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HANSARD

Thursday, November 15, 2018 — 1:00 p.m.

Speaker: The Honourable Nils Clarke

YUKON LEGISLATIVE ASSEMBLY

2018 Fall Sitting

SPEAKER — Hon. Nils Clarke, MLA, Riverdale North
DEPUTY SPEAKER and CHAIR OF COMMITTEE OF THE WHOLE — Don Hutton, MLA, Mayo-Tatchun
DEPUTY CHAIR OF COMMITTEE OF THE WHOLE — Ted Adel, MLA, Copperbelt North

CABINET MINISTERS

NAME	CONSTITUENCY	PORTFOLIO
Hon. Sandy Silver	Klondike	Premier Minister of the Executive Council Office; Finance
Hon. Ranj Pillai	Porter Creek South	Deputy Premier Minister of Energy, Mines and Resources; Economic Development; Minister responsible for the Yukon Development Corporation and the Yukon Energy Corporation
Hon. Tracy-Anne McPhee	Riverdale South	Government House Leader Minister of Education; Justice
Hon. John Streicker	Mount Lorne-Southern Lakes	Minister of Community Services; Minister responsible for the French Language Services Directorate; Yukon Liquor Corporation and the Yukon Lottery Commission
Hon. Pauline Frost	Vuntut Gwitchin	Minister of Health and Social Services; Environment; Minister responsible for the Yukon Housing Corporation
Hon. Richard Mostyn	Whitehorse West	Minister of Highways and Public Works; the Public Service Commission
Hon. Jeanie Dendys	Mountainview	Minister of Tourism and Culture; Minister responsible for the Workers' Compensation Health and Safety Board; Women's Directorate

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Yukon Liberal Party

Ted Adel	Copperbelt North
Paolo Gallina	Porter Creek Centre
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Yukon Party

Stacey Hassard	Leader of the Official Opposition Pelly-Nisutlin	Scott Kent	Official Opposition House Leader Copperbelt South
Brad Cathers	Lake Laberge	Patti McLeod	Watson Lake
Wade Istchenko	Kluane	Geraldine Van Bibber	Porter Creek North

THIRD PARTY

New Democratic Party

Liz Hanson	Leader of the Third Party Whitehorse Centre
Kate White	Third Party House Leader Takhini-Kopper King

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Yukon Legislative Assembly
Whitehorse, Yukon
Thursday, November 15, 2018 — 1:00 p.m.

Speaker: I will now call the House to order. We will proceed at this time with prayers.

Prayers

DAILY ROUTINE

Speaker: We will proceed at this time with the Order Paper.

INTRODUCTION OF VISITORS

Speaker: I have the pleasure of welcoming a class from Vanier Catholic Secondary School. Il me fait grand plaisir d'introduire aujourd'hui les élèves de la classe de sciences humaines de Mme. Sylvie Hamel. Welcome.

We have in the gallery Berrie Alfonso, Presley Bjork, Dakota Crawford, Trixie De Leon, Quinn Howard, Jordan Keats, Joshua Lauer, Simon Lauer, Jamvee Madrigal, Emily Organ, Chantelle Scheper, Jay Sinclair and Sam Wanless. A little bird has told me that it might be Mr. Wanless's birthday today. If that is correct, happy birthday and welcome to the Assembly. Bienvenue à l'Assemblée législative.

Applause

Hon. Mr. Pillai: Mr. Speaker, I would ask the House to help me welcome — as you can see — many visitors here today. Some people from our mineral and resource sector have come to visit us today, some from Yukon government, as well as from the PNWER conference — individuals from across North America. Some people have been moving from the other event. I'm not sure if Matt Morrison is here yet — but Matt Morrison, the president and CEO, and Arnie Roblan will be here in the next little bit and also Mr. Larry Doke, who is the current president.

As well, there are a couple of MLAs and ministers. I will do my best — Ken Cheveldayoff, who is the MLA and minister from Saskatchewan, is here with us today. As well, Richard Godfried, who is the MLA for Fish Creek, Alberta — it is great to see you as well. Steve Hobbs is with us here today as well as Steve Rose — who used to be with Yukon government. Bryan Walton and Adam Hartman, as well as local individuals have been working with the organization this week. J.P. Pinard and Sally Wright are here today as well. Nate Weigel, Leah McDonald and Stormy Holmes are visiting here, as well as Brandon Hardenbrook, who has been a key person in making sure that this event goes well and who works with PNWER. Kathy Dhanani, is with us here from the US Consulate, as well as Andrea Cox from the Government of Alberta. Also with us are Matthew Hepner and Mark Romoff — I was so happy to see Mark. Mark leads the P3 process for the entire country and has been a key individual in leading that conversation and is well-known across this country.

Bruce Agnew and David Bennett are here, as well as Deborah Boone. I know some individuals just came in and I

know I am going to miss some. Mr. Smith, it's great to see you as well. If there is anybody who has stories — Mr. Speaker, there was a day named after him after a Rendezvous. I will leave others to talk about how that happened. I know there are probably a couple of other people who are here who I might have missed, and I apologize. Thank you all for coming and representing PNWER.

Mr. Speaker, concerning our geoscience conference, we have lots of great leaders from across this sector. First, I would like to thank the people I get to work with every day from Energy, Mines and Resources: Deputy Minister Stephen Mills is here; our assistant deputy minister Mr. John Fox; also Bob Holmes, a key individual and leader within our department; Jennifer Russell; Dustin Biero; Bobbie Milnes; Jay Chou; and Briar Young — I believe are all here from our key EMR folks as well.

From Yukon Geological Survey as well are Layla Weston, Kristen Kennedy, Tiffani Fraser, Karen MacFarlane and our leader there — and renowned leader in this field — Carolyn Relf. I would like to give them a hand.

