Kellie Leitch: As a physician, I do. I see it in clinic.

The Chair: Okay. We're going to end it at that point. We're over time. I did add some time on there for you.

Now we are on to Mr. Butt for seven minutes.

• (0920)

Mr. Brad Butt (Mississauga—Streetsville, CPC): Thank you very much, Mr. Chair.

Welcome, Minister and officials. It's great to have you here.

Just on the last points that were made, I actually asked the witnesses if they objected to secret ballots and they said no. So that's what we did. We did exactly what the witnesses indicated they had no objection to, with respect to Bill C-525.

I'd like to talk about occupational health and safety, Minister, if we can. You did say in your presentation that from 2007 to 2011 the number of disabling injuries for all federally regulated sectors declined by 22%. I think that's great. We're moving in the right direction. Having fewer and fewer injuries in the workplace is obviously where we want to be, and the goal is to get to zero, obviously.

Would you be able to explain to the committee what strategies the labour program employs to produce this level of success?

Hon. K. Kellie Leitch: Thank you very much for the question. I appreciate it. As an orthopedic surgeon myself, I have to say that the health and safety components in the workplace are something I remain very focused on. Making sure that Canadians who go to work healthy return healthy is very important.

Our health and safety officers—individuals who are available 24 hours a day, 7 days a week, with respect to issues that employees may be concerned about—do outstanding and dedicated work. These are individuals who understand the workplaces they are working in and work diligently with the employers and employees to make the environments that these workers are in even safer.

Our work, as mentioned, is paying off. Over the last 12 years, between 2000 and 2012, there's been a 30% decline in the rate of disabling injuries and fatalities for federally regulated workplaces. This is something that Canadians and our program should be very proud of.

Specifically with respect to items in the workplace, items that the labour program focuses on, one thing I will point out to individuals of the committee, and also to Canadians in general, is the Canadian Centre for Occupational Health and Safety. I think it's an unknown gem, a great centre established in 1978 that promotes well-being and works with Canadians providing information, training, education, and management systems to support health, safety, and wellness in the workplace.

Kin Choi, our ADM, is the chair of that centre. It does outstanding work and I think has been truly the big contributor to making sure workplaces are safe across the country. A lot of its services are free, and I encourage all Canadians to access it so they can create a safer workplace.

Mr. Brad Butt: Obviously we studied Bill C-4 as a committee, and there was some concern that was raised that employees in federally regulated workplaces will not be able to refuse dangerous work situations. I don't believe that's true, but obviously there was some concern.

Can you re-emphasize to the committee that the changes in Bill C-4 still obviously permit any individual who believes that they're working in an unsafe environment to refuse that work and to file a complaint in the appropriate way, either with their employer directly or through the labour ministry? Because I think there's a lot of misinformation going around that somehow all of a sudden thousands of people can't refuse dangerous work now as a result of the changes to Bill C-4. Can you re-emphasize what the rules are, the changes under Bill C-4?

Hon. K. Kellie Leitch: I want to be absolutely clear, as I have been in numerous conversations including here in committee. Canadian workers can absolutely, unequivocally respond by saying that they can refuse work in the work site if they think it is dangerous. That has not changed. It is extremely important that Canadian employers understand this, and employees understand that they have this right to refuse work.

In addition to the right of employees to refuse dangerous work, which is paramount in the legislation, they also have a right to understand exactly what's going on, and to be educated with respect to it and what their workplace environment has. They also have a right to be educated on what those protections are on the work site. It's extremely important. This is paramount and a focal point of the legislation and that emphasis, that focus, that protection of workers, has not changed.

• (0925)

The Chair: You have another two minutes.

Mr. Brad Butt: Oh, still? All right.

Can you please explain to the committee what the role of the labour program is when an accident or injury is reported in a federally regulated workplace?

Hon. K. Kellie Leitch: With respect to specific operations on the ground, this is something that part II of the Canada Labour Code covers, and I'll have Kin Choi walk through what the specifics are so that everyone has a clear understanding. We also have—it's easy to find in the code—a specific outline if you'd like to refer to it.

Mr. Kin Choi (Assistant Deputy Minister, Labour Program, Compliance, Operations and Program Development, Department of Employment and Social Development): Thank you.

I often say to the minister that we're the good guys. We come into the workplace to ensure that health and safety is being adhered to. We take a graduated approach and a proactive approach. We use our knowledge of the industry, of what's dangerous, and we go out and we talk to both the employer, the employees, and their representatives and create a facilitative compliance environment.

Where there are dangerous situations, we will address them. We will provide at first, if it's not a high-risk type of situation, what we call an ABC. It's a voluntary compliance system where both parties will commit to a hearing to improve the situation, from formalizing with a direction that the employer has to fix a dangerous situation all the way to prosecution when there are major injuries and fatalities. So we're quite proud of the work that our health and safety officers do every single day. They're available 24-7 to ensure that workplaces are healthy and safe.

The Chair: Thank you very much. We're right on time.

Now we move to the second round, which is the five-minute round.

Madame Groguhé.

[*Translation*]

Mrs. Sadia Groguhé (Saint-Lambert, NDP): Thank you, Mr. Chair.

I would also like to thank the minister and her advisors for appearing here today.

My first question is about asbestos.

Hon. K. Kellie Leitch: Excuse me, but I can't hear the simultaneous interpretation.

I understand 60% of what people are saying, but—

[*English*]

The other 40% I may not get, so....

The Chair: We'll pause your time.

[*Translation*]

Mrs. Sadia Groguhé: It looks like the simultaneous interpretation is working now.

My question is about asbestos.

In 1997, the Institut national de la recherche scientifique recognized that asbestos is a carcinogen. Consequently, France prohibited its use, sale and importation. Seven other countries did so as well: Germany, Italy, Denmark, Sweden, Switzerland, Norway and the Netherlands.

In 2005, the World Health Organization stated that this was a necessary measure for the protection of human health and life.

Can you explain why, in 2014, the government continues to authorize and even promote asbestos if used appropriately?

[*English*]

Hon. K. Kellie Leitch: I guess what I'll speak to, as I mentioned before, is our view at the labour program that asbestos is a long-term health risk. Because of that, we view it as an imminent danger in the workplace and we encourage any employer and employee to come forward with those concerns and refuse work.

