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Chair

Mr. Bryan May

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

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• (1530)

[English]

The Chair (Mr. Bryan May (Cambridge, Lib.)): Good afternoon, everyone.

Pursuant to the order of reference of Thursday, February 1, 2018, we are considering Bill C-62, An Act to amend the Federal Public Sector Labour Relations Act and other Acts.

It is our pleasure to welcome to the committee the Honourable Scott Brison, president of the Treasury Board, along with witnesses from the Treasury Board Secretariat's compensation and labour relations sector: Sandra Hassan, assistant deputy minister; Drew Heavens, executive director; and Dennis Duggan, labour relations consultant.

Welcome to all of you.

Mr. Blaney.

[Translation]

Hon. Steven Blaney (Bellechasse—Les Etchemins—Lévis, CPC): Mr. Chair, of course, we welcome the minister and his officials. I was wondering if he had been so kind as to provide a copy of his speech in both official languages.

[English]

The Chair: We have it, but not in both official languages. That's why it was not distributed.

[Translation]

Hon. Steven Blaney: In the future, perhaps we could invite ministers to provide us with their documents. It would allow us to follow their speeches a little more closely.

[English]

The Chair: Agreed. Thank you.

On that, Mr. Brison, the next 10 minutes is yours, sir.

[Translation]

Hon. Scott Brison (President of the Treasury Board): Thank you, Mr. Chair and committee members. I am very pleased to appear before your committee.

[English]

I'm pleased to be joined here today by Sandra Hassan, Drew Heavens, and Dennis Duggan from Treasury Board Secretariat.

Our government is committed to restoring fair and balanced public sector labour laws that respect the collective bargaining process, laws that recognize the important role unions play in protecting the rights of workers and helping grow the middle class.

I would like to talk to you today about how Bill C-62 helps fulfill these commitments.

[Translation]

Bill C-62 combines Bill C-5 and C-34 that were introduced previously. Bill C-5, which was introduced by our government, dealt with public service sick leave, while Bill C-34 dealt with collective bargaining and essential services.

[English]

Combining these two bills into one, as we have, simply incorporates the adjustments necessary to combine the two sets of proposals into one piece of legislation moving forward. Broadly, the objectives of both are shared and related. Combining the bills makes sense. Both are amending the same act and both are related to restoring the balance to the public sector labour relations regime.

I'm going to begin with the changes to sick leave introduced as part of the Conservative omnibus legislation Budget Implementation Act 2015. Division 20 of the Economic Action Plan Act 2015, number one, known at the time as Bill C-59, provided the Treasury Board with the authority to establish and modify terms and conditions of employment related to sick leave of employees, impose a short-term disability plan outside of collective bargaining, and modify the long-term disability programs in the core public administration.

In short, the changes took the issue of sick leave off the negotiating table and gave the government the power to unilaterally impose a plan of its choosing. The bargaining agents for many of the public service unions rightly opposed this legislation, which was drafted without consultation with the public service. In June 2015, 12 of 15 federal unions joined together to file a legal challenge of these provisions, arguing against their constitutionality.

[Translation]

Bill C-62 will eliminate those powers and will show our respect for the collective bargaining process.

Our government knows that the unions play an important role, not only in protecting the rights of the workers, but also in strengthening the middle class.

•(1535)

[English]

Again, that is why we committed to not exercise the powers and to repeal the legislation.

I'd like to turn to the issues of essential services, collective bargaining, and dispute resolution. Bill C-62 would repeal the most contentious changes made in 2013 to the Federal Public Sector Labour Relations Act. I'm referring to changes that would allow the employer to unilaterally designate essential services, remove bargaining agents' choice when it comes to the conflict resolution process, and impose new factors that arbitrators must consider when making a recommendation or an award.

It's worth recalling that several unions have gone as far as to file charter challenges against the provisions passed in 2013, and we have every reason to believe that these challenges would have succeeded in the courts, in large part because of the experience in Saskatchewan. Back in 2008, the Saskatchewan government introduced changes similar to those found in the omnibus bill that was passed in 2013. They were successfully challenged by the Saskatchewan Federation of Labour before the Supreme Court.

Let me outline the details of the key changes our government is proposing. First, the notice to bargain would be amended to return to a four-month notice period, although the parties may still meet earlier to bargain. Second, bargaining agents would be given the choice to determine which dispute process they wished to use should the parties reach an impasse in the bargaining. Third, when making awards or recommendations, public interest commissions and arbitration boards would have the flexibility to weigh the most important factors in the circumstances before them. They would no longer be forced to give undue weight to certain factors if the circumstances didn't justify it. Fourth, the employer would no longer have the unilateral right to arbitrarily determine which services are essential for the safety and security of the public and to designate the positions necessary to deliver those services. The employer would work with public sector bargaining agents to identify essential service positions and would enter into essential services agreements with them. So the determination would occur as a result of discussion with public sector unions. Finally, Bill C-62 repeals some of the changes made to recourse processes, even though these were never implemented, because they were to be brought into force at a later date.

Mr. Chair, and committee members, our government is committed to restoring a culture of respect for and within the public service, and to respecting the collective bargaining process. When we took office in 2015, all the collective bargaining agreements with public servants had in fact expired. Some of them had been expired for four years. We made it clear that we would work collaboratively with public servants and that we would negotiate in good faith. After two years of respectful negotiations, we have reached 23 of 27 agreements. That means, I believe, that more than 94% of unionized public servants for which Treasury Board is the employer now have collective bargaining agreements in place. It's worth noting that with most of the agreements, including an undertaking to develop an integrated approach to the management of employee wellness, our collaborative approach is achieving results. It's an approach that

embodies the values of fairness and justice that make Canada the country it is today. We have a world-class public service in Canada, and one that is recognized as such in terms of its effectiveness and its professionalism

Bill C-62 affirms the values of treating our public service with respect and in partnership by understanding and responding to the need for fair and balanced labour laws in Canada.

I want to thank members of the committee for their attention. I look forward to your questions and to engaging with this committee.

Thank you very much.

The Chair: Thank you, Minister.

First up with questions is MP Blaney.

[Translation]

Hon. Steven Blaney: Welcome to the committee once more, Mr. Minister.

I appreciate your empathy for the members of the federal public service. I was a member too before I became a politician. Our public servants provide us with a huge number of services.

However, in your speech, I would have liked to hear one point in particular, in your capacity as President of the Treasury Board. You talked about respect for public service workers, but what about respect for taxpayers? As I already told you in another meeting, that responsibility falls to you. In a sense, you are the government's anti-Santa Claus.

Now that you are halfway through your mandate, I have to tell you that I have no compliments for you, because you seem to have lost control of budgetary expenditures. The Parliamentary Budget Officer told us today that the deficit for the current year will likely reach \$22 billion, almost four times more than the Prime Minister's promise to us. In addition, interest on the national debt is going to increase by almost \$40 billion, almost two-thirds more than in this current year. That is clearly much more than you promised. So you have lost control of expenditures.

However, my concern this afternoon is about the loss of control over the public service.

First, can you tell me the number of public servants hired last year?

•(1540)

Hon. Scott Brison: Thank you for the question, Mr. Blaney.

Our government has shown respect for taxpayers by reducing taxes on the middle class. At the same time...

Hon. Steven Blaney: Excuse me for interrupting you, Mr. Minister...

Hon. Scott Brison: ...our government has achieved results...

Let me finish my answer, please.

Hon. Steven Blaney: Mr. Minister, I do not have a lot of time available.