Also, I know that from the Department of Economic Development is Mr. Michael Durham, who leads the conversation for our Economic Development department. I know Peter Turner is here from the Yukon Chamber of Commerce. I know that Kathleen Napier is here as well.

Al Doherty, a prospecting leader for a long time in the field, is here, and Grant Allen as well, who has been the president, at times of the Yukon Prospectors Association and a key individual. Anne Turner from Yukon Women in Mining as well as Yukon Mining Alliance is here; Albert Drapeau is here from the Yukon First Nation Chamber of Commerce with their chair and president, Michelle Kolla, who is also here today. I saw that Jonas Smith, the executive director from the Klondike Placer Miners' Association, and Mike Van Hellemond are here. Sue Craig is here as well, the current president of the Yukon Chamber of Mines, as are Heather Burrell, Hugh Kitchen and Daniel Little. Daniel, thanks for making sure that all the communication has gone well from the Yukon Chamber of Mines. I would say to Samson: thank you for bringing everybody over to see us today. Welcome.

Since I'm still on my feet, I want to thank Shona Mostyn for bringing everybody together and for helping us to organize PNWER and especially for the videos that were produced last night, which were absolutely fantastic. Individuals have to take a look and see the amazing work that was done by the Department of Economic Development.

Applause

Hon. Mr. Streicker: I know that the minister mentioned Samson Hartland, the executive director of the Yukon Chamber of Mines, but he's also one of our city councillors and was recently re-elected to city council, and I always like to acknowledge our city councillors when they come to the Legislative Assembly.

Applause

Ms. McLeod: I ask all members of the House to join me in welcoming Watson Lake's new mayor to the House today, Ms. Cheryl O'Brien.

Applause

Hon. Mr. Mostyn: I know we have had a lot of introductions today, but I'm going to make one more. I'm going to introduce my wife of 28 years, Shona Mostyn, who is joining us in the House today. Please join me in welcoming her to the House.

Applause

Speaker: Are there any further introductions of visitors?

TRIBUTES

In recognition of 46th Yukon Geoscience Forum and Trade Show

Hon. Mr. Pillai: I rise on behalf of the Yukon Liberal government to pay tribute to the 46th Yukon Geoscience Forum and Trade Show that will be taking place from November 17 to 20. We have a lot to be excited about. For instance, a recent summary from Natural Resources Canada shows significant mine development expenditures in Yukon, which is contributing to our strong economy. This year, the Yukon is ranked 4th in Canada for mineral exploration and deposit appraisal spending. Our 2018 total resource development investments — which include exploration, deposit appraisals and mine complex development — are \$109.6 million, which is an increase of 135.8 percent from 2017. The 2018 mineral exploration and deposit appraisal spending intentions have been reassessed from our numbers earlier this year from \$173 million to \$249.4 million, which includes \$142.6 million for exploration, up 32.9 percent from 2017, and \$106.8 million for deposit appraisals, up 73.9 percent from 2017. I would note that if we see these numbers through to the end, the \$249.4 million would be the second highest ever in Yukon history after 2011.

The spending intentions are for work on and off mines sites, including spending on feasibility studies, engineering, economics, environmental studies and general expenses.

The Geoscience Forum provides an opportunity for geologists, miners and governments to get together and make connections with others involved in the mineral industry. The forum also brings together industry youth, First Nations and potential investors from around the globe. The Yukon Chamber of Mines deserves acknowledgement for organizing this event for the benefit of Yukon's mineral sector. The investment forum and presentations on reconciliation, leveraging partnerships and a regulatory regime provide an opportunity for attendees to exchange knowledge around best practices. Attendees can also learn about investment opportunities and develop relationships with others in the industry. The knowledge sharing that takes place over the course of the Geoscience Forum assists all of us in collectively moving industry forward.

During the forum, Yukon government geologists deliver talks and display posters detailing their research. This includes showcasing Yukon's latest geological discoveries. Mining and exploration companies frequently attribute their investment decisions and exploration successes to the information provided by government geologists. The Yukon Geological Survey also invites youth and students from schools to participate in tours of the trade show and take part in many hands-on activities related to mining and geology.

The Yukon Geological Survey also organizes and hosts a forum on Sunday for placer miners. At the placer forum, industry experts give presentations about technologies and processes that can contribute to each placer miner's success and help them mine effectively. All attendees have the opportunity to share their expertise and connect with others involved in the placer industry.

Supporting and contributing to the Geoscience Forum is just one way the Yukon government demonstrates its support for the mineral sector. We recognize the importance of infrastructure development to strengthen and grow Yukon communities and encourage economic well-being for our territory.

In conclusion, Mr. Speaker, I invite Yukoners to drop in to the trade show at the Yukon Convention Centre between 10:00 a.m. and 5:00 p.m. each day to talk with exhibitors and learn more about the mineral exploration and development industry in our territory. I wish everyone involved success at the forum.

Mr. Speaker, those numbers that we just reflected — these are the people. We have many CEOs and hard-working individuals in this sector who are not here. Let's give these people a hand as well, because that is why we get to reflect the numbers that we are speaking of today.

Applause

Mr. Kent: I rise on behalf of the Yukon Party Official Opposition to pay tribute to this year's Geoscience Forum and the Yukon Chamber of Mines. Big congratulations to the Yukon Chamber of Mines on the 46th annual Geoscience Forum. This trade show and forum is a must on the calendar for anyone active or wanting to become active in our hardrock and placer mining industries. This year's conference has a record 600 registered delegates already. The agenda, as always, is jam-packed with speakers to highlight many important items for the mining community. I would urge all Yukoners to visit the trade show, especially on Saturday as it is family day. With exciting events like the opening reception, the Yukon Women in Mining reception, placer forum and the awards banquet, this will be a great opportunity to get a sense of how the past season went and what we have to look forward to next year.