The labour program is very clear. If you consider yourself to be put in a challenging circumstance, whether it be with regard to a chemical or a circumstance of work, or whether you think you may be put in a position where you may be injured, bring that to the

attention of the employer and also to the attention of the labour program, so that we can intervene.

[*Translation*]

Mrs. Sadia Groguhé: Madam Minister, obviously, if the employee has the right to refuse work, that's a good thing and we are happy about that. However, the INRS, WHO and the countries I mentioned earlier have forbidden the use, sale and importation of asbestos.

Why doesn't the government want to take things a step further with respect to asbestos?

• (0930)

[*English*]

The Chair: On a point of order, Ms. McLeod....

Mrs. Cathy McLeod (Kamloops—Thompson—Cariboo, CPC): I wonder if we're drifting a little from the main estimates when we're heading into WHO and those sorts of issues. I know that health and safety is important, but again I think we're drifting a little from the main estimates here.

The Chair: Your point is taken. Typically my experience has been that we allow some latitude when the minister is here, but I will point out to the member to try to get to the point of why the minister is here, which is review of the estimates.

I'll let you have a little latitude, but please get to the point of how this affects our discussion today, which is around the main estimates.

[*Translation*]

Mrs. Sadia Groguhé: Okay, Mr. Chair.

I think that the use of asbestos is a significant hazard that some employees could be subjected to. That's why I'd like to know if the government plans to reduce the use of asbestos, as many countries did years ago.

[*English*]

Mrs. Cathy McLeod: I have a point of order.

The Chair: Yes.

Mrs. Cathy McLeod: As my honourable colleague knows, mining is within the jurisdiction of the province. We are here talking about federally regulated workplaces, and we're also talking about the estimates as they relate to the labour program.

So again, to drift into areas of provincial jurisdiction I think is probably not appropriate at this time and would, again, hope that we stick to what we're supposed to be focused on.

The Chair: Madam Groguhé, stay on the main estimates.

[Translation]

Mrs. Sadia Groguhé: Mr. Chair, I would just like to say that we can't not consider asbestos to be a hazardous material. For me, this is a major issue that concerns worker health and safety.

I will move on to my next question.

The budget implementation act will update the Workplace Hazardous Materials Information System, which is a good thing. However, Canada committed to implementing the measures in the Globally Harmonized System of Classification and Labelling of Chemicals by June 1, 2015.

Why delay? Why not move forward now and implement the globally harmonized system? What are the reasons for the delay?

[English]

Hon. K. Kellie Leitch: Well as I mentioned before, in economic action plan 2014, we actually are moving forward with respect to this, which I agree with you is essential. We're moving forward in compliance. I will do one thing. Kin Choi is the assistant deputy minister who is responsible. He can probably give you some more details with respect to it. But as I mentioned, it is a priority for our government that is mentioned in economic action plan 2014, our budget this year that we're moving forward.

Mr. Kin Choi: Thank you.

To build on what the minister has said, she's absolutely right. That was part of the economic action plan; this Health Canada leads. The implementation takes effect when the legislation is passed and there's regulatory work to be done. We've been working very closely with Health Canada and with the provinces and territories. We've had some advance work in what we call the model OSH, so that all jurisdictions will be implementing in a similar way.

The minister mentioned earlier the Canadian Centre for Occupational Health and Safety. They've also been involved with setting up training so that we're ready to train employers. I'm pleased to say that this work is well under way, and I expect that employers will be ready and we'll be able to meet our deadlines.

The Chair: Thank you very much.

That's the end of that round.

Now we go to Mr. Mayes for five minutes.

Mr. Colin Mayes (Okanagan—Shuswap, CPC): Thank you, Mr. Chair. Thank you, Minister, and departmental officials for being here today.

Minister, you are a key player in our free trade agreements, and of course, our government has had an aggressive expansion of trade agreements. It gives Canadians an opportunity to find new markets for their goods. Also, it helps those countries that we sign these trade agreements with. Many are developing economies, so it helps them become more prosperous.

Minister, you incorporate some of the principles of Canada's labour standards in those agreements to assure us that the people we're trading with respect labour standards. I think this is very important, so I wonder if you could expand on this as far as our trade agreements go, and expand on why it's important. I think it's

important to Canadian workers, too. I think it's important to our national economy. Could you kind of expand on that?

I'm also not too sure about the monitoring after the agreement. Is that under your department?

As we increase the number of countries we're dealing with, with free trade agreements, is that going to cause any stress on the costs for people to make sure that's funded?

• (0935)

Ms. Jinny Jogindera Sims: Mr. Chair.

The Chair: Yes, Ms. Sims.

Ms. Jinny Jogindera Sims: I heard your ruling earlier about staying close to the estimates, even though we do all wander a little bit from them, so I would ask the chair to use the same lens for all members.

The Chair: I agree. I think that's a fair point, and I'll ask the member to keep on the line of going to the estimates. I sense it's a preamble to getting to where you want to go with estimates.

Mr. Colin Mayes: Then, Minister, do you have a figure of what that cost is in the estimates for that monitoring, and the sort of work your department does in those trade agreements? There must be some costs.

Hon. K. Kellie Leitch: To be clear for all members of the committee, the labour program has a very robust international program. So I would think—not to direct our Chair, but so that we're all very clear—the labour cooperation agreements that we have negotiated with eight countries, and we are working with 30 additional countries, are an essential part of our free trade agenda and what we're doing. It is an essential part of the labour program so it is, I would think, within our domain.

To the point that you asked, what do we include with respect to what we're moving forward with is a commitment to making sure under the International Labour Organization's Declaration on Fundamental Principles and Rights at Work, the right to free association, the right to collective bargaining, the abolition of child labour, the elimination of forced or compulsory labour, as well as the elimination of discrimination. These are essential components to our labour cooperation agreements that are part of our free trade agenda, the most ambitious trade agenda expansion in our country's history, and are essential component parts. We want Canadians to be on a level playing field, but we also want the countries we're working with to make sure they're increasing and improving their standards if needed. Our labour program works with those countries, with specific organizations, to improve their labour standards.