Actually, you have increased taxes on the middle class. What I want to know is the increase in the number of public servants last year.

It is an important question. In 2015, the previous government's Bill C-59 forecast savings of \$900 million. Now, by giving out benefits, your bill has wiped out those savings. My question is important because, not only are we going to lose those savings of \$900 million, but you are also hiring new public servants. Are we coming close to \$1 billion in losses with the measures that you are proposing to us?

So my question is simple: how many new public servants were hired last year, please?

Hon. Scott Brison: Mr. Blaney, you started your question by talking about our respect for taxpayers. So I answered your question and I am going to repeat my answer.

We have a lot of respect for the middle class, and that is why we have reduced its taxes. In addition, our government has achieved results, since Canada has experienced the best economic growth among G7 countries in 10 years. Those figures are therefore completely appropriate, given your question.

That said, we will find the exact number you are looking for.

Hon. Steven Blaney: If you do not have the figures at hand today, Mr. Minister, I really would like you to send the information to the committee. I want to know by how many the public service has increased in the last two years. I would like to have that information. We know that savings of \$900 million were forecast, but the increase in the number of public servants is going to wipe out those savings and cause an even greater loss.

I am indeed talking about respect for taxpayers, Mr. Minister. First of all, as we know, you have increased taxes on the middle class; the Fraser Institute has proved that. In addition, when you negotiate with public servants, you also have to represent the interests of those who pay their salaries. It is very easy to accede to the demands made to you; you say yes to almost every expenditure. However, we need somebody to say that we do in fact have to deal with the public service properly, but in so doing, we must also consider the taxpayers' ability to pay. That is why I would have liked to hear you say this afternoon that it is important to respect the taxpayers' ability to pay when the time comes to negotiate compensation for the public service.

Hon. Scott Brison: Mr. Blaney, it is possible to show respect for taxpayers and for the public service at the same time. That is exactly what we are doing and what we will continue to do.

We have presented taxpayers—all Canadians in fact—with good economic results. We have recorded the best economic growth among all G7 countries. We are negotiating with taxpayers in good faith and we are making investments that will benefit communities and families all across Canada. In order to do so, it is true that we have to constantly count on the support of the public service and we will continue to do so because it is very important to be able to produce results.

We acknowledge the great importance of the public service. That is why we are investing in the public service and we are going to continue along those lines.

●(1545)

[English]

The Chair: Thank you.

MP Morrissey, please, for six minutes.

Mr. Robert Morrissey (Egmont, Lib.): Thank you, Chair.

My question, Mr. Minister, is a follow-up to the opposition's question about treating our public servants well, which I feel is extremely important.

One issue that public servants raised a lot with me during the 2015 campaign was their loss of accumulated sick leave because of measures by the former Conservative government. Mr. Minister, could you speak to the impact of this bill as it relates to those public servants' accumulated sick leave, and sick leave in general? This is extremely important for these public servants and really indicates which particular party treats public servants well.

Hon. Scott Brison: The decision by the previous government to unilaterally eliminate the sick leave provisions without any negotiations with the public service unions, taking that completely off the bargaining table where it really belongs, was done for one reason and one reason only, and that was to book \$900 million in illusory savings to contribute to an illusory surplus on the eve of an election. It was irresponsible to do that because, of course, subsequently there was a court challenge. I don't think it's good practice to book savings in a budget when the matter is being challenged in the courts. It was not dissimilar to the decision to eliminate 700 pay advisers to save \$70 million a year, which helped enfeeble the pay system.

We've sat down with the public sector unions, with whom we've negotiated in good faith. As a government, we have a strong interest in strengthening our overall wellness plan for the public service. The current system, for instance, doesn't treat particularly well young public servants who may only have been in the public service for a short period of time and may develop a very serious illness. If you've been in the public service a long time, the sick leave provisions are quite comprehensive, but for newer public servants, the provisions don't necessarily recognize those who encounter serious or chronic illness. As a result, we've been looking at and developing a whole new centre for diversity, inclusion, and wellness within the public service that would help develop a more modern approach to wellness in the public service writ large. We're doing this in negotiations with the unions. We will, I believe, develop an approach that will be very fair to taxpayers, citizen, and public servants at the same time. It's very important to realize that public servants are citizens and taxpayers as well, which is why when we demonstrate respect for them, it's in no way inconsistent with doing what is right for taxpayers. In fact, I would argue that a well-functioning public service is achieved through a respectful relationship with its employer, the Government of Canada.

Mr. Robert Morrissey: Mr. Minister, as a result of this legislation you are promoting today, can you ensure that public servants will have a sick leave system that works for them and doesn't allow anybody to fall through the cracks?

• (1550)

Hon. Scott Brison: Bob, one of the things we want to accomplish and achieve is to modernize the sick leave system as it is right now. I believe that right now the current sick leave system does not necessarily do enough for somebody who has been in the public service for a shorter period of time. If you take a young person who has been in the public service for just a few years but may develop a very serious illness, it doesn't necessarily provide you with enough flexibility.

I think there are ways we can modernize it to build a more efficient, user-centric, patient-centric approach. For instance, there's mental health. It is something that is very important for our government, and we've worked with the public sector unions, with the joint council, to do a very serious study on mental health within the workplace for the federal public service. It is one area where I think we need to raise the bar in how we're doing it.

Sandra may want to add to that.

Mrs. Sandra Hassan (Assistant Deputy Minister, Compensation and Labour Relations Sector, Treasury Board Secretariat): As the minister indicated, the current sick leave regime can sometimes be disadvantageous to employees who have not been in the public service for a long time, but who do get either sick or have an accident, for example. If you've been in the public service for quite some time, you can have a bank of sick days, which younger employees don't have. It doesn't mean that they're not exposed to having accidents, concussions, or any type of serious illness that would put their economic and physical security at risk.

The Chair: Thank you.

MP Trudel, for six minutes.

[Translation]

Ms. Karine Trudel (Jonquière, NDP): Thank you, Mr. Chair.

Mr. Minister, thank you for your presentation, and welcome to the committee.

First of all, I want to focus on two aspects of the provisions of the Canada Labour Code dealing with the rights of Canadians to refuse dangerous work. I would like to focus more specifically on the definition of "danger". The definition has changed: before 2013, it was more complete. If I may, I will read it to you:

...any existing or potential hazard or condition or any current or future activity that could reasonably be expected to cause injury or illness to a person exposed to it before the hazard or condition can be corrected, or the activity altered, whether or not the injury or illness occurs immediately after the exposure to the hazard, condition or activity, and includes any exposure to a hazardous substance that is likely to result in a chronic illness, in disease or in damage to the reproductive system.

The definition in Bill C-62 is much more simple, but it does not say a lot. I find that it does not cover workers very well:

...any hazard, condition or activity that could reasonably be expected to be an imminent or serious threat to the life or health of a person exposed to it before the hazard or condition can be corrected or the activity altered.

Could you talk about the definitions of "danger"? I would like to know why we have kept this definition in the bill, rather than the one that existed before 2013.

Hon. Scott Brison: Thank you very much for your question.

I agree with you about the importance of the safety of workers in workplaces. I also recognize that my colleague Minister Hajdu is working to strengthen workers' protection in workplaces.

Perhaps Mr. Duggan can also answer the question.

[English]

Mr. Dennis Duggan (Labour Relations Consultant, Compensation and Labour Relations Sector, Treasury Board Secretariat): You're correct. The changes to this particular act under discussion today, the PSLRA, were all made at the same time in the original bill. However, this particular bill does not deal with those particular changes or amendments. They're part of the Canada Labour Code and the responsibility of the Minister of Labour, Minister Hajdu.

• (1555)

[Translation]

Ms. Karine Trudel: Does the same go for the removal of safety officers from the process of refusing work?

Mrs. Sandra Hassan: Yes, the same answer applies to refusing work.

Ms. Karine Trudel: Which bill is that in?

[English]

Mr. Drew Heavens (Executive Director, Compensation and Labour Relations Sector, Treasury Board Secretariat): It's not currently in any act before Parliament. As far as I know, there have been no proposed changes to those particular portions of those pieces of legislation.

[Translation]

Ms. Karine Trudel: So the current Canada Labour Code contains the definition of the word "danger" as amended by the Conservatives after 2013. Is that correct?

[English]

Mr. Drew Heavens: That's correct.

[Translation]

Ms. Karine Trudel: Would you be open to accepting an amendment to amend the definition?

Hon. Scott Brison: The Treasury Board has some responsibility for the public service. However, since Minister Hajdu is responsible for matters such as worker protection and their safety in the workplace, it is up to her to amend the Canada Labour Code in order to ensure that protection. I am sure that she would be willing to make any required amendments in the area.

The minister would certainly be open to increasing protection for workers. Discussions with union representatives have actually taken place in order to improve working conditions in Canada.

[English]

The Chair: Thank you.

MP Long.

Mr. Wayne Long (Saint John—Rothesay, Lib.): Thank you, Mr. Chair.

It's certainly a pleasure to be back on the committee.

In my former life, I was president of the Saint John Sea Dogs, a hockey club. Culture is a lot more than words—it's action. You need to back up those words. It would be like my saying that I wanted to win the Memorial Cup and to treat all of our players very well, and then engaging in action after action contrary to those statements.

Actually, Mr. Chair, one of the first meetings I had as an MP was with our public servants. They came to my office in Market Square and the first thing they talked about was the major concerns they had with the Phoenix system that the previous government brought in. When they came in they were absolutely demoralized. So I asked them why they were so demoralized and—

Mr. Mark Warawa (Langley—Aldergrove, CPC): I have a point of order.

Chair, if we're going to be accurate and not deliberately misrepresent the committee members, the previous government did not introduce Phoenix. I would ask the member to be accurate. Phoenix was created and made ready, but it wasn't—

Mr. Wayne Long: This doesn't cut into my time, does it?

The Chair: Mr. Warawa, I understand your point, but I'm not sure this is a point of order.

Thank you.

Mr. Wayne Long: Mr. Minister, these workers who came into my office really were demoralized, so I started asking them why they were so down and had no energy and no life. I took some notes in that meeting. Just let me read to you from some of the notes that I took.

They heard about sick leave being taken away during National Public Service Week, the week that is supposed to highlight public servants and the work they do for Canadians.

Everything was cut; nothing was analyzed to determine where good cuts could be made. The public service was just hacked away.

Everything was top secret.

Nobody cared about people. Discipline was the first course of action, instead of talking to someone first.

To me, Minister Brison, it was very, very clear how a culture had evolved or was created to disrespect our public servants. I think the biggest concern I heard in that meeting was that it's difficult to do a good job when you don't feel respected.

Minister Brison, I'd just like to ask you what you and your department have done to reset the relationship with our public service unions and restore the culture of respect and good faith that existed under previous governments. Can you speak to that?

• (1600)

Hon. Scott Brison: Thank you, Mr. Long.

There's something I forgot to mention in response to Madam Trudel's question, as a reference. Budget 2017 announced funding for new compliance and enforcement tools, which include monetary

penalties, with the authority to publicly name safety violators. Also, we're working with the provinces and territories to harmonize occupational health and safety regulations. I didn't mention that at the time, and I'd been wanting to. Sorry.

Wayne, one of the things I could never understand about the previous government was its gratuitous public attacks on the public service all the time in the House. I can't imagine CEOs of companies attacking their team in public. You wouldn't do that with your hockey team. You guys did win the Memorial Cup, if I recall correctly.

The point is that it is important that we do everything we can to demonstrate respect. You referenced the Phoenix situation. Look, this is something we inherited as a government. The legacy system had been gutted, so there wasn't a legacy system to fall back on, and the problem is that the new system had not been end-to-end user tested.

One of the things we've done as a government over the last several months is put in place digital standards, digital principles, for any new project above a certain threshold, which would require end-to-end user testing, among other things, but also the practice of keeping the legacy system going until the new system is fully implemented and working, testing any new system, or any change in terms of digital methodologies, with the people affected, in this case workers.

We're changing how we do things in terms of digital transformation and project management, but again, in terms of working with the public sector unions, I speak with the leadership of the public sector unions on an ongoing basis. We do not agree on everything—in fact, we differ on quite a few things—but we negotiate in good faith and work hard to find common ground. We do so in good faith on an ongoing basis, and respectfully.

They've got a job to do and we've got a job to do, but we can't do our jobs as government without a well-motivated public service and we do have one. It's rated one of the very top most effective public services anywhere in the world. I think we need to do more. We need to do more on mental health. We need to do more in terms of diversity. We need to do more to engage indigenous Canadians, to make the case that they can make a real difference within the service of Canadians, in the public service.

We are, on an ongoing basis, doing more to create a more innovative public service, to encourage experimentation within the public service, and to make the public service a place where millennials want to work. Right now the average age, I believe, of new hires within the public service is 36 years old. We believe it should be lower than that and we should be attracting more young people to the public service, because they can really make a difference.

We take very seriously the responsibility we have to strengthen and improve our public service and to improve the environment within which our public servants work.

• (1605)

The Chair: MP Fortier, please.

[*Translation*]

Mrs. Mona Fortier (Ottawa—Vanier, Lib.): Thank you, Mr. Chair.

Mr. Minister, welcome to the committee and thank you for joining us today.

I would like to expand on two matters.

Let me give you some brief background on the first. We are already talking about it to an extent. Of course, when we discuss this bill on labour relations in the federal public sector, Phoenix is not far from our minds. When this new pay system was designed, the Conservatives' main objective was to achieve cost efficiencies, which simply meant that they set about cutting corners in order to reduce the costs.

Recently, we have announced new investments to stabilize the public service pay system. These are measures designed to achieve a long-term solution.

Can you tell us what lessons have been learned from the mistakes the Conservatives made and what recent efforts has the government made to improve the situation through this bill?

Hon. Scott Brison: Thank you very much for your question, Mrs. Fortier.

As I said, we have made changes to the policies on all our digital transformation projects. At the Treasury Board, we are making a lot of changes with the help of the Canadian Digital Service. Recently, we attracted the person who has become the first CEO of that organization from the United States. He was the former leader of the United States' digital services team. He also worked for President Obama and his administration.

[*English*]

We're changing the digital standards. We're bringing in the kinds of digital standards that other governments have brought in within other jurisdictions, common sense standards like having end-to-end user testing, so you actually know whether something works, and maintaining the legacy system until the new system is working well.

One of the standards we're putting in place as a digital principle is testing, with the minister and deputy minister responsible actually having to try the system. So they test it themselves.

Governments typically focus on policy and communications based on the assumption that once you get the policy right and the communications right, things just implement themselves. We know how that works out, not just with Phoenix but on a bunch of government transformations. This is not a partisan thing by the way, because all governments of all stripes struggle with transformation and digital transformation.

We are studying the models and experiences of other governments to put in place changes that will prevent a future Phoenix from happening again, or if it fails, it would fail with a working prototype earlier on. We're doing this because one of the lessons we've learned from other jurisdictions is to break these massive projects into

modules and to develop working prototypes in particular departments and agencies, and to test them. If they are successful, they are expanded to other areas, and if they are not, we pull the plug on them and try something else.

Something that has emerged in the last 10 years is agile project management in digital transformations. It's a very different approach. Again, this is not a partisan thing, because governments of all stripes struggle with digital transformation. I believe the changes we're making will raise the bar.

[*Translation*]

Mrs. Mona Fortier: In your initial presentation, you talked about the great respect and the collaboration that have characterized your approach to public service unions. More specifically, you have shown that respect in your dealings with the unions, knowing that the previous government had taken a much more combative approach to negotiations, especially in terms of sick leave.

Could you tell us about what you, and perhaps your senior officials, have done and what you intend to do to repair the relations with the public service unions? Can you tell us about the progress you have made? If you have the time, can you tell us about the way in which this bill is going to solidify those relationships and protect the rights of the unions and their members?

• (1610)

[*English*]

The Chair: You have a little over a minute, sir.

[*Translation*]

Hon. Scott Brison: First, we negotiated with the unions that represent the public service in good faith. Those negotiations produced results.

We have reached agreements with the bargaining agents representing more than 97% of unionized employees in the public service. We are going to continue to negotiate in good faith with public service unions.

The principle of respect is the reason this bill exists. The bill will allow us to do away with the changes made by the previous government, changes that did not respect public servants.

This bill reflects the principle of respect for the public service, the same principle that characterizes our approach to negotiation with the unions that represent public servants. I feel that we are on the right road, and we will continue in the same direction.

[*English*]

The Chair: Mr. Warawa.

Mr. Mark Warawa: Thank you, Chair, and thank you, Minister. It's good to see you here.

I was elected to Parliament in 2004. You were here long before I was. I think it was 1997 when you arrived, so you've been here for 21 years. I believe you have a birthday coming up, so I want to congratulate you ahead of time. I think yours is in May, as is mine. I was born a long time before you. You're not a senior yet, but have been a very young and very successful member of Parliament for the last 21 years.

Whether as a member of the Progressive Conservatives or as a Liberal since 2003, you have been well-respected. You've done an incredible job here, and you've represented your community well. I congratulate you.

Hon. Scott Brison: Do you mind if I put that in a brochure the next time?

Mr. Mark Warawa: I'd just like to finish complimenting you.

In 2004, when I came here, you were a member of the Paul Martin government. I was fascinated by your silky smooth responses as you said, "Let Gomery do his work." There was the Gomery commission. The Liberal government was covered with corruption. Every day you were there in question period saying, "Let Gomery do his work." I was quite impressed.

I continue to be impressed. Here you are with a government that, again, is saddled with corruption and a growing debt. Here you are—

Hon. Scott Brison: I won't put that in the brochure.

Mr. Mark Warawa: —and I want to compliment you as being an obvious good choice to represent the government to try to make it look like things are going well when they're not.

You mentioned the best economic growth and investment in the public sector. I represent the Canadian taxpayer. Yes, we need to have good relationships with and respect for the public sector, but it's the Canadian taxpayer, and there's only one Canadian taxpayer, whether paying municipal, provincial, or federal taxes. Taxpayers are getting fed up with things becoming more and more unaffordable. In British Columbia, gasoline is now at \$1.55 a litre, and we're talking about \$2 a litre. Things are not affordable under the government, and people are asking why.

The Parliamentary Budget Officer has just reported that one of the reasons things are becoming less and less affordable is the out-of-control spending. The government reported that this year's deficit would be \$18 billion. The promise was that it would be just a little deficit, and that promise wasn't kept. This is our third budget deficit—\$22 billion this year. We've been told that the interest alone on the national debt will rise by \$40 billion. Here we have Bill C-62, and we're being told that this is a bill about respect. It's a billion-dollar promise—not to the Canadian taxpayer, but to Canadian unions. It's the taxpayers that have to take up the slack, and they're getting outraged.

I'm hearing from Canadian seniors, and I hope you'll take back these important messages, Minister, to the cabinet. Palliative care funding was cut from this year's budget. They want it back in there. It was in the 2016-17 budget, and now it's gone. There are more Canadian seniors than youth. They're growing in number. In 12 years they will be one in four Canadians. Right now they're one in six. Currently, 70% of Canadians who need palliative care don't have access to it. You're very influential around the cabinet table. I hope you'll take back the important message to put funding for palliative care back in the budget.

Minister, I want to leave you enough time to answer.

I'm hearing from my constituents that they're furious at what the government did in regard to the Canada summer jobs program. It's not on par with what it was during the 14 years that I've been

involved with it. The way Service Canada grades the applications this year, the grades are way lower than what they were in years past. In years past, nothing was graded as less than 73%, and most of them were in the 80s—like a B-plus, or an A-minus. This year they're all less than that—

● (1615)

Mr. Wayne Long: I have a point of order, Mr. Chair.

Mr. Mark Warawa: I'm just going to stop my timer here.

Mr. Wayne Long: Can I question the relevance of this?

The Chair: I think he's coming to a question now. He has about a minute left.

Go ahead.

Mr. Mark Warawa: Minister, what is this going to cost the Canadian taxpayer? Mr. Blaney asked for the numbers, and that's the foundation of what's being presented in Bill C-62. How many new employees are involved under Bill C-62? What is this going to cost the Canadian taxpayer? The Library of Parliament said it would be a billion dollars. Is it over a billion dollars?

The Chair: He's left you about 30 seconds, sir.

Hon. Scott Brison: From March 2016 to March 2018, the number of employees in the core public administration increased by 11,000. In the federal public service—that's the core public administration plus the separate agencies—the increase is approximately 14,600. Keep in mind that the core public administration in total is approximately 208,300, and the total federal public service, which includes the core public administration plus the separate agencies, is 273,600. It's an increase over two years of 14,600 out of a total number of around 273,600.

In palliative care and, broadly, investments in seniors care and health care, our government is making unprecedented levels of investment working with the provinces, and we're doing that on an ongoing basis. My colleague, the Minister of Health, works with the provinces very closely, and the previous minister, Minister Philpott, when she was there, along with the Finance Minister, negotiated with the provinces a health care accord that is responsible to taxpayers and to citizens who need high-quality health care.

Mr. Warawa, you and I have worked together quite a bit, and when I was in government before, you'll remember that we worked back and forth on some things, even things in your riding. Members of Parliament have jobs to do, and I want to always, regardless of the party, work with them. I've been in opposition a lot more than I've been in government, so I understand very well the role of members of Parliament in that.

When you referred to taxpayers, I would argue that public servants are taxpayers too, and we should not demonize public servants as somehow being inherently disinterested in, or potentially even opposed to, doing what is right for taxpayers, because we need a good public service and public servants who are treated well, can deliver on any government's agenda and serve people well. I would argue that our public servants, in fact, are hard-working and are doing great work, but they're also taxpayers. I think that is important.

In terms of the Canada summer jobs program, the previous government cut in half the number of jobs. Our government has doubled it, and we have made significant investments to significantly increase the number of young people working in our ridings across Canada. We think it is really important for young people to be able to get that critical work experience, which is essential to their garnering their first full-time job after schooling and also to paying for their post-secondary education. It dovetails very well with the investments we're making in post-secondary education to make it more affordable for young people, but we are making those investments, and we'll continue to do that because it's important.

• (1620)

The Chair: Thank you, Minister.

MP Ruimy, please.

Mr. Dan Ruimy (Pitt Meadows—Maple Ridge, Lib.): Thank you very much.

Minister, Thank you for being here.

Before I jump into my little rant, is there anything else you wanted to add? I know you didn't have a lot of time.

Hon. Scott Brison: Mr. Warawa and I get along great. We're all good.

Mr. Dan Ruimy: I want to pick up where Wayne Long was going with this.

This is my first time as an elected politician. I've always been in the business field, and how we treat our employees really determines the productivity that we get back. If we mistreat them, if we disrespect them, there are so many different ways they can come back and slow down the wheels of government.

You mentioned in the beginning the sick leave and the \$900 million the government said it would save. According to a report by the PBO in July 2014, sick leave costs almost nothing—this is right from the PBO—since most positions outside those dealing with health and safety don't backfill those absent. The report said that, "Since most departments do not call in replacements when an employee takes a sick day, there are no incremental costs."

Banked sick leave cannot be cashed out when a public servant retires. The sick leave they have accumulated is eliminated upon retirement at no cost to the taxpayer.

Therefore, when you look at this \$900 million, it's a bit of a red herring. It misrepresents the system. Why would they do this? This is what I can't understand. Why would they arbitrarily take something away from the people who are the backstop of any government? Why would they take that away and do something that's so mean-spirited? I don't understand the reason behind it or what gain we get out of it. Can you try to elaborate on that a little bit more?

Hon. Scott Brison: Thanks, Dan. There are a couple of things, and I think you made a good point.

It's actually bad in terms of governance, financial governance and accounting, to book savings when it's unclear where those savings will come from. Again, it was done in part to contribute to this notional or illusory surplus on the eve of an election.

Ultimately, as the PBO indicated, the \$900 million may or may not have been delivered. Beyond that, this was subject to a court challenge. Before a court challenge is recognized, it is questionable to book the savings. I believe it's bad from a financial governance perspective, and it's also bad from a labour relations perspective.

Again, from our perspective, I would say that the work done with the public sector unions and Treasury Board officials on the issue of mental health and wellness has been really good work. The report that was delivered, I believe in 2016, by the joint council of Treasury Board as the employer and the unions was actually commissioned by the previous Conservative government under Tony Clement. I would give them credit. They recognized it at that time.

All I'm saying, colleagues, is that there were things they did that were constructive, including commissioning that report. Tony Clement, as president of the Treasury Board at that time, started that process. It created a very good report, and one on which we are acting. We are moving forward to create a centre for diversity, inclusion, and wellness, including a big focus on mental health and wellness out of that.

We want to do more in terms of employee wellness. We believe that the current regime is not doing enough for large parts of our public service, including young public servants who may have chronic serious illnesses or injury. Beyond that, we want to do more on mental health as we move forward, and to be a progressive employer in these areas of health and wellness.

• (1625)

Mr. Dan Ruimy: Thank you.

I have one minute. I'm going to pass my time to Mr. Morrissey, but I want to say that when we talk on the other side about outrage and moral outrage, if I'm a public servant and this sort of thing can be done to me without my consultation, taking my rights away just like that, that to me is outrageous.

Go ahead.

The Chair: You have about 30 seconds.

Mr. Robert Morrissey: Thank you, Mr. Chair.

Mr. Minister, on a positive note, I would like for you to elaborate more on attracting young people to the public service. That is the future. I see that a lot in my community. How do we encourage more young people to enter the public service?

The Chair: Very, very briefly, sir.

Hon. Scott Brison: One area that we've expanded is the summer jobs program within the public service. We have one that started, I believe with 30 people. The indigenous youth summer jobs program started with about 30 youth, I think three years ago. Last summer, there were over 100 youth. I believe this year we're going to be expanding it quite significantly beyond that. We also have a summer jobs program for young Canadians with disabilities, again creating a more diverse public service, taking down some of the barriers, and learning from these. We're doing more for young people to get into the public service, but we still have work to do.

The Public Service Commission has done some work to reduce the amount of time it takes to do an online application from 40 minutes to 5 minutes. However, from the time a young person applies to join the public service, it still takes over 200 days on the part of the public service. Taking 35 minutes off a 200-day process doesn't strike me as going far enough. We have some work to do in making it easier for young people to join the public service.

We're also hearing from young people that they may not want to come into the public service and spend 20 or 30 years there. They may want to come in, for instance, to help us tackle some of the digital problems, issues, and opportunities, take on a couple of projects, and then get out. We have a fellow who joined us from Shopify, a big Ottawa tech success story—a Canadian tech success story. He joined us at CDS, Canadian digital services, for a period, and helped us take on some projects. He has gone back to Shopify.

With regard to making it easier for people to come in and serve and make a difference, take on some projects, then go out and take their experience, we have to do a lot more to improve that.

I recognize that's something where we have to have more flexibility and less hierarchy within government, but that's a longer conversation.

The Chair: Thank you, Minister.

MP Falk.

Mrs. Rosemarie Falk (Battlefords—Lloydminster, CPC): Thank you.

I wanted to ask a couple questions regarding the sick leave program. How do the existing public service programs for sick leave and disability compare to what is in the private sector?

Hon. Scott Brison: It would depend on what private sector company you're speaking of.

Mrs. Rosemarie Falk: In general, I mean.

Hon. Scott Brison: I believe there are some progressive companies right now that may actually treat employees more fairly, particularly those who are newer and who have worked for a shorter

period of time. That's one of the things I want us to address. The public service sick leave regime right now does not necessarily provide enough protection to young public servants who have less time within the public service and who suffer from serious or chronic illness. It's a difficult question to answer, because you'd have to look.... You asked me in general...I think you could look....

Mrs. Rosemarie Falk: Okay.

Hon. Scott Brison: I've seen some comparators and it depends on the company. Certainly larger companies—

• (1630)

Mrs. Rosemarie Falk: For sure, I guess I'm thinking of—

Hon. Scott Brison: —would have more provisions for this than, for instance, a small business and that kind of thing. It's difficult. You understand, I'm not being evasive.

Mrs. Rosemarie Falk: For sure. That's okay.

To amend the program, what is that going to consist of? What is the plan going to achieve by amending that program?

Hon. Scott Brison: The way we go about it is really important. A private sector company would work with the unions representing their employees, and changes would be negotiated as part of the sick leave regime. But what modern workplaces elsewhere have done is they've moved from the notion of a sick leave regime to a wellness regime. That is where I want to see us take this—from treating people when they're sick to actually creating an environment within which we help them stay well in the first place.

I'll give you an example. Right now in terms of mental health, it is difficult for managers within the public service to be experts in all areas of mental health, so there is an argument for.... One one of the things we want to do is to use some of expertise within Health Canada on that. As we build our public service centre for diversity, inclusion and wellness, we want to strengthen the understanding within government, as an employer, of mental health issues so we can help people deal with those issues. We want people to stay healthy as opposed to our just dealing with them when they are debilitated by these things. So we want to focus increasingly on wellness and not just on sickness.

Mrs. Rosemarie Falk: Has the Treasury Board conducted any consultations?

Hon. Scott Brison: We've actually worked quite extensively with the public sector unions and through the joint council. We're also looking at other progressive workplaces.

Mrs. Rosemarie Falk: It's just the unions?

Hon. Scott Brison: There's a report on the mental health side that I would recommend to you. The report was tabled in 2016, I believe.

I may ask, if you will, if Sandra has something to add to this, because she's been part of the frontline in those discussions.

Mrs. Sandra Hassan: In that regard, in the collective-agreement negotiations we've signed agreements with all of the bargaining agents and there are committees that have been created to look into the issue of potentially having a new regime. You were asking about consultation, and there is a forum where we have discussions with those representatives and are listening to their concerns and preoccupations in developing—

Mrs. Rosemarie Falk: What's that going to cost to implement?

We don't have a lot of public servants in my riding. How is this going to affect the people of my riding, and how much more are they ultimately going to pay to implement this?

Mrs. Sandra Hassan: The cost will depend on the nature and scope of the regime that the parties eventually negotiate and come down to. It's impossible at this time to give you the cost. It will depend on the outcome of the negotiations.

The Chair: Thank you.

Hon. Scott Brison: Looking at the broader context, we negotiate with the public service unions. This is not new. It's always been at the bargaining table that we have those discussions.

I can tell you that we will negotiate something that is fair and responsible fiscally as well as something that is modern and progressive for public servants. We will balance those two, and we will get it right.

The Chair: Thank you very much.

For the final three minutes of this round, we have MP Trudel.

[*Translation*]

Ms. Karine Trudel: I am going to ask you about Bill C-62; that is why I am here today.

Could you tell me more about your negotiations on sick leave?

The current collective agreements provide for a set amount of sick leave. Does Bill C-62 provide for a set amount of sick leave or will that be negotiated with a bargaining agent, agreement by agreement? I ask the question because I have seen no figures on the subject.

•(1635)

Hon. Scott Brison: I am going to ask Mrs. Hassan to answer that for you.

Mrs. Sandra Hassan: In its current version, all Bill C-62 does is repeal the provisions in a previous bill that established the possibility of imposing a new sick leave system. The only thing in Bill C-62 is that the legislative measures that had been adopted are repealed.

As to whether there will be a set amount of sick leave and what the nature of the new system will be, that is all subject to negotiation. Nothing has been established in advance. It really is part of the discussions that we are having with the bargaining agents. It is really important for them to have dialogue and discussions on absolutely all the aspects.

Ms. Karine Trudel: So that leaves the door open to sick leave, if they are already established in the collective agreements. That will not change.

Mrs. Sandra Hassan: The previous bill established the possibility of eliminating banked sick leave. If we repeal those provisions, that banked sick leave is maintained.

In terms of knowing what will become of that banked leave if a new system is put in place, once again, that will be part of the discussions with the bargaining agents.

Ms. Karine Trudel: Thank you very much, Mrs. Hassan.

Mrs. Sandra Hassan: Not at all.

[*English*]

The Chair: Thank you very much.

That concludes the first two rounds today.

Mr. Brison, I understand that we are losing you at this point. I want to thank you for being here today and answering these questions. We look forward to continuing to study this legislation.

We are going to continue with questions for the officials.

Just as a reminder, we have about five or 10 minutes' worth of committee business at the end that we have to do.

Yes, Mr. Brison.

Hon. Scott Brison: As we wrap up, I just want to thank the committee for its work on this.

Mr. Warawa made some comments about how long I've been hanging out here. It will have been about 21 years by June. Most of that time, about 16 years, was spent in opposition. I have great respect for the work that committee members of all parties do toward legislation and debate. Committees are really important. It's a pleasure to be here.

It's been 21 years. A number of those were served alongside Rodger Cuzner, so they've been particularly tough.

You have a really good committee here. You're doing good work. I enjoy the cut and thrust of committees very much. I have great respect for the work of all members of Parliament from all parties.

Thank you for the privilege of being here.

The Chair: Thank you very much. We will be back after a short break.

• _____ (Pause) _____

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•(1640)

The Chair: We're back.

I would like to take this opportunity to reintroduce the members of the Treasury Board Secretariat here today. From the compensation and labour relations sector, we have Sandra Hassan, assistant deputy minister; Drew Heavens, executive director; and Dennis Duggan, labour relations consultant.

Again, welcome to all three of you. Thank you for being here today.

We'll continue with questions. Our first questioner comes from the opposition side.

Monsieur Blaney.

•(1645)

[*Translation*]

Hon. Steven Blaney: Thank you, Mr. Chair.

My thanks to the witnesses for joining us in this second hour.

I have two questions for you in the time I am allowed.

Earlier, someone asked the Minister if he had held consultations. We deduced from his answer that he had consulted the unions.

Here is what I would like to know: before proceeding with these amendments, did the Treasury Board hold consultations with Canadians?

Mrs. Sandra Hassan: No. The Treasury Board Secretariat held no consultations, other than those it held with the unions.

Hon. Steven Blaney: Okay. Thank you for giving me a clear answer.

In the first hour, a lot of questions have had to do with the changes to public service sick leave. It was estimated that there were potential savings of \$900 million there. Based on the figures that we have been given. I have calculated that the public service has increased by approximately 5% in two years. If possible, we would really like you to provide committee members with a table.

We have talked about that expenditure of \$1 billion, but Bill C-62 proposes other measures. Specifically, sections 32 and 33 repeal several provisions in a previous bill that should have come into effect, but that is now apparently to be repealed. I would like to know why they did not come into affect and why you want to repeal them. I am astonished that you want to eliminate them. I am talking about three provisions in particular. First of all, there were the amendments on grievances. We also wanted to change the complaint procedure for layoffs and internal appointments. We also wanted to give the employer more flexibility in managing the public service. I imagine that those measures were of interest to the Treasury Board. What astonishes me even more is that you want to illuminate the jurisdiction of the Canadian Human Rights Commission to examine complaints of discrimination.

Is it possible for you to explain to me why those aspects were taken out of the legislation, please?

Mrs. Sandra Hassan: Before I give you an answer, I would like some clarification. You asked us to send you a table. What about exactly?

Hon. Steven Blaney: I am talking about the figures that you gave us just now about the growth in the public service. Clearly, there are federal public service employees and Crown corporation employees. I have a figure of 273,600 people. Does that include all federal employees?

Mrs. Sandra Hassan: That figure includes the employees of the various agencies and those of the core public service.

Hon. Steven Blaney: Okay. I know that a lot of that data can be found in annual reports, but could you provide them to us, if possible? They are actually quite recent.

Let me go back to my question: why does the current bill eliminate the amendments made to the process of grievances and

complaints, and remove the Canadian Human Rights Commission from its role in examining complaints?

Mr. Drew Heavens: I will answer that question.

[*English*]

On the recourse provisions that you're referring to, none of them were actually brought into force after Bill C-4 came into force. They were to come into force through an order in council that never actually happened.

The package of reforms that were in that section dealing with employer recourse made some changes that were meant to streamline some of the recourse processes. Take, for example, the one about taking away the right of employees to file human rights complaints in lieu of a grievance. Some saw that as taking away some fundamental human rights from employees, because the human rights act has different provisions from the labour relations act.

I can't say for certain why those were put into place before, but again, like the rest of the legislation, it will all be repealed by Bill C-62.

[*Translation*]

Hon. Steven Blaney: In terms of the complaint process for layoffs, the amendments made were never put into effect and now the bill intends to eliminate them. Is that correct?

•(1650)

Mr. Drew Heavens: Yes.

Hon. Steven Blaney: Thank you.

I would like to go back to Mrs. Hassan.

I was a little surprised with your answer to Mrs. Falk. You said that there was a framework. In fact, the bill that our government introduced was going to generate \$900 million in savings. The bill that the current government is introducing is going to repeal those measures. Does it not seem logical to you to deduce that, if what had been done is undone, we are also giving up on the savings that went with it? Broadly speaking, it will be costing the state \$1 billion to keep the current system. You certainly have evaluated those costs. Even if you are going to negotiate, it seems to me that you should know the range of the amounts that you will be paying out.

Could you share those amounts with us, or do you prefer to remain in your limbo?

[*English*]

The Chair: Speak very briefly, please.

[*Translation*]

Mrs. Sandra Hassan: I have given you the information at my disposal and that I am in a position to share with you.

My answer is the same. As long as we have no new system and no defined parameters, I would be giving you a figure at my peril.

Hon. Steven Blaney: The peril lies in knowing that \$900 million had been saved and that the Minister of Finance has removed that source of savings.

[English]

The Chair: MP Sangha, go ahead, please.

Mr. Ramesh Sangha (Brampton Centre, Lib.): Thank you very much for giving me this opportunity.

Any of you can answer my question as follows. After Saskatchewan's essential services legislation was struck down by the constitutional issue—and there are a few parts in Bill C-4 similar to the previous one—I have a concern as a lawyer by profession whether or not we're sure this time that we have taken care, in Bill C-62, of all of the problematic issues so we can avoid the constitutional questions.

Mr. Dennis Duggan: We believe so. After reviewing the Supreme Court decision in the Saskatchewan Federation of Labour case, we did take a very close look at our current legislation, and in the process of looking at essentially returning to the previous regime, we've addressed some of the core issues in creating a balance. For example, the legislation restores the ability of bargaining agents to negotiate essential services provisions or designations with the employer. As well, should an impasse be reached in that process, the Federal Public Sector Labour Relations and Employment Board would be able to determine any impasse, unlike in the current act, and indeed, unlike in the legislation in Saskatchewan that was at issue.

As well, and concomitantly, bargaining agents will once again, once this bill receives royal assent, be able to choose their dispute resolution mechanism in the event of an impasse in bargaining, which gives a huge advantage for bargaining agents representing their members, because now they can choose arbitration or conciliation strike, and as I said, once they choose the conciliation strike process, they actually get a say in the numbers of designations and the types of designations.

So in a sense what you will do with the legislation is to restore a balance that had previously existed. Having looked at it in light of the Saskatchewan legislation, we're confident that it's constitutionally compliant.

Mr. Ramesh Sangha: Actually, I believe the right to strike was taken away by other legislation. Do you think those types of rights do exist in the new legislation?

• (1655)

Mr. Dennis Duggan: The right to strike certainly does.

What the essential services provisions do is to allow those areas—and certainly even the Supreme Court contemplates this—so that the safety and security interests of the public can be protected in this way. However, it's the balance that you need to strike that gives the bargaining agents—since they're the parties who are interested in a strike, if that's the process they choose—the ability to assist in the determination of the numbers of employees who would be designated as essential. It's not a unilateral choice anymore.

Mr. Ramesh Sangha: Thank you very much.

The Chair: MP Trudel, please.

[Translation]

Ms. Karine Trudel: I have a question about the coming into force of the provisions of Bill C-4. Some provisions have been repealed,

but not all of them. I would like to know whether any collective agreements were finalized during that period.

Mrs. Sandra Hassan: Yes. Since November 2016, 23 out of 27 collective agreements have been reached. That is to say that negotiations have been conducted quite intensively in the last two years.

Ms. Karine Trudel: Given the amendments made to the framework of Bill C-62, did those people lose out? Did the negotiations put them at a disadvantage?

We are now dealing with those issues in the context of Bill C-62, but, in their case, were they able to negotiate under the previous legislation?

Mrs. Sandra Hassan: The Minister advised the bargaining agents that they could be flexible. That was communicated to them in writing at the beginning of the current government's mandate. Some people were able to take advantage of the spirit of the legislation as amended.

Ms. Karine Trudel: Thank you.

[English]

The Chair: MP Morrissey.

Mr. Robert Morrissey: Thank you, Chair.

I would like to go back to Ms. Hassan.

Could you elaborate a bit more on the technical aspects of Bill C-62 as they relate to the provisions that would change the treatment of accumulated sick leave?

Mrs. Sandra Hassan: Yes. The bill proposes to repeal the provisions of former legislation—

Mr. Robert Morrissey: Could you expand on the provisions in the former legislation that are repealed?

Mrs. Sandra Hassan: The legislation that had been enacted provided that the Treasury Board, as the employer, could choose to impose a sick leave regime, and that could be done on the recommendation of the President of the Treasury Board.

Mr. Robert Morrissey: With no consultation?

Mrs. Sandra Hassan: The decision to impose the regime was one that was delegated to the president. He could have chosen—

Mr. Robert Morrissey: Unilaterally?

Mrs. Sandra Hassan: It could have been done unilaterally, or it could have been done via consultation. The legislation gave the president that authority to recommend the imposition of a sick leave regime.

Mr. Robert Morrissey: Could you then compare that to the companion piece of the new legislation in Bill C-62, or how it will be treated under Bill C-62?

• (1700)

Mrs. Sandra Hassan: Under Bill C-62, those provisions are repealed, which means that now we need to negotiate those changes with the bargaining agents.

Mr. Robert Morrissey: Has there been some initial conversation or dialogue with the public service unions on this? Could you speak to that?

Mrs. Sandra Hassan: There has been a great deal of dialogue, and two subcommittees have been created. One is done under the auspices of the Public Service Alliance, another with the collaboration of PIPSC, and the discussions to iron out all of the aspects of such a new regime are ongoing. As the minister has indicated, it's not solely looking at sick leave; it's looking at employee wellness as a whole and at a regime that could improve on what we currently have.

Mr. Robert Morrissey: Could you tell the committee what the reaction has been of the second public service union engaging in this?

Mrs. Sandra Hassan: They are interested in having the discussion on this new employee wellness regime and are collaborating at the two subcommittees on a regular basis.

Mr. Robert Morrissey: Thank you.

I'll share my time with Mr. Ruimy.

Mr. Dan Ruimy: We've talked a lot about sick leave but we haven't talked about your disability programs. Can you lay out for us what this legislation could potentially do, what the parameters are, and where you're at with the disability programs?

Mrs. Sandra Hassan: Once the legislation is passed, we're basically at the status quo, as the current regime will continue to apply. Under that regime, those employees who become sick can use their sick days if they have some, and if their sickness or absence from work is for a longer period of time, then the disability regime can kick in after 13 weeks.

Mr. Dan Ruimy: Is that up for negotiation or is that up to be changed in this legislation?

Mrs. Sandra Hassan: If Bill C-62 passes, it would all be subject to negotiation.

Mr. Dan Ruimy: Was it subject to negotiation prior to Bill C-62?

Mrs. Sandra Hassan: Bill C-62 has provided that the president could recommend that a new regime be imposed, so that was significantly different. The president has the authority to recommend that a new regime be imposed instead of being negotiated.

The Chair: Thank you.

We have another question from the Liberals, but I'm getting an indication that they're not wanting the question.

Does anybody want to take some of the time?

Mr. Ruimy, do you want to continue to question?

Mr. Dan Ruimy: Yes, I don't mind. I'm still a little uncertain. In the current regime a time frame has been established: 13 weeks for short-term disability, long-term disability, that sort of thing. Who establishes that? Is that through negotiation or through the President of the Treasury Board?

Mr. Dennis Duggan: That's part of an established long-term disability plan. If you get to a point where an illness or injury is such that it's determined that the individual cannot continue to work for an extended period, then the employee can be placed on that until they can at least return to work or it's determined they're healthy enough to come back.

In the past, and this is certainly what we attempted to do at the commencement of this last round of bargaining, we attempted to

negotiate a new short-term disability plan that involved the sick leave plan we currently have, to get us to the point of the long-term disability plan that existed. The difference between what existed then and now is still the ability to negotiate, but with the repeal of the references to the president's ability to impose it unilaterally. There is a guarantee on the part of the bargaining agents, since changes to collective agreements, etc., cannot be done unilaterally. It means that if we want to make changes with regard to these issues or subject matters and to make progress with the type of proposal the president spoke about, we have to negotiate it with bargaining agents. The playing field has changed, in effect, with the repeal of the legislation in question.

Mr. Dan Ruimy: Okay. Thank you.

• (1705)

The Chair: MP Warawa, please.

Mr. Mark Warawa: Thank you.

My colleague Ms. Falk, sitting beside me, asked what the industry standards or averages are, if we compare the public sector and private sector. Do you have any of those statistics available to share with us today?

Mrs. Sandra Hassan: We do not have that here.

Mr. Mark Warawa: That's fine. The wonderful thing about the Internet is that it provides information. In January of last year, *Maclean's* magazine had an article called "Public sector workers took a record number of sick days last year". It noted that we should expect the disparity between public and private sector sick leave to keep growing. It said:

Is a health crisis ravaging Canada's public sector workers?

One might wonder after looking at the latest stats on worker absenteeism in Canada. In 2016, civil servants missed a record number of workdays, according to annual job market statistics [available and provided]...by Statistics Canada. All told, the average public sector worker missed 13.5 days of work last year, the most ever. That compares with 8.3 days for workers in the private sector.

That was in 2016. That was 13.5 days compared to 8.3. It continued:

The gap between public and private sector absenteeism has been widening for years. Last year that disparity hit an all-time high, as [the] government workers took 5.2 more sick days than those in the private sector.

It also discussed the number of sick days that have been banked. Anyway, I'd encourage you to read this article in January of last year's *Maclean's*. I think it's very important and relevant.

You said that your consultation was only with unions, not with private industry. Is that correct?

Mrs. Sandra Hassan: That is correct.

Mr. Mark Warawa: Okay, and you're with the department. You're not in a political position, and you're getting direction from the government on where it wants to go. Is that correct?

Mrs. Sandra Hassan: That's correct.

Mr. Mark Warawa: If the government says they want to make a change to keep an election promise, which they have.... The minister himself said today that it was an election promise, and so they've consulted.

The people who will be paying for this promise are Canadian taxpayers, including employees of the public sector. But the majority of this cost, if the number of public sector sick days exceed those in the private sector, will be borne by the Canadian taxpayer who will be paying for that. Is that correct?

Mrs. Sandra Hassan: The Canadian taxpayers pay for our salaries, so you are correct.

Mr. Mark Warawa: I do thank you for your good work, but I just want to clarify this since you are here today.

Some hon. members: Oh, oh!

Mr. Mark Warawa: We have laughter from our Liberal colleagues. This is a serious issue when you're spending money out of control.

The mandate that the minister received was to “Work with the Minister of Finance and your colleagues to conduct a review of tax expenditures and other spending to reduce poorly targeted and ineffective measures, wasteful spending, and government initiatives that are ineffective or have outlived their purpose.” In other words, don't waste money, yet we have a government that still believes budgets will balance themselves, despite out of control spending.... Thank goodness for the Parliamentary Budget Officer who is—

• (1710)

Mr. Wayne Long: Chair, on a point of order, what's the relevance here? Again, we're getting a stump speech here.

Mr. Steven Blaney: A point of order, Mr. Chair.

The Chair: He can speak to his point of order.

Mr. Wayne Long: Mr. Chair, again, my colleague is talking about everything. He's got a wide range of topics in his speech, and I question the relevance to our witnesses here this afternoon.

The Chair: Thank you. I think that's potentially debate, not a point of order.

Mr. Blaney.

[*Translation*]

Hon. Steven Blaney: Mr. Chair, I certainly stand with you on your ruling.

On the other hand, my colleague is touching on one of the key elements of this legislation, one that costs \$1 billion: sick leave. What he is showing is that sick leave in the public service is much higher than in the private sector. We have experts here, people who employ our public servants, who can answer the questions.

In my opinion, Mr. Long is out of order.

[*English*]

The Chair: Thank you. That's also debate, so let's wrap up these points of order. Thank you.

Mr. Warawa, you have an additional minute 45 seconds to wrap up your remarks.

Mr. Mark Warawa: Thank you.

What I was sharing is very relevant. Bill C-62 appears to be a bill with not public consultation. There was consultation with only one

party. It appears to be the billion dollar bill, or the golden handshake bill, or the growing disparity bill, whatever we want to call it, but it's a shocking.

I thank the department for answering our questions honestly, which they always do. They work very hard, but Bill C-62 is a partisan bill. It's a golden handshake bill, and we have to critique it. That's the responsibility of the official opposition, and that we are doing. We are finding out that this is not a good bill. It doesn't deserve to be supported.

When I was in government in 2008, the economic challenges then affected all members of society. Our members' office budgets were frozen, our pensions were cut back, and public sector was affected. Everybody was affected, and we all had to live within our means. The new government, God bless them, inherited a \$2-billion surplus. That's all gone, and \$2 billion doesn't sound like a lot of money now when you're into \$22 billion a year in deficit, and we now have the trillion dollar club. It's shocking.

Thank you.

The Chair: Thank you.

MP Fortier.

[*Translation*]

Mrs. Mona Fortier: Thank you very much, Mr. Chair.

We are talking about the current state of the public service, but I would like to know what happens when public service employees are laid off. Do they lose everything? What happens?

Can you give us an idea of the number of public service employees who lost their jobs under the previous government, and the number of new employees who are now part of the public service?

Mrs. Sandra Hassan: I am sorry, but I do not have the figures on the number of public servants who lost their jobs. We can certainly follow that up, obtain the data, and provide them to the committee at the same time as the data on the number of new employees. We will give you those two sets of figures at the same time.

Mrs. Mona Fortier: Can you tell us about the relationship between the government and the unions in the last two years? I am thinking specifically of the Canadian Union of Public Employees. How has the collaboration been between the employer and the unions? Can you explain the process to us?

• (1715)

Mrs. Sandra Hassan: In the last two years, there has been a lot of action in terms of re-establishing discussions with the unions because there had been some reluctance on their part to continue discussions, and challenges to the legislation had been filed. A lot of work was done to indicate to the unions that the government proposed to repeal the provisions that had been put into effect. During the wait for those bills to be passed, Minister Brison indicated to them, both verbally and in writing, that he would be flexible during the negotiation cycles.

As for sick leave, the Minister made a commitment not to use the authority provided in the legislation. He said that he would go further, that he was going to recommend legislative provisions to repeal the measures that had been established. During the negotiations with the unions, the issues of short-term and long-term sick leave was discussed and agreed upon, so that those provisions continue to apply after the negotiation cycles.

Mrs. Mona Fortier: On the subject of concluding negotiation cycles, how many negotiations have been concluded since the new government took office in 2015?

Mrs. Sandra Hassan: Of the 27 negotiations, 23 have been concluded.

Mrs. Mona Fortier: Thank you very much.

I have no further questions, Mr. Chair.

[*English*]

The Chair: MP Falk, do you have any further questions? No.

MP Trudel, do you have any further questions? No.

Seeing no further questions, we will wrap it up here.

We do have some committee business, so committee members, don't go away.

Thank you very much for helping us get this legislative review started. I appreciate all of the information you provided today.

Thank you.

[*Proceedings continue in camera*]

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