For the Yukon, with a solid foundation of placer mines, the new Eagle Gold mine under construction, the sale of the Wolverine mine — as announced by the minister — encouraging news out of Alexco's project, Kudz Ze Kayah and Coffee, and environmental assessments and a full pipeline

of other potential projects, the future looks bright for this industry here in our territory.

For the Yukon Chamber of Mines, this is also their 75th anniversary. Membership has burgeoned over the years from a dozen founding members in 1943 to approximately 450 today. This strong and diverse group includes exploration, mining and service and supply companies, contractors and individuals who have a direct or indirect interest in the mining industry.

I also wanted to give a special shout-out to a constituent and friend of mine. We learned recently that long-time chamber member and former president Carl Schulze played a significant role in discovering a recently opened mine in northern Ontario. Twenty-eight years ago, working as a young geologist for Noranda Exploration, Carl — or Sarge — cracked open a rock and found visible gold, something that is very rare. He named the discovery the Sugar Zone. Ontario Premier Doug Ford cut the ribbon on the Sugar Zone mine in October of this year. I haven't had the chance to ask him yet if he is entitled to any royalties, but a recent social media post from him suggest not, so I will try to confirm that with him this weekend. You will recognize Sarge at the Geoscience Forum as he will most certainly be behind the piano at a number of events entertaining the delegates.

We hope that everyone has a great time at this annual event. Congratulations to the Yukon Chamber of Mines on 75 years and this 46th annual Geoscience Forum.

Applause

Ms. White: I rise on behalf of the Yukon NDP to pay tribute to the hard work done by so many folks to organize and prepare for the annual Geoscience Forum and trade show. We have heard from my colleagues on just how much is happening, from on-the-ground preparation to the events themselves, and it is absolutely fantastic, because although it will all appear seamless, events like these just don't happen by themselves. Behind the scenes are the hard-working staff and volunteers from many different organizations, such as the hard-working folks at the Yukon Geological Survey who put together the exciting day-long Yukon placer forum. Without the generous sponsorship of businesses from near and far, events like these just wouldn't be possible.

People involved in all aspects of the mining community — from exploration geologists to expeditors, pilots to underground miners, equipment operators and junior mining companies and all shades in between — can come from very different places, but I can tell you, after having worked in numerous mining camps, from the very small exploration camps to fully operational mines, that I know they share a few common traits.

First, they all love what they do. It is not just a job; it's a lifestyle choice. They are a pretty patient bunch. From waiting for planes or helicopters on no-fly days to doing in-the-field equipment repair and from minor to major problem-solving, these folks know how to shake it all off, and I bet that most of the folks in the gallery play a pretty mean game of crib.

The successes of others are celebrated. They are always celebrated — from discoveries to advancements in the

industry. It will be hard to find a more appreciative audience. These formal and informal gatherings are a chance to get together and tell stories, and, Mr. Speaker, I can tell you that folks in these industries have some of the absolutely wildest stories you would ever hear.

Events like the Geoscience Forum are an opportunity for really busy people to get together to learn, discuss, plan and celebrate.

We wish all of them an interesting, engaging and fun time this weekend.

Applause

In recognition of the Gwich'in people and protection of the Porcupine caribou herd

Hon. Ms. Frost: I rise today on behalf of all Members of the Legislative Assembly to pay tribute to the Gwich'in people and their tireless effort to protect the Porcupine caribou calving grounds. The Porcupine caribou are essential to the lives of the First Nation and Inuvialuit peoples in Canada. In addition to generations of cultural ties that are integral to these communities each year, caribou are harvested for subsistence use. In remote northern communities where the cost of healthy food is sometimes a financial barrier, caribou is an essential food source of cultural and nutritional significance. Elders often say, "We take care of the land so that it can take care of us." For millennia, the Gwich'in and the Porcupine caribou have co-existed — surviving because of one another.

The Porcupine caribou herd's most critical habitat is its calving grounds located in Alaska's Arctic National Wildlife Refuge. Research has shown that even slight shifts in caribou calving areas can be detrimental to the survival of the calves and, in turn, the herd. It is essential to have effective conservation and management of key habitat for the Porcupine caribou herd — in particular, the calving grounds of the Arctic National Wildlife Refuge.

Gwich'in people have been strong leaders in advocating for the Porcupine caribou herd since the 1980s and continue to the present day. Leaders from the Vuntut Gwitchin First Nation were instrumental in protecting the caribou herd when the United States government planned to open the calving grounds for development in 1987. In 1988, the Gwich'in Steering Committee was established with four representatives from Canada and four from the United States.

Gwich'in elders also developed a strategy to grow a grassroots movement on advocating and protecting the Porcupine caribou herd. At first, their focus was to educate First Nations about the Porcupine caribou, then the territorial government and then the federal government. Through the relationships the Gwich'in people developed with the Canadian embassy and the International Porcupine Caribou Board, their efforts exploded in the United States. By partnering with the Alaska Wilderness Committee, the Vuntut Gwitchin Government has been able to relate ecological conservation within the human rights associated with protecting the herd. Through this work, they developed a united message and spread it across Canada, the United States and the world.

Today, the Gwich'in people are partners to the *Porcupine Caribou Management Agreement* and are heavily involved in the management board process. The parties to the agreement are the governments of Yukon, Canada and the Northwest Territories, the Inuvialuit Game Council, the Gwich'in Tribal Council, and the Vuntut Gwitchin, Tr'ondëk Hwëch'in and Na Cho Nyäk Dun First Nation governments.

Our governments are working together to respond to the current United States environmental impact statement process for leasing lands in the Arctic National Wildlife Refuge for oil exploration.

On behalf of the Government of Yukon, I would like to recognize and acknowledge the responsible stewardship of the Gwich'in people in protecting the Porcupine caribou herd. The herd's size is healthy because of the Gwich'in people's work and the parties' effective efforts in conservation. The Gwich'in people help to build a movement of many voices raised together to make a difference and to make sure that the herd has what it needs to survive in the future.

However, Mr. Speaker, it is more critical now than ever before that the Government of Yukon continues to work with the Gwich'in people to protect the caribou herd. With the United States' pressing efforts in its legislative processes to open up the calving grounds for oil development, there is a very real possibility that our future generations will lose forever an essential food source and a significant part of their culture.

Applause

Speaker: Are there any returns or documents for tabling?

TABLING RETURNS AND DOCUMENTS

Ms. White: I have for tabling the *Yukon Health Care Review*, 2008.

Ms. Hanson: I have for tabling *The Yukon Health Care Review — "Taking the Pulse"*, 2009.

Ms. White: I have for tabling the *Yukon Health Status Report 2009*.

Ms. Hanson: I have for tabling the *Dimensions of Social Inclusion and Exclusion in Yukon 2010*.

Ms. White: I have for tabling the 2010 *Task Force on Acutely Intoxicated Persons at Risk*.

Ms. Hanson: I have for tabling the 2010 *Whitehorse Housing Adequacy Study*.

Ms. White: I have for tabling the 2011 *Supported Child Care Program — Evaluation of the Program*.

Ms. Hanson: I have for tabling the *Health and health-related behaviours among young people in Yukon*, January 2011.

Ms. White: I have for tabling the *Yukon Health Services and Programs — 2011*, Auditor General of Canada report.

Ms. Hanson: I have for tabling *Kids Count — Measuring child and family wellness in Yukon*, November 2012.

Ms. White: I have for tabling the *Yukon 2012 Health Status Report — Focus on Children and Youth*.

Ms. Hanson: I have the 2012 report, *A Better Yukon for All — Government of Yukon's Social Inclusion and Poverty Reduction Strategy*.

Ms. White: I have for tabling the 2012 *Yukon Territorial Government Health and Social Services — Medical Travel Programs Review*.

Ms. Hanson: I have for tabling the *Final Report — New Whitehorse Continuing Care Facility*, June 27, 2013.

Ms. White: I have for tabling the 2014 *Health and Social Services Strategic Plan 2014-2019*.

Ms. Hanson: I have for tabling the Health and Social Services *HSS Performance Measure Framework 2014-2019*.

Ms. White: I have for tabling the 2014 Yukon territorial clinical services plan.

Ms. Hanson: I have for tabling the 2014 report of the Auditor General, Yukon Family and Children Services, Department Health and Social Services.

Ms. White: I have for tabling the 2014 *Proposed FASD Prevention Services Delivery Model* report.

Ms. Hanson: I have for tabling the *Yukon Health Status Report — Focus on Substance Use 2015*.

Ms. White: I have for tabling the 2015 *Yukon Palliative Care Framework* report.

Ms. Hanson: I have for tabling the *Yukon FASD Diagnosis and Case Management in Adult Corrections Population — Final Report June 2015*.

Speaker's statement

Speaker: Order. I'm not here to question your strategy, but it seems to me that these reports could have been submitted as a package. If this is how you wish to proceed, I'm in your hands.

Ms. White: I have for tabling the 2016 report *Forward Together — Yukon Mental Wellness Strategy 2016 to 2026*.

Ms. Hanson: I have for tabling *Cancer Mortality Trends, 1999-2013*, from August 2017.

Ms. White: I have for tabling the 2017 report *Safe at Home — A Community-Based Action Plan to End and Prevent Homelessness in Whitehorse, Yukon*.

Speaker: Are there any further returns or documents for tabling?

Are there any reports of committees?

Are there any petitions?

Are there any bills to be introduced?

Are there any notices of motions?

NOTICES OF MOTIONS

Mr. Cathers: I rise to give notice of the following motion:

THAT this House urges the Premier to join the Leader of the Official Opposition in signing the letter to Minister McKenna seeking an exemption for the Yukon's trucking industry from the Liberal carbon tax scheme.

Mr. Istchenko: I rise to give notice of the following motion:

THAT this House urges the Premier to take steps to strengthen the Yukon's relationship with the State of Alaska, including contacting the Governor of Alaska, the President of the Alaska State Senate, and the Speaker of the Alaska House of Representatives to propose the creation of a new Alaska-Yukon all-party committee composed of members of the Alaska State Legislature and the Yukon Legislative Assembly, with the mandate of working together on shared issues and priorities including:

(1) lobbying for Shakwak funding for the Alaska Highway;

(2) supporting the development and marketing of the tourism sector;

(3) improving and simplifying transport regulations; and

(4) fish and wildlife.

Speaker: Are there any further notices of motions?

Is there a statement by a minister?

This then brings us to Question Period.

QUESTION PERIOD

Question re: School capacity

Mr. Hassard: We have established that the Minister of Education has a growing credibility problem. She originally stated that she only just learned of school overcrowding being so bad that children were being wait-listed. That turned out to be incorrect. It was actually falsehoods, to be quite frank with you. In fact, she had letters sitting on her desk going back to December telling her how bad things were.

Some Hon. Member: (Inaudible)

Point of order

Speaker: The Minister of Community Services, on a point of order.

Hon. Mr. Streicker: Mr. Speaker, the member opposite just stated that the Minister of Education uttered a falsehood, which is contrary to Standing Order 19(h).

Speaker's ruling

Speaker: You have heard from me on this. I may do some additional research in the future; however, it is pretty clear to me that in Standing Order 19(h) there is a modifier to "falsehood". We are a self-governing body, and the MLAs, in their wisdom, determined — and it helpfully sits there — that "falsehood" is modified by "deliberate", which seems to me to be a relatively easy interpretation for the Chair to make. There is no point of order.

Mr. Hassard: The Official Opposition has now obtained a letter to the minister from a different school council highlighting concerns with overcrowding. The letter from Hidden Valley School Council states that because the minister has not addressed their overcrowding concerns, the popular Learning Together program has been removed from the school.

Can the minister tell us what she is doing to address the overcrowding concerns of the Hidden Valley School Council?

Hon. Ms. McPhee: I will take issue to the preamble to that question. I do find it insulting. On many occasions we have answered this question in the House about the growing population in the elementary schools here in Whitehorse. We have committed to working with each of the school communities on short-term, medium-term and long-term solutions. It is completely incorrect that I have not been working on this issue and that it has not been brought to our attention — it has. The school councils across the territory, and particularly in Whitehorse at elementary schools, are bringing their concerns to our attention. We are working with each and every one of them, including individual parents, families and school administrations going forward to address the issues of growing enrolment.

Mr. Speaker, this is mostly because for over 25 years, there has not been any planning with respect to the growth of elementary schools here in the City of Whitehorse.

Mr. Hassard: I was speaking specifically to Hidden Valley School in this last question. It appears that the minister is really not taking this issue very seriously at all. She has letters on her desk from December telling her that overcrowding at some schools is so bad that kids are being wait-listed. She told us she only became aware of these overcrowding issues this October. It turns out that this was actually a falsehood, to be quite frank with you. Now the Hidden Valley School Council has written the minister to say they are facing serious overcrowding pressures. As a result of these pressures, they have to get rid of their First Nation language room and repurpose it.

The school council points out in their letter that enrolment is growing from the bottom and they are worried that children

in the catchment area may have to be turned away next year. To prevent this from happening, will the minister provide Hidden Valley School with a portable for the next school year?

Hon. Ms. McPhee: I think what is missing in the preamble to that question is that, while some schools do have pressures here in the City of Whitehorse — those are particularly elementary schools and are very important issues — there are 700 empty school spots in elementary schools in and around the area of the City of Whitehorse. Clearly, we are working with every family to make sure that their children are placed, hopefully, in their school of choice, but if not, in a place where they will receive an education focused on the students, with the students moving forward in our new curriculum on the basis of experiential learning and student-centred focuses and approaches.

I will not commit here to a portable for any particular school. What I have committed to is working closely with school councils, school communities, school administration, parents, children and families to make sure that we are addressing a problem of growing enrolment here in the City of Whitehorse.

Mr. Hassard: Unfortunately, it sounds like the minister's solution is to bus children across the city. We've seen the minister make claims about when she became aware of overcrowding issues, and those claims turned out to be incorrect; they were actually falsehoods, to be quite frank with you. We have also seen the minister try to explain that overcrowding isn't necessarily a terrible problem to have —

Some Hon. Member: (Inaudible)

Point of order

Speaker: Minister of Community Services, on a point of order.

Hon. Mr. Streicker: Mr. Speaker, when I go back and read through Hansard, what I will hear is a sense from the Leader of the Official Opposition that this is deliberate. I ask you to decide whether or not the tone and the use of the word "falsehood" here are indicating that this is deliberate.

Speaker: The Member for Copperbelt South, on the point of order.

Mr. Kent: In reviewing Hansard, the quote that the Leader of the Official Opposition used was the exact quote used by the Minister of Education when you gave your initial ruling on this.

Speaker's ruling

Speaker: The clock can stop here. I will review Hansard and I will get back to the House, but what I would agree with as a general proposition is that it is not the Speaker's job to specifically police words. The job is to ensure that debate occurs as seamlessly as possible, to promote freedom of speech and to ensure that the temperature in the House does not rise to a level where there is disorder or there is likely to be disorder.

So as I said, the Leader of the Official Opposition repeating himself with certain words — sure, that will tend to

raise the temperature in the House, and I am mindful of that and I will monitor that. But as I said, I will review Hansard and return to the House as required.

The clock can start again.

Mr. Hassard: As I was saying, the minister already dropped the ball on dealing with overcrowding at one school, as children had to be taught in boiler rooms, Mr. Speaker.

Another school has come forward to the minister asking her to be proactive so that they aren't put in a similar situation next year. So will the minister commit to holding a public meeting with the Hidden Valley School Council and community to hear their concerns directly, Mr. Speaker?

Hon. Ms. McPhee: Since we're using the word "falsehood", I guess I need to point out that children being taught in boiler rooms — that is, in fact, a falsehood.

With respect to the question, Mr. Speaker, I have attended every school council here in the City of Whitehorse, some on more than one occasion — some meetings that I have been invited to and some that I have just gone to based on the topics that they are discussing. I have been to many, many schools — opportunities to be at schools and school events — and particular ones, and I cherish those opportunities.

I will meet with any school council, school community or school administration with respect to dealing with these issues for planning because once again, Mr. Speaker, there has been no planning for elementary schools in the City of Whitehorse for more than 20 years — something that we are working hard to change now.

Question re: Carbon tax

Mr. Cathers: The Liberal carbon tax scheme requires Yukoners to pay up front, and at some disclosed date in the future, the Premier claims they will get their money back. During the election, he promised that every Yukoner would get every nickel back. After he was elected, he changed his tune and now can't — or won't — tell us how much individuals will get back.

There are some Yukoners who are, unfortunately, living paycheque to paycheque and there are small businesses having a hard time paying their bills. These Yukoners are struggling enough as it is and can't afford to pay a bunch of money up front and wait to hopefully get it back on their tax return at the end of the year.

Can the Premier tell us how the carbon tax scheme will do anything but make life even more unaffordable for these families?

Hon. Mr. Silver: Thank you, Mr. Speaker — oh, that's not Mr. Speaker; that's the camera. Sorry, Mr. Speaker. Thank you very much, Mr. Speaker. As we have said many times, the revenue collected will be returned to Yukoners and to Yukon businesses. We made good on that commitment and we're going to continue to make good on that commitment.

We're still waiting to hear some final areas of consideration from the federal government as to how we're going to return those things. Once we figure that out by working with our stakeholders and working with businesses,

we will make sure that we keep good on our promise and we will return 100 percent of those dollars back to Yukoners and Yukon businesses.

Mr. Cathers: Mr. Speaker, you know, Yukoners are getting tired of Liberal platitudes and falsehoods. There are a lot of rural Yukoners who have to drive into Whitehorse for essentials such as groceries.

The Liberal carbon tax scheme is going to make it more expensive for these Yukon citizens to make these trips.

I have a simple question for the Premier: Will a family who drives in from Mayo to get groceries and has to pay an extra — let's say — \$200 a year get that \$200 back, or will it be a different amount?

Hon. Mr. Silver: I will rate the preamble to that — three Pinoccios, four Chicken Littles and one little boy who cried wolf.

Yukoners need to know what this government is doing with a federal carbon-pricing mechanism. We are returning those dollars back to Yukoners. We are going to make sure that we have money available for individuals and for businesses as well. We have made good on that commitment.

We have even gone further than that. The First Nation governments, municipal governments — we have made a commitment to get that money back to those governments as well. We went door to door with a comprehensive plan on a price on carbon.

The Yukon Party did not have a price on carbon. They didn't — they didn't have a plan. We are not even sure if they actually believe in man-made climate change or not, but we have a plan when it comes to carbon pricing. The federal government has decided upon a method for those jurisdictions that don't currently have a plan. That is the federal backstop. We will be part of that federal backstop. The federal government will collect the money, and Yukoners will get the money back through rebates and also exemptions through the good work that this government has done, working in partnership with the federal government.

Mr. Cathers: We have heard a lot of platitudes, but in year 3 of this Liberal government, Yukoners are still waiting for the details. The Premier's flippant attitude suggests that he thinks this is a game, but Yukoners who are struggling hard to make ends meet want the Premier to come clean and tell them what the details are.

The Premier also knows that the Yukon Party took an incentive-based approach to dealing with climate change, and he happily takes credit for those programs here in this House.

I am going to ask the Premier another simple question that he should be able to come clean with Yukoners about by year 3 in this mandate. Can the Premier tell us how this supposed dollar-for-dollar placer mining carbon tax rebate that he has talked about will work, or is this going to turn out to be another Liberal falsehood?

Hon. Mr. Silver: My flippant attitude is to the misleading information from the Yukon Party. I have been very serious on this file. I have worked very hard on this file and so has this government. We are very proud of the fact that the Yukon Liberal Party is behind measures that will actually

deal with man-made climate change. I am very happy that this Yukon Liberal government is behind policies that are going to transition us into a low carbon economy and transition us to a future where we don't rely on fossil fuels, and I am very proud of the work that we are doing on that file.

Mr. Speaker, we have had the majority of the actual rebates and the exemptions all figured out and negotiated. I want to give credit to the other premiers in the northern jurisdictions as well, in the other territories, for a united voice on this, even though we have differences of opinions when it comes to where we need to focus things because of different geological conditions and considerations, but I am very happy to work with them. I am very happy with the work that we did on the Council of the Federation.

The Yukon Party might have had a plan when it came to trying to reduce emissions, but they have never had a plan for carbon. They have never had a plan. They have put their head in the sand when it comes to carbon, Mr. Speaker. When the international community has said that the most cost-effective way of dealing with man-made climate change is having a price on pollution, what was the Yukon Party's price on pollution? There is no plan. This is the most cost-effective, and we're making sure that the money that is collected from Ottawa comes back to Yukoners and into Yukon pockets.

Question re: Health and Social Services programs and services review

Ms. White: Seniors Action Yukon has once again sent an excellent letter to the Premier — this time about the health care review. They bring up many questions about the lack of transparency in the process so far. They point out — and I quote: "The terms of reference as originally posted on the government website are Appendix C of some unpublished document. We are wondering: how can the public get a copy of the entire document?"

Mr. Speaker, we have also asked this very same question in budget debate. The document tabled by the minister is the terms of reference for the advisory panel, not for the health care review. When will the minister table the terms of reference for the health care review so that Yukoners know what it is actually about?

Hon. Ms. Frost: As noted by the Member for Takhini-Kopper King, the Government of Yukon has launched a health and social services review that is derived from the Financial Advisory Panel. The objective of the comprehensive review is to look at health and social services and not to prejudge an outcome. We have heard specifically from the Seniors Action Yukon group. I have met with them personally on numerous occasions, and I have read the letter as well. We will respond accordingly and provide opportunities for input to all seniors of Yukon.

In fact, Mr. Speaker, as we speak we are proceeding on consultative engagement throughout the Yukon with our aging population, with our seniors, and seeking the necessary input. The Seniors Action Yukon group is one of many, and we will ensure that all Yukoners, all seniors, have input in terms of care needs they deem as priorities. We will tie that into the

comprehensive health review that is currently being conducted.

Ms. White: Those terms of reference for the full health care review would be helpful in those community conversations. We have obtained a copy of the governance model for the health review. The document shows that the review is to be made up of three committees: the advisory panel, which the government announced last week; a so-called tiger team made up of department staff; and a steering committee. The steering committee is chaired by the deputy minister and is composed of four assistant deputy ministers, the corporate directors of Communications and Policy and Program Development as well as a representative from the tiger team. Mr. Speaker, two of the three committees for this health review are entirely made up of people who work under the deputy minister, and even a member of the advisory panel comes from the same organization that the deputy minister himself comes from.

Mr. Speaker, does the minister expect this review to come up with anything she and her department don't already agree with?

Hon. Ms. Frost: Maybe I will address the back comments with respect to it being ridiculous. Perhaps what is ridiculous are the submissions that have been laid on the floor of the House today, from 2008 to 2016, that address all of the issues that have been brought forward to Yukoners with respect to comprehensive reviews: *Taking the Pulse* health care review, Auditor General's report, *A Better Yukon for All*, FASD assessments, continuing care, state of the health system — there are many reports that have been conducted over the course of the last 14 years that we have not seen any action on, Mr. Speaker.

With respect to the current expert advisory panel, I am very proud and happy to say that members who make up the advisory panel have sufficient expertise and come with a wealth of knowledge and experience. In my estimation, these individuals will lend the necessary comprehensive and transparent support to ensure that the historical documents that have been presented today are compiled in such a way that we look for programming and service efficiencies going forward.

I look forward to further supplementary questions.

Ms. White: Last week, I asked the minister how much this health review is going to cost, and let me quote her answer: "The funding allocated to be directed toward the comprehensive health review is 100 percent covered by the federal government through THIF funding. We have allocated approximately \$600,000, and that is funded by the federal government."

We have received documents that show that this is the cost for the advisory panel, not for the full health care review. The other two committees — the steering committee and the tiger team — are expected to cost an additional \$1.5 million, and that is not going to be covered by the federal government. Why did the minister hide \$1.5 million in cost from the public for this health care review?

Hon. Ms. Frost: The team that already exists within Health and Social Services is conducting the work within the confines of their existing jobs.

With respect to the numbers that were put on the table, it is actually, to be correct, \$665,000, and that is covered by the territorial health investment funding from the federal government. The intent there is to include costs for engagement with Yukoners, research and communications and to provide necessary supports to the expert panel.

The objective of the internal team is to ensure that the panel is given the necessary support it requires to conduct its work in the time that we have allotted — which is to provide a summary to Yukoners by October 2019.

Question re: Health and Social Services programs and services review

Ms. White: My question last week was very clear; let me read it from Hansard: "... how much has this government budgeted for the comprehensive health review?" The minister's response, for once, was just as clear, and again, let me read from Hansard: "The funding allocated to be directed toward the comprehensive health review is 100 percent covered by the federal government through THIF funding. We have allocated approximately \$600,000, and that is funded by the federal government."

What will the cost of the steering committee and the tiger team be?

Hon. Ms. Frost: The initiative for the expert panel and the work that is being conducted are covered 100 percent from the THIF funding. With respect to the expenditures for staff that already exist within Health and Social Services, that is covered out of the existing budget and is something that we have not equated for in an expert assessment. That is done on a daily basis. As public servants, as members of the government, we are all obligated to provide support when necessary for the good work of Yukoners to ensure that we provide efficiencies and services to all Yukoners.

My intent is not to provide information that is incorrect; my intent is to ensure that we provide effective services to all Yukoners, and that we take into consideration the many years of reports that are before us and try to put efficiencies into the hands of rural Yukon communities. Health and social services, children and family services supports, mental wellness supports — those are things that I'm very proud of. The work of the public servants — they are doing an exceptional job, and I will continue to stand behind them as they support the expert panel.

Ms. White: I think what we're trying to do right here is establish the full cost of the full health care review.

Will the health care review cost \$1.5 million more than the \$600,000 announced by the minister last week?

Hon. Ms. Frost: I am not certain of the question the member opposite is trying to get at or what she is expecting from me, but what I will say is that we have proceeded as advised to look at efficiencies. With respect to what it cost to get us to this point, assessments have been conducted since 2008. Solid recommendations have been brought to this

government to ensure efficiencies of services. This was very clearly pointed out to us with respect to medical travel.

We know that we have seen significant increases in medical travel over the course of time. We now are looking at a budget that is going to exceed \$14 million or \$15 million. That continues to rise. The objective is to maximize the services and the facilities we have and bring the services to rural Yukon communities. We are doing that very effectively and I am very proud of that. We will continue to do assessments and the work, and we will fund the expert health review and ensure that we bring the services to Yukoners. We will continue to do that within the budget we have.

Ms. White: Earlier today, we tabled 25 reports on various aspects of Health and Social Services that have all been completed in the last 10 years — 25 reports — and I am sure that we have missed some. Unfortunately, many of those reports have collected dust since their publication. Seniors' Action Yukon says it best in their latest letter to the Premier — and I quote: "We are concerned that the new independent expert panel process will simply result in a rerun of the 27 one-sided recommendations from the 2008 *Yukon Health Care Review*."

Mr. Speaker, how will this \$2-million review accomplish more than the 25 health-related reviews and reports that Yukon government has done over the last 10 years?

Hon. Ms. Frost: The \$665,000 project will see results of better services and better alignment with Yukon communities — things that we have not seen historically. We have seen some solid recommendations that have come out of the 2014 and 2008 reports that talk about comprehensive collaborative care to Yukoners. That is really essential and important.

In the last fiscal year, we opened up four mental wellness hubs. We provided social supports to every one of our Yukon communities. We have clinical counsellors in all of our communities. We are providing essential services to our families and our children.

We have looked at past Government of Yukon reports on operational inputs and outputs. We are looking at the data. We are looking at the federal expenditures that have come in and are maximizing opportunities. We see growing pressures on health. For every \$3 we spend, we bring in \$1. How is that sustainable for years to come as we have an aging population? That's not sustainable. It's something that we certainly have to look for in ensuring that every Yukoner is given the essential services and support that is much needed in our rural Yukon communities. We will ensure that happens and deliver as we said.

Question re: Mining legislation

Mr. Kent: A September 11 article about mining in the Yukon from the publication *The Narwhal* reads — and I quote: "The Tr'ondëk Hwëch'in say they are in the midst of negotiating with the Yukon Government to update the Placer Mining Act."

We looked on engageyukon.ca and did not see any open consultation on the *Placer Mining Act*. Further, I attended the

KPMA AGM in Dawson City in early September and the Premier made no mention of this consultation in his remarks.

Can the minister confirm that this article is correct?

Hon. Mr. Pillai: I, myself, or with my officials, have not been at a table renegotiating the *Placer Mining Act* at any point since I have taken on this role in September of 2016.

Question re: Carbon tax

Mr. Hassard: I have a few more carbon tax questions for the Premier. For fuel that's shipped up the highway from Alberta, it would appear that the carbon tax would be applied more than once — obviously once in Alberta and once again in the Yukon. So this means that the cost of goods in Yukon would go up as a result of a different carbon tax applied in different jurisdictions. Has the government done any analysis of the indirect costs of the carbon tax?

Can the Premier tell Yukoners if they will get 100 percent of all the increased costs back that they pay as a result of the carbon tax?

Hon. Mr. Silver: We have been very clear. We are going to rebate the money that is collected by Ottawa here in Yukon back to Yukoners, and we have committed to rebating First Nation and municipal governments. We will rebate placer miners for the carbon pricing dollars that they pay, and we will encourage Yukoners to reduce their reliance on fossil fuels. We're going to be working with businesses to figure out that part of the rebate as well.

Now, as the member opposite already knows, there is a carbon-pricing mechanism already in place in Alberta, so as we work jurisdiction by jurisdiction, taking into account all the unique circumstances that fit each one of these regions, we will continue to work with Ottawa to make sure that we make good on our commitment, which was to give 100 percent of the money collected from the federal government back to Yukoners.

Mr. Hassard: So I guess the answer to my question from the Premier is no, he doesn't know.

Mr. Speaker, we have already established that the carbon tax scheme is going to make it more expensive to travel for medical reasons. The Liberals have refused to increase the medical travel rate. Will they at least agree to increase the medical travel rate to compensate for the increased costs as a result of the carbon tax?

Hon. Mr. Silver: So again, Mr. Speaker, we have given most of the information that we have as far as how we're going to be rebating the money back to Yukoners. We have talked about how aviation, right across Canada, is already exempt if you go from Vancouver to Alberta, but now we actually have exemptions regionally as well for any aviation. We have talked about the placer mining industry. We've talked about the rebates and how we're going to structure it — the cheque is in the mail for individuals — and we're working on processes again.

There are only a few details left out there — and I do appreciate that Yukoners have had patience in finding out those small details that are left to come — but again, we have made good on our commitment and we want to make sure

that, for one, people take a really comprehensive look to try to reduce their emissions. At the same time, we want to make sure that we don't penalize businesses for a carbon mechanism that is not intended to necessarily penalize those who don't have any alternatives.

While we do want to put a price on pollution, we do want to make sure as well that Ottawa considers that the north is different and it's harder to do business here in the north than it is in other jurisdictions. Alberta, again, already has a carbon-pricing mechanism; British Columbia already has a carbon-pricing mechanism. Actually, the four main districts from which we get most of our commodities have carbon-pricing plans in place right now, and we are working on the federal backstop to make sure that we get the money back into Yukoners' pockets.

Mr. Hassard: That's pretty cold comfort for Yukoners who have watched this Premier on national TV say that we'll have to wait to see if this actually works or not.

Mr. Speaker, Canada has announced that nationally they will provide relief for diesel-fired electricity generation for remote communities across the entire country, so can the Premier tell us if that means that there will be no electricity rate increases as a result of this carbon tax scheme?

Hon. Mr. Silver: Again, with the misinformation coming from the Yukon Party, it's really hard for Yukoners to actually know what really is going on. When the member opposite talks about "we'll see" — well, exactly that — we can't predict the future unless the member opposite has a crystal ball, but that doesn't mean that the research hasn't been done. That doesn't mean that the science isn't there. That doesn't mean that the Canadian mining associations and other organizations all across Canada and the world — and individuals — haven't all said the exact same thing, which is that this is the most cost-effective way of dealing with man-made climate change, and is actually putting a price on carbon.

Now, yes, the members opposite had a plan as far as trying to reduce emissions, but the members opposite never had a plan for putting a price on carbon. So I'm asking again: What was their plan? What was their plan? They can criticize as much as they want, and I welcome the ability to sit in the Legislative Assembly and explain to Yukoners exactly what we're doing to make sure that we're on the right side of history. I know the NDP did have a plan. They were going to keep half of the money and give half of the money back.

The Yukon Party did not have a plan. We do have a plan and we're going to make sure that we commit to that plan.

Speaker: The time for Question Period has now elapsed.

We will now proceed to Orders of the Day.

ORDERS OF THE DAY

GOVERNMENT MOTIONS

Motion No. 380

Clerk: Motion No. 380, standing in the name of the Hon. Ms. McPhