



Reporting obligations under the Fighting Against Forced Labour and Child Labour in Supply Chains Act (S-211)

Administrative Tribunals Support Service of Canada

May 31, 2024

ATSSC·SCDATA

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Aussi disponible en français sous le titre : Obligations de faire rapport en vertu de la Loi sur la lutte contre le travail forcé et le travail des enfants dans les chaînes d'approvisionnement (S-211)

The *Fighting Against Forced Labour and Child Labour in Supply Chains Act* (Act) came into force on January 1, 2024.

The Act stipulates that any **government institution** producing, purchasing or distributing goods in Canada or elsewhere must, on or before May 31 of each year, submit a report to the Minister of Public Safety. The report must detail the steps the government institution has taken during its previous financial year to prevent and reduce the risk that forced labour or child labour is used at any step of the production of goods produced, purchased or distributed by the government institution.

The Act's reporting obligations also apply to entities producing goods in Canada or elsewhere or to entities importing goods produced outside Canada.

PART 1: IDENTIFYING INFORMATION

Name of government institution: The Administrative Tribunals Support Service of Canada (ATSSC)

Financial reporting year: April 1, 2023, to March 31, 2024

PART 2: REPORT CONTENTS

2.1 Information on the government institution's structure, activities, and supply chains

Which of the following accurately describes the government institution's activities?

- Purchasing goods
 - in Canada
 - outside Canada

Provide additional information on the government institution's structure, activities and supply chains.

The ATSSC was established with the coming into force on November 1, 2014, of the Administrative Tribunals Support Service of Canada Act. The ATSSC is responsible for providing support services and facilities to 12 federal administrative tribunals by way of a single, integrated organization. These services include the specialized services required to support the mandate of each tribunal (Registry Services, Legal Services, Information Management and Information Technology, Human Resources, Finance, Procurement, Accommodations, Security, Planning, and Communications). Through these services, the ATSSC supports improving access to justice for Canadians. The ATSSC is comprised of a total of 661 federal employees and 89 tribunal members who aren't public servants, but rather individuals who have been appointed by the Governor in Council.

At the ATSSC, approximately 73% of the annual value of our purchases were made using PSPC tools such as Standing Offers and Supply Arrangements.

The ATSSC awarded 43 contracts and issued 13 amendments for goods between April 1, 2023, to March 31, 2024. The total cost of goods procured was \$3,876,121.

Since November 2021, Public Services and Procurement Canada (PSPC) has implemented anti-forced labour clauses in all goods contracts to ensure that it can terminate contracts where there is credible information that the goods have been produced in whole or in part by forced labour or human trafficking. Additionally, since November 20, 2023, all PSPC Standing Offers and Supply Arrangements for goods that have been issued, amended, or refreshed include anti-forced labour clauses.

As such, all our contracts for goods resulting from the use of these tools include clauses relating to forced labour which set out, among other things, human rights and labour rights requirements. These clauses can be found in the [policy notification 150 - Anti-forced labour requirements](#).

The most common types of goods procured by the ATSSC are:

- 5835: Sound Recording and Reproducing Equipment
- 7010: Automatic Data Processing Equipment (ADPE) System Configuration
- 7030: Automatic Data Processing (ADP) Software
- 7110: Office Furniture
- 7510: Office Supplies

2.2 Information on the steps taken to prevent and reduce the risk that forced labour or child labour is used at any step of the production of goods produced, purchased, or distributed by the government institution.

Indicate steps taken in the previous financial year to prevent and reduce the risk that forced labour or child labour is used at any step of the production of goods produced, purchased or distributed by the government institution.

The ATSSC has used PSPC's tools, including Standing Offers and Supply Arrangements, and integrated PSPC's updated General Conditions for goods contracts and PSPC's [Code of Conduct for Procurement](#) in its purchasing activities to prevent and reduce the risk of forced labour or child labour in our procurements.

While PSPC supports government institutions in their daily operations by acting as the central purchasing agent for the Government of Canada, the ATSSC undertakes activities under its own procurement authority, independently of the aforementioned PSPC tools.

During the previous fiscal year, the ATSSC purchased goods and services under its own procurement authority in the following areas: Office furniture, office supplies, information technology and audio-visual equipment. No action plans to remediate forced labour or child labour in their activities and supply chains have been implemented yet.

2.3 Information on the policies and due diligence processes in relation to forced labour and child labour

Does the government institution currently have policies and due diligence processes in place related to forced labour and/or child labour?

The ATSSC doesn't have internal policies and due diligence processes in place at this time. However, effective April 1, 2023, amendments to the [Treasury Board Directive on the Management of Procurement](#) require contracting authorities from all departments listed in Schedules I, I.1 and II of the [Financial Administration Act](#) (with the exception of the Canada Revenue Agency) and commissions established in accordance with the [Inquiries Act](#) and designated as a department for the purposes of the [Financial Administration Act](#) to incorporate the [Code of Conduct for Procurement](#) ("the Code") into their procurements.

The Code requires that vendors, providing goods and services to the Government of Canada and their sub-contractors, comply with all applicable laws and regulations. In addition, the Code requires vendors and their sub-contractors to comply with Canada's prohibition on the importation of goods produced, in whole or in part, by forced or compulsory labour. This includes forced or compulsory child labour and applies to all goods, regardless of their country of origin.

The prohibition on the importation of goods produced wholly or in part by forced labour came into force under the *Customs Tariff* in July 2020. This amendment implemented a commitment in the Labour Chapter of the Canada-United States-Mexico Agreement (CUSMA) and applies to all imports, regardless of origin.

2.4 Information on the parts of its activities and supply chains that carry a risk of forced labour or child labour being used and the steps taken to assess and manage that risk.

Has the government institution identified the parts of its activities and supply chains that carry a risk of forced labour or child labour being used?

At the ATSSC, we have started the process of identifying risks, but there are still gaps in our assessments.

In May 2021, a risk analysis of PSPC's supply chains was completed by Right Lab, of the University of Nottingham (U.K.) to determine which goods were at the highest risk of exposure to human trafficking, forced labour, and child labour. The analysis and subsequent report elaborated key strategies for PSPC to leverage public spending power to raise awareness about forced labour in supply chains.

We have familiarized ourselves with information on the risk assessment provided by PSPC, and are monitoring related follow-action, including the development of a Policy on Ethical Procurement.

Has the government institution identified forced labour or child labour risks in its activities and supply chains related to any of the following sectors and industries?

- Agriculture, forestry, fishing and hunting
- Mining, quarrying, and oil and gas extraction
- Utilities
- Construction
- Manufacturing
- Wholesale trade
- Retail trade
- Transportation and warehousing
- Information and cultural industries
- Finance and insurance
- Real estate and rental and leasing
- Professional, scientific and technical services
- Management of companies and enterprises
- Administrative and support, waste management and remediation services
- Educational services
- Health care and social assistance
- Arts, entertainment and recreation
- Accommodation and food services
- Other services (except public administration)
- Public administration
- None of the above
- Other, please specify

None of the above. The ATSSC didn't identify forced labour or child labour risks in its activities and supply chains related to any of the sectors and industries listed above.

2.5 Information on any measures taken to remediate any forced labour or child labour

Has the government institution taken any measures to remediate any forced labour or child labour in its activities and supply chains?

Not applicable; we haven't identified any forced labour or child labour in our activities and supply chains.

2.6 Information on any measures taken to remediate the loss of income to the most vulnerable families that results from any measure taken to eliminate the use of forced labour or child labour in the institution's activities and supply chains

Has the government institution taken any measures to remediate the loss of income to the most vulnerable families that results from any measure taken to eliminate the use of forced or child labour in its activities and supply chains?

Not applicable; we haven't identified any loss of income to vulnerable families resulting from measures taken to eliminate the use of forced labour or child labour in our activities and supply chains.

2.7 Information on the training provided to employees on forced labour and child labour

Does the government institution currently provide training to employees on forced labour and/or child labour?

The ATSSC doesn't provide training to its employees at the moment. However, we are aware that PSPC is currently developing awareness-raising guidance materials (including risk mitigation strategies) for suppliers, targeted towards high-risk sectors. We are monitoring the development of these materials and will leverage these resources upon their publication.

2.8 Information on how the government institution assesses its effectiveness in ensuring that forced labour and child labour are not being used in its activities and supply chains

Does the government institution currently have policies and procedures in place to assess its effectiveness in ensuring that forced labour and child labour are not being used in its activities and supply chains?

No. The ATSSC doesn't currently have policies and procedures in place to assess the effectiveness of ensuring that forced labour and child labour aren't being used in its activities and supply chains. However, it is a priority to develop and put in place these policies and procedures in 2024-25.