By way of example, in Honduras and Panama we have an outstanding program of building labour law compliance, making sure their labour standards are improving. In Jordan, we are promoting fundamental principles and rights to work, again making sure that the employees are empowered and understand that they have a right to work and what those rights include, so they are not put at risk.

With respect to the specific number, I'll ask the deputy to make a comment. Then if you have other questions, I'll be happy to take them.

Ms. Hélène Gosselin: I don't have a cost estimate. We do monitor and implement the labour cooperation agreements, and the funding activities that we undertake are part of that. We do have a labour funding program, which is a line in the estimates, and it's just over \$1.7 million dollars in this fiscal year. The vast majority of the labour funding program goes to support the implementation of our international activities in terms of cooperation activities.

The Chair: You have a minute.

Mr. Colin Mayes: Minister, do you respond? After the agreement is signed and there's an understanding, is there monitoring through maybe responding to complaints or is there a scheduled inspection, this type of thing?

Hon. K. Kellie Leitch: In each one of the agreements that are struck, whether it be a separate labour cooperation agreement or a chapter embedded in a free trade agreement, there is a dispute mechanism. That dispute mechanism exists so that Canadians are well protected. We are making sure Canadians have a level playing field when they're in that environment. This becomes a win-win for Canadian workers. It is an opportunity for us to be expanding the number of jobs in Canada because we're increasing exports and imports, and therefore, increasing a need for maybe the goods that they're producing at their plant, but also, at the same time, making sure that the standards in another country are kept up to Canadian standards.

If there's a concern, individuals can move forward and register their dispute, and then a body will take a look at that. We want to make sure Canadian workers are protected on all levels and Canadian firms and workers have a level playing field in the global economy.

• (0940)

The Chair: Thank you, Minister.

Go ahead, Madam Sims.

Ms. Jinny Jogindera Sims: Thank you very much, Minister. I have a number of questions, Minister. Our time is so limited, so I would really appreciate dense answers as well.

What I want to get down to now is this. The minister has said that the President of the Treasury Board can decide if a job is essential. What is the definition of "essential", and what is that definition based on?

Hon. K. Kellie Leitch: I guess I will say that, if the question is for the President of the Treasury Board, you may want to ask the President of the Treasury Board.

Ms. Jinny Jogindera Sims: Minister, I think it's more a political question, so that's why I'm directing it to you. Let me just clarify it a little bit more.

I will get to the estimates.

The Chair: I'm listening and I've allowed it, and I keep making the point.

I don't want to have to cut you off and not allow more questioning, but really, members, it's evident that through your questioning and your preambles, you're making certain political points. Really, the minister is not here to answer the broader range of political questions. She's here for the estimates today, so please, get to the point or else I'll have to make a ruling.

Ms. Jinny Jogindera Sims: I appreciate your clarification, Chair. It's just that usually we've had a little bit more latitude than this. I will continue with a round of questioning on what the minister has actually talked about today.

Minister, you've talked a fair bit about the free trade agenda and how much it adds.

The minister did speak about this, so I believe, Chair, it does allow me to pursue that for questions.

The Chair: I'll allow it as long as you can tie it back into the estimates.

Ms. Jinny Jogindera Sims: Yes, I will.

Minister, one of the things you've said is that the free trade agreements you have signed have led to a "level playing field" for Canadian employers and also have led to "creating...well-paying jobs", and I'm quoting you on that. My major concern right here is that, with the numbers we are seeing for employment, there is a growth in part-time jobs.

Mrs. Cathy McLeod: I have a point of order, again, Chair.

Again, we're talking about employment. Those were opportunities for when Minister Kenney was here, in terms of those issues.

I think, again, if we could really focus in on the labour program and the main estimates, that would be of value to our discussion here today.

The Chair: We're just rehashing the same points of order. I'm going to allow the minister to respond to this question.

Hon. K. Kellie Leitch: First, I just want to be clear. With respect to the labour market, which is what you're addressing, that is the responsibility of Minister Kenney, the Minister of Employment and Social Development. Our government has been very clear. We're focused and we have been since 2009, at the downturn of the recession, on creating jobs and prosperity for Canadians. We know that over the course of the downturn of the recession until now, we've facilitated the creation of over a million new jobs in Canada. This is exceptionally important. We are the lead in the G-7. It is something that Canadians should be proud of and a reason why our economy continues to move forward.

Now, do we live in a fragile economy? The global circumstance is exactly that. I think we all need to remain diligent, and that's why you've seen this gradual movement by our government to balance our budget and a gradual movement to make sure programs are evaluated well and then implemented, so Canadians have opportunities for employment. Whether those be the new apprenticeship grants that are available to young Canadians, grants and scholarships so they can complete their education, or the Canada job grant, where there's a huge opportunity for Canadians to be provided the training they need to be employed, these are opportunities for Canadians—

Ms. Jinny Jogindera Sims: Minister, I just have one more tiny question, please.

• (0945)

Hon. K. Kellie Leitch: No problem.

Ms. Jinny Jogindera Sims: We talked about the 80% and 20% of the claims that were allowed. What happens to the 20% of claims that were sort of allowed under the old definition, and how are they disadvantaged by the new definition?

Hon. K. Kellie Leitch: Based on the definition of danger, there is no disadvantage to those individuals.

As I mentioned before, any individual, any worker—and I encourage them to if they consider themselves in this circumstance—can refuse work if they find they are in a dangerous circumstance. I would encourage workers to do that. If you're concerned, please move forward. We want to make sure the workplace is safe for you, but also for those other Canadians who may find themselves in that circumstance. We get to evaluate—

Ms. Jinny Jogindera Sims: Thank you.

Hon. K. Kellie Leitch: I just want to finish. As the deputy mentioned before, all of these were evaluated still. There is still a mechanism.

Ms. Jinny Jogindera Sims: I understand that.

Within the main estimates, Canada Industrial Relations Board states that it will transition to a new common document and information management and service delivery system, with several similar organizations, in order to mitigate financial pressures. Can you list specifically what is meant by similar organizations?

Hon. K. Kellie Leitch: With respect to the CIRB's plans for transition to a new common document management, I'm happy to say that we continue as a labour program to look for ways to modernize and make opportunities for employers and employees to access our systems, so that what we do is more accessible to them.

The CIRB is an independent quasi-judicial tribunal. The CIRB manages its own operations, so I'm not focused on those details. Tony Giles may know some of those details, but I would strongly encourage you to speak to Elizabeth MacPherson, the chair of the CIRB, because she is managing that transition plan. As I say, they're an arm's-length organization, and Elizabeth as the chair focuses, and is focused right now, on finding that transition, which I think will be a benefit to all Canadians.

The Chair: Thank you, Minister.

That ends our first hour of business.

We appreciate your being here, taking the time to come today to deal with the questions. We did get a little off track at times but we appreciate the time you've taken here today with us. Thank you very much.

We'll take a pause just very quickly as the minister exits.

Committee members, please stay close because we have lots to deal with here.

• _____ (Pause) _____

•

• (0950)

The Chair: I call the meeting back to order.

Before we move on to our next set of witnesses regarding the labour market development agreements, we have one piece of business I'd like to take care of, and that is the motions required as a result of the minister's visit. I will just run through them as quickly as I can, so bear with me, committee members.

Pursuant to Standing Order 81(4) the main estimates for the fiscal year ending March 31, 2015, were deemed referred to several standing committees of the House as follows...and it goes through the narrative that we had the minister here today.

I'd like to call the following votes by committee members.

CANADIAN INDUSTRIAL RELATIONS BOARD

Vote 1—Program expenditures.....\$11,823,711

(Vote 1 agreed to)

CANADA MORTGAGE AND HOUSING CORPORATION

Vote 1—To reimburse Canada Mortgage and Housing Corporation for the amounts of loans.....\$2,097,353,000

(Vote 1 agreed to)

CANADIAN CENTRE FOR OCCUPATIONAL HEALTH AND SAFETY

Vote 1—Program expenditures.....\$3,978,250

(Vote 1 agreed to)

EMPLOYMENT AND SOCIAL DEVELOPMENT

Vote 1—Operating expenditures and.....\$571,067,134

Vote 5—The grants listed in the Estimates and contributions.....\$1,227,675,995

(Votes 1 and 5 agreed to)

The Chair: Shall I report the main estimates 2014-15 to the House?

Some hon. members: Agreed.

The Chair: Thank you very much, committee members, for moving through that quickly.

Now we move on to the second hour of our meeting. It actually won't be quite an hour because, witnesses, we have to do some committee business for the last 15 minutes, so it will be about a 45-minute session. This is for the study of our renewal of the labour market development agreements, the LMDAs.

We are pleased to be joined by Ms. Monique Moreau, director of national affairs of the Canadian Federation of Independent Business, who is with us here. Ms. Cammie Peirce, national representative from the national office of Unifor, is with us by video conference.

Each of you will have a presentation time of up to 10 minutes, so let's begin with Ms. Moreau for 10 minutes.

Ms. Monique Moreau (Director, National Affairs, Canadian Federation of Independent Business): Thank you, Mr. Chair.

As many of the members know, CFIB is a not-for-profit, non-partisan organization representing more than 109,000 small and medium-sized businesses across Canada that collectively employ more than 1.25 million Canadians and account for \$75 billion, or nearly half of Canada's GDP.

Our members represent all sectors of the economy and are found in every region of the country. Addressing issues of importance to them can have a widespread impact on job creation and the economy. CFIB's position on issues is based on feedback from our members, gathered through a variety of surveys. We then pass those results on to you and decision-makers like you so that you can incorporate the perspective of smaller companies into your decisions.

You should have a slide presentation in front of you that I'd like to walk you through over the next few minutes.

Given their clout in Canada's economy, getting the small business perspective on how their businesses are doing can help us understand where the economy is going.

Slide 3 indicates an excerpt of April's Business Barometer, which is produced monthly to track the business expectations of Canada's small business community. The latest barometer from April 2014 shows some improvement, with the index rising to 65.7%. An index level of between 65% and 70% usually means that the economy is growing at its potential. So far, business operating conditions in 2014 have been stable, but not overly robust. We're seeing some improvements in the prairie provinces, but only 37% of business owners see their businesses as being in good shape, one of the lowest readings we've had since mid-2010. So the economy is still showing some sluggishness.

To help us get through this sluggish economy, we believe that governments need to address the issues of greatest concern to small businesses so that they, in turn, can focus their attention on hiring staff, growing their business, and thereby growing the economy.

As you can see on slide 4, although small business owners remain concerned with the total tax burden and the impact of government regulations and paper burden on their businesses, employment insurance and the shortage of qualified labour remain priority issues for nearly half of our business members.

The shortage of qualified labour is an issue because of our job vacancy rates. As you see on slide 5, Canada's job vacancy rates remained stable in the fourth quarter of 2013. Private sector employers reported that 2.5% of jobs were vacant in the last quarter, October to December—no change from the quarter before. However, when you consider these vacancies by size of business, smaller businesses have the highest average of unfilled job rates. Firms with fewer than 19 employees have vacancy rates averaging 4.6% in the last quarter.

When you break down vacancies by skill level, as shown on slide 6, we see that over half of the jobs small businesses hire for are those that require on-the-job training. Our research shows that SMEs invest \$18 billion a year in training. Much of this is invested in Canadians who come to work in small businesses, often for the first time.

When broken down by cost, you see the investment by type of employee on slide 7. It's particularly substantial when training a new hire with no previous experience. Part of the reason training costs so much is not because they're sending these new hires off to training courses, but rather because of the time spent either by the owner or another employee training, in the business, in an on-the-job, informal way.

The committee may be interested to know that we are in the process of updating this data and plan on surveying our membership on this issue later this year.

You've seen the investment that small businesses make in the training of their employees. What can government do to help small businesses continue to train and then hire individuals? We asked our members, and overwhelmingly respondents indicated that training tax credits, a reduced tax burden, and a break from EI payments during the training period were deemed to be the most useful. Conversely, new taxes on employers, to be used for training, was very unpopular, as you see on slide 8.

As this committee considers the substantial funding available for training Canadians to return to the workforce—nearly \$2 billion—CFIB strongly suggests that you keep the small business owner in mind. SMEs pay over half of the EI premium and should have some say in how this training money is spent.

To that end, we ask the committee to consider the following recommendation as outlined on slide 9. Ensure that any funds administered through LMDAs recognize the informal, on-the-job training that SMEs conduct across the country. Employers are already involved in the development and training of employees, but government funding needs to recognize this type of training.

It also needs to recognize the realities of running a small business. Any training opportunities or programs created should be easily administered, low cost, and have little red tape. There is a lot of money at play in the LMDAs. Some options of spending it in a way that focuses on employers would be to introduce an EI training credit, renew the EI hiring credit, or provide an EI holiday for some small businesses.

Lastly, and importantly, there needs to be a public accounting of how the LMDA funds are used. Part of this money is paid for by employers, and an accounting of how this money is spent is critical for taxpayers.

• (0955)

This concludes my presentation and I look forward to your questions.

The Chair: Thank you very much.

Now we move onto Ms. Peirce, by video conference, representing Unifor.

Please proceed.

Ms. Cammie Peirce (National Representative, National Office, Unifor): Good morning.

Unifor appreciates the invitation to appear before the Standing Committee on Human Resources, Skills and Social Development and the Status of Persons with Disabilities, in view of its labour market development agreement study.

We want to point out the important role that LMDA funds have played in assisting unemployed workers train for and find new employment. A tracking study of laid-off workers conducted by a McMaster University researcher documented the improved outcomes for laid-off workers who had access to training programs.

Training programs will not be successful if people who need the assistance cannot access the program. To qualify for EI part II tuition and training benefits, the unemployed worker must qualify for benefits under EI part I. However, less than four in 10 unemployed Canadians are receiving EI benefits at any given moment. This shrinking number is, in part, a result of the increase in precarious contract, temporary, and part-time employment.

Improving access to EI part I benefits will increase unemployed workers' opportunity for retraining, and ultimately, for more stable and secure employment. We support increasing access to all EI benefits by reducing the qualifying hours to 360 hours in all regions of Canada.

Unifor wants to emphasize the related need to extend EI part I benefits when a worker is in an approved EI part II program. Since it is a burden on the LMDA budgets, provinces provide only a small living allowance, if they provide anything at all. As well, it's typically family-tested, as if the allowance were a form of social assistance. Unlike social assistance, EI is not financed from public taxes. It is a social insurance program funded by weekly payroll premiums paid by workers and their employers.

EI provides income replacement for individuals, so family-income testing is not appropriate. During layoffs and closures, Unifor, actually former CAW members, usually women, were assessed very

low income allowances, as low as \$35 and in some cases nothing at all, because of their spouse's income. During the 1980s, workers were able to get EI—it was UI at that time—income benefits for up to two years if they were in approved training.

The lack of basic skills also represents a barrier to retraining programs, and ultimately, to sustainable employment. The extent of the problem was evident when CAW initiated adjustment programs for tens of thousands who had lost their jobs during the mass layoffs and closures that followed the 2008 economic crisis. As a result of our experience, we fought hard to ensure that Ontario's second career program included extended upgrading and literacy supports so that such workers had the prerequisites for college-level programs. Ministry staff said that they were surprised by how widespread the need for literacy and upgrading was in Ontario. Studies of the Canadian labour market as a whole have drawn similar conclusions.

The federal government is spending less than half of the maximum set out by the EI Act on the LMDAs. LMDA funding should be increased not only to address literacy and basic skills needs but also to include more specialized training programs that will lead to permanent full-time employment with decent wages. An LMDA funding increase would be financed through EI premiums paid by employers and employee premiums and not through government general revenues. Due to the current surplus, it would not be necessary to increase the premiums.

The success of training programs rests on providing workers with the skills required by employers as well as generic skills that provide workers with greater mobility in the labour market. Better collaboration is needed between stakeholders to address the labour market issues such as unemployment, training, and the rise of precarious work. A permanent federal labour market partners forum should be established to contribute to the successful training initiatives and to identify other labour market measures that are needed as part of a new Canadian job strategy. This strategy should stimulate the creation and maintenance of good quality jobs and not be limited to those in construction and resource sectors.

Provinces or territories without a labour market forum should be required to establish a forum with one of its responsibilities being an annual review and advice on how the LMDA and LMA spending priorities are made. Newfoundland and Labrador has established its own labour market committee, and the Forum of Labour Market Ministers report "Building Skills Together" highlights the Quebec labour market council.

In summary, our recommendations are to increase access to all EI benefits by reducing qualifying hours to 360 hours in all regions of Canada. This will allow more unemployed workers the opportunity to acquire the skills they need to find new employment.

We recommend extending EI part I income benefits for the duration of approved training under EI part II. Unemployed workers should have the opportunity to access training programs and still be able to provide for their children, buy groceries, and pay their rent.

● (1000)

We recommend expanding and insuring that EI part II funds include basic skills and prerequisites to training programs, as well as more specialized programs that will lead to permanent full-time employment.

We recommend increasing the LMDA funding to provide for these expanded programs. LMDA benefits are funded through EI premiums paid by employees and employers and would have no effect on the government's budget.

We recommend establishing permanent federal, provincial, and territorial labour market partners forums, and these forums would bring together the stakeholders, which are employers, labour, government, and educators, to shape and guide the LMDA program and a Canadian job strategy towards improving our workforce's skills and the quality of their employment opportunities.

Thank you for the opportunity to participate in this consultation.

The Chair: Thank you very much, Ms. Peirce.

Now we move on to our rounds of questioning. They will be five-minute rounds.

Go ahead, Madam Sims.

Ms. Jinny Jogindera Sims: Thank you very much. I want to thank both our presenters for bringing their perspectives to the table. I was really quite fascinated with the data here. It's always good to have data in front of us to help us move forward.

My first question is to Ms. Peirce from Unifor. As you know, with the Canada job grant, what it would look like was predetermined even before it was introduced, and it was, of course, universally rejected by the provinces and the territories. It took months to fix it.

Do you recommend a different kind of approach for negotiations of the LMDAs, and how would you see that rolling out?

Ms. Cammie Peirce: Yes, I would definitely recommend a different approach. When they rolled out the Canada job grant, it was done without consultation with any of the stakeholders. I think that was part of the problem with getting some acceptance. I know there were improvements made when they did some consultations, at least with the provinces.

I do think that in rolling out the LMDAs, it's important to talk to the stakeholders, which include employers, workers, government, and I think, educators, which is why I think we need to have that labour market partners forum.

● (1005)

Ms. Jinny Jogindera Sims: I'm actually quite fascinated by these forums. I can't wait for them to be established across this country and then to have a federal one.

As you know, access to EI is at a historic low; less than four in 10 unemployed Canadians are eligible today. I can only imagine then how restrictive this is in terms of access to training. I know that, in one of your recommendations, you actually encourage expanding that access.

Can you comment on this restriction? What other consequences are there of such limited access, especially for Canadians who really want long-term employment opportunities and don't just want to be those repeat offenders who we've heard about? How could access be improved?

Ms. Cammie Peirce: Certainly it's a pleasure to comment on that. I'm going to just relate an experience I had recently based on a closure. I had a woman come to me who had just returned to work from a maternity leave. She'd been off work, but it was a part-time job. Based on the fact that she'd been there for a long time, part-time work, not enough hours, she was facing a period of unemployment with no income replacement. So at that point in time accessing any kind of retraining program is not an option.

Her priority is going to be to find work, any work she can find. Ultimately, it will not be work that is long term and in her best interests, and likely not in the best interests of the employer, because she's going to take work where she doesn't plan to stay.

Ms. Jinny Jogindera Sims: Thank you. I think you've just pointed out one of the current dangers to getting the unemployed back to work to any job as soon as possible, and not looking at the long-term benefits.

Do you think it may be better to have them take part in skills development programs that prepare them for college or apprenticeship programs? What do you say about this sort of, as you mentioned, basic skills prerequisite training leading on to what I would call apprenticeships and other more skilled training?

Ms. Cammie Peirce: When we have people who are unemployed who have been working for a long time in the fields, they're not necessarily up to date when it comes to things like computers. If they've come into a job right out of high school, certainly they're going to be lacking in skills and it's going to be difficult for them to walk into those programs.

Initially, when we worked with people who had lost their jobs, they were not able to access training because they were not able to transition right into any of the approved training programs. So we were fortunate to be able to work with the Ontario MTCU, and it had some flexibility. We did establish some training programs that gave people the ability to have the skills they were going to need to go into these programs that were going to give them diplomas or certification. That actually gave them also the skills they needed to be able to transition from working to school. There is a bit of a transition there to writing a test from not having been in school.

So those were successful and those people were successful because not only did they have the actual skills, but they had the confidence. I think that's very important, especially when our goal is to be successful.

Ms. Jinny Jogindera Sims: Thank you.

How am I doing for time?

The Chair: You have about 10 seconds.

Ms. Jinny Jogindera Sims: Okay, I'll wait for the next round.

The Chair: Thank you very much.

Mrs. McLeod, you have five minutes.

Mrs. Cathy McLeod: Thank you, Mr. Chair.

Thank you to both the witnesses.

I guess I have a bit of a preamble. I think it's important to not look at the LMDA as being the catch-all for all our issues around employment. I think we need to really try to focus a little bit, and I do worry about that.

I just went on to the Canada Benefits website. It's a fantastic website. If you go to it, you can see that there are opportunities through the youth employment strategy program, through targeted initiatives for older workers, through the LMA, through ASETS, and through some programs that the provinces run. I guess I just don't believe that the function of the LMDA is to be a catch-all.

I also think we need to remember the goals. People talk about this EI surplus and I think we have to remember that the goal is that this is balanced over seven years. We had a number of years where there was a significant deficit in the last while, so again, to talk about it as a surplus I think is a bit of a red herring because we know the goal is over seven years.

I'm going to focus in, first of all, on the Canadian Federation of Independent Business. I was on the Red Tape Reduction Commission. Hopefully that's going to go lower and lower because I think there was some nice work done there. I see on page 4 it's down a little bit, I hope.

As to the shortage of qualified labour, I want to dig into that because that's been a bit of a debate in the House. Is there a shortage; is there not a shortage? The minister regularly and often says there's not a general shortage, but we certainly have shortages in specific sectors and in specific regions. Could you talk a little bit more about that and how the LMDA, especially as it might relate to mobility, might be able to support...?

● (1010)

Ms. Monique Moreau: Certainly.

We do know there are job vacancy rates and shortages of qualified labour all across the country. From our business owners we are hearing that they are struggling to find workers in all regions. It's not just the typical western Canada success stories that we're hearing. It is also in areas of the country, in Atlantic Canada and in central Canada. We do believe there is a labour shortage. We're hearing that from our membership, from the small and medium-sized enterprise community telling us that.

With respect to using LMDA funds, I appreciate your comments. I think it's something we're trying to stuff a lot of programming into. When you actually talk to a small business owner they don't say, "Oh, yes. My employee is succeeding because they went to an LMDA-funded program, that led them to a provincial training program, that led them to me." They're just pleased to have someone walk through their doors, who they need to then train. That's the key piece here. Training programs are important, and we support the literacy skills and some of the other programs for training for Canadians.

As our data shows, there is a significant amount of training that takes place on the job, regardless of what background or education you bring with you when you arrive at that position. It's important to think about that component.

In terms of mobility, it's a struggle in this country. The country is vast. When we're asking individuals to move across the country—a welder from Saskatchewan to move to Nova Scotia to take a position there—we don't necessarily see that kind of mobility happening in our country. I think that's why we have shortages across the country as we do.

Mrs. Cathy McLeod: You're talking about the on-the-job training and the cost. Can you talk a little bit about the new hire with experience versus the new hire with no experience? What kind of training is required for that new hire with no experience?

I know you represent such a wide sector, but can you talk a little bit about what the employer is needing to do? Is it strictly orientation activities or is it certificate activities? Is it more comprehensive than...?

Ms. Monique Moreau: I could spend all day speaking to that, per sector.

I think generally it is the kind of training that is involved in orientation. It can be very specific training depending on the sector or the kind of business that you're in. It can be also the kind of investment involved with training apprentices. That is a provincial issue, so I won't delve into it in great detail. Not all provinces are up to speed in terms of the amount of journeymen and women who need to supervise an apprentice. In some provinces it's three to one. That's a big cost involved in having three journeypersons monitoring and approving the work of an apprentice, so it really does span the sector.

Mrs. Cathy McLeod: Is there a direct connection right now between your small and medium-sized businesses, in terms of putting out their labour market needs with some of the provinces and the deliverers of these LMDA programs? Are you specifically connected right now?

The Chair: I'll have to interrupt. We're over on the time.

You could maybe save that for another round of questioning, or it could come back up in another round.

Now we move on to Mr. Cuzner, for five minutes.

Mr. Rodger Cuzner: Thanks very much, Chair.

I'm not even sure what the question is that I'm going to ask, but I'll figure it out as I lay it out here.

Ms. Moreau, your organization is a national organization. I think it sort of spades out a lot of good information.

The reality in New Brunswick and P.E.I. is completely different than it is in Saskatchewan and Alberta. In light of the LMDAs being bilaterals with the federal government, and that flexibility, you're wanting to address the issues of that specific province. Do you see benefit in trying to find out and determine the "why" as to...?

Anecdotally, you can see the why in the service industry. The guys who own the DQ and the McDonald's in Fort McMurray are having trouble because their wage rates don't comply with the cost of housing.

Your organization doesn't try to get to the why. Do you see any merit in trying to pursue that? Or in fact do you try to source that out when you do your surveys?

•(1015)

Ms. Monique Moreau: To the why for... I'm not sure I follow the distinction between the Atlantic and your example.

Mr. Rodger Cuzner: We're hearing now—and, again, it's anecdotally—that in Atlantic Canada, even in the service sector, they're losing people. Because of the changes to EI, they're being frightened out of the seasonal industries. We know that 53% of the regional GDP in Atlantic Canada is generated through seasonal industries. That's a very different "why" than in Fort McMurray, and I would think in many other areas of the country.

Ms. Monique Moreau: I think I catch your drift.

To speak to the seasonal component in particular, we carefully monitored the announcements made on changes to EI. I believe they were announced over a year and a half ago or so now. We were waiting to hear from our members. We expected a significant influx of calls from members in seasonal industries, or from other areas of the country that had benefited to this point from the way the employment insurance program was structured for those individuals.

We had a few phone calls, but not massive amounts. In fact, the people we heard from the most were urban landscapers, that kind of job where they're downtown and they are required to go within a radius of their home to find work. That work is available to them, where it's not necessarily available for individuals working in seasonal rural employment in Atlantic Canada, as you mentioned.

We don't have a study on that number yet. We have incorporated some of that into our studies of this training survey that I referenced in my presentation, and that will be coming later this year. From our perspective, anecdotally as well, we take our mandate from our membership; we were waiting for an influx of calls on those changes, but they never really came.

Mr. Rodger Cuzner: You didn't get them from Atlantic Canada?

Ms. Monique Moreau: We did get a few, but out of 109,000 members—

Mr. Rodger Cuzner: In Atlantic Canada?

Ms. Monique Moreau: —we didn't get as many as we had anticipated getting.

Mr. Rodger Cuzner: But, do you have 109,000 members in Atlantic Canada?

Ms. Monique Moreau: There are 109,000 across the country, I believe. Atlantic is...I want to say, 10,000 to 15,000 members, if you add all of the provinces together. I'll have to verify it. I can get those numbers for you, though.

Mr. Rodger Cuzner: Okay.

If I could, Ms. Peirce, a couple of other presenters had identified the fact that EI eligibility.... I think the example you gave was strong—the young lady who came off maternity leave.

Do you see a place there where the training should not necessarily be attached to a person receiving EI benefits? Do you think that training dollars should be available to others outside of that?

Ms. Cammie Peirce: Yes, I would say that training dollars need to be available to everybody, but I do think that the solution is recognizing the fact that we need to improve EI eligibility as well.

My focus was on improving EI eligibility because, based on our numbers, the number of unemployed workers who are collecting at any given time is four out of 10, which is dismally low, and that is reflective of a number of things. One is the number of hours that it takes to qualify and how difficult it is today to get those hours, especially if you're working contract jobs. Young people coming out of school working a contract job or a part-time job don't acquire the hours at the same rate either.

The Chair: Thank you very much. That's the end of that round.

We go on to Mr. Maguire for five minutes.

Mr. Larry Maguire (Brandon—Souris, CPC): Thank you, Mr. Chairman.

Thank you, presenters, for your informative presentations.

Minister Kenney, when he appeared before us last week, talked about the training for the sake of training, and I've seen it. I've worked with the organizations. There are funds going into different mechanisms across the country. Some of them do a really good job of trying to prepare people for getting into the workforce by developing, for example, a really good resumé.

Given the numbers that you presented to us today and the need out there for employment in some areas, because it is varying across the country in regards to the need right now, what would your organization think, particularly Ms. Moreau's in regard to the CFIB, about getting involved with your and like organizations to ensure that the labour market development funding is getting to the right places?

•(1020)

Ms. Monique Moreau: I think that speaks to our last recommendation, which is to ensure that they're publicly accounted for. Right now we don't have a very good method of tracing where the \$2 billion goes. We know that it goes to the provinces, and we know it goes to programs. But it's measuring the impacts of those training programs....

For small business owners who pay over half of the EI premium, it's important to them that they're able to say that they see where that money is going. It is a tax for them. It is an insurance program for the employee, but for the employer it's a tax. It's revenue neutral. They have to pay it, whether they make any money or not that year, and it's mandatory. For us that makes it a payroll tax. It is money that they don't necessarily link to the individuals walking through their doors every day looking for work.

I think it's important that we maintain some of the training programs that are successful, but that we innovate a bit and we look at some of the other programming that's available and ask whether it's serving the purposes it's supposed to serve. Is it connected to the labour market? Is it connected to what the needs are of employers across the country, and especially small business owners?

Mr. Larry Maguire: Yes, thank you. I want to expand on that. I come from an area that has a reasonable shortage of employment, I guess at this particular point. We have good training and community colleges and universities across the country. The point there, I guess, is to look at your own presentation here today, chart 6. There's on-the-job training required by over half the companies in Canada, or half the small business groups, SMEs, in Canada, which we know drive about 80% of the economy. How do you see the Canada job fund fitting into this?

I've had good presentations. From my perspective people are saying, if we as a business can actually have a chance to put funds into a training program like this that fits into the needs of what universities or particularly community colleges and trade schools are already offering, it will be a very good opportunity for us to know that the employee is going to come back and work with us. Can you just expand on that or give us your view of how you see that working?

Ms. Monique Moreau: Is it the Canada job grant, you're speaking to? I think it's important that SMEs get a chance to, as you say, speak to some of the initiatives available to them. We are cautiously optimistic about that program. I think as long as the grant is easy to administer, has low red tape—as the member indicated earlier—and reflects the realities of running a small business, then it really could have some legs.

We're not necessarily in a place right now.... Maybe a forum for employers, employees, and stakeholders, as Ms. Peirce mentioned, is a solution, but connect the jobs available to Canadians right now and the training that individuals are getting in colleges and universities. Make sure that they meet in the middle, because that's not necessarily the case right now.

Mr. Larry Maguire: I have just another quick question, if I could, Mr. Chairman.

What do you think we could do to have greater opportunities for a mobile workforce? You mentioned maybe there's some interprovincial needs there, and I wonder if you could expand on how you think we can have a more mobile workforce to meet some of the demands that vary across the country.

Ms. Monique Moreau: As a country, we do so much to negotiate free trade agreements externally and to smooth barriers to do that, but we don't do enough of that internally. It's a long-standing problem in this country. Internal mobility is a problem for a variety of reasons. I don't want to expand too far away from the LMDA discussion today, but it is something that I think we need to address, as a country, if we're going to encourage individuals from one coast to move to the other.

Professional associations have a role to play in this in recognizing the work and making that easy, limiting the amount of red tape in order to encourage individuals to move and to seek out new opportunities in other areas of the country.

The Chair: Thank you very much.

That's the end of that round. Now we'll move to Monsieur Brahmi for five minutes.

•(1025)

[*Translation*]

Mr. Tarik Brahmi (Saint-Jean, NDP): Thank you, Mr. Chair.

Ms. Moreau, as you probably know, we are like small businesses too. I've noticed that, since the last reform, we've been getting resumés that have nothing to do with the advertised jobs. That makes for a lot of useless work, just because Service Canada tells beneficiaries that they can avoid having their benefits cut off if they send out five resumés a week.

Have you noticed this phenomenon too? Have your members been dealing with this situation for the past year too?

Ms. Monique Moreau: Yes, some members have called us to complain about the phenomenon you described, that is, people with no real interest in the available job applied just so they wouldn't lose their benefits.

Mr. Tarik Brahmi: Thank you. So we're not the only ones. I just wanted to confirm that. That's perfect.

Ms. Peirce, with respect to the renewal of the Labour Market Development Agreements, you said you were hoping for greater mobility.

Were you talking about greater geographical mobility or greater mobility within a sector or profession? If you were talking just about geographic mobility, don't you think there should be limits to that? Canada is a huge country. It might not be appropriate to ask people to move to another province.

Can you tell me exactly what you were talking about?

[English]

Ms. Cammie Peirce: I think mobility has to be voluntary and it can't be at the expense of... It doesn't make sense if you have a two-partner family where one partner will have to travel across the country or will have to leave their neighbourhood to work.

Something that would offer the opportunity for mobility across the country, I think, would be to have recognized certificates where we don't have certification now. For example, in skilled trades in the different provinces there are different levels of certification that are not common. Maybe what we should be doing is looking at a recognized common certification that would allow people to move across the country, without having to retrain to go to work in a different province.

[Translation]

Mr. Tarik Brahmī: Okay.

Keeping skills current is an aspect of training that we often forget about. That's especially true for the software sector. People show up for an interview knowing about software that's 10 years old but that's completely different from the current version. As a union, you're in touch with workers, including those who have lost their jobs. I'm talking about people who, in some cases, are older and are trying to get back into the market or just stay in it.

What recommendations do you have in the context of the Labour Market Development Agreements to make sure that additional funds are allocated not to basic training, but to upgrading skills around software and technology used in the labour market?

[English]

Ms. Cammie Peirce: I agree with you. I think there needs to be some flexibility built into the program. If you've been working for an employer for a significant length of time, your skills may not be current outside of that workplace, which means that you need that kind of upgrading. I think that's something we need to make available and if we can build on existing skills to help workers get re-employed, that's a positive. That flexibility does need to be built into the system.

[Translation]

Mr. Tarik Brahmī: As we've seen, over 60% of unemployed workers don't have access to employment insurance benefits.

Some people can get back into the labour market easily enough because their training is quite recent or some other reason like that. These people are more likely to be the ones upgrading their skills.

Can you give us some examples of people who have a much harder time getting back into the labour market?

[English]

The Chair: Give a quick answer, please.

Ms. Cammie Peirce: There are a number of difficult cases to reintegrating. We all know that older workers who have been long-time employees are difficult to reintegrate into the workforce. There are also workers who have been out of the workforce and have done child-rearing who are coming back into the workforce, and have had that gap between their periods of employment. It is difficult to reintegrate those people into the workforce, because they lack the skills and lack the supports.

In addition to that, there are a number of workers who go into the workforce who have not necessarily taken training before they went into the workforce. They went directly from high school into the workforce and have ended up in part-time, insecure, precarious work. They are not accumulating good hours and are not going to get employment insurance payments when they lose their jobs, because they're doing contract work. They have a difficult time being re-entered into the workforce.

The other problem we have is people who have been laid off long enough to exhaust their EI, who can't afford to take training, who have been unable to find employment because they don't have current or up-to-date skills and the opportunity for getting training didn't arise, or they weren't aware of it until they had been laid off to the point where they don't have income security.

• (1030)

The Chair: Thank you, Ms. Peirce.

That ends our rounds of questioning.

We want to thank the witnesses first of all for coming in and assisting us in this study on the LMDAs as we move forward with it.

Thank you for taking the time.

Committee members, I'm going to suspend, and when we return, we're into committee business. I know that our agenda doesn't show it as in camera, but it has been our tradition, so we'll come back in camera.

[Proceedings continue in camera]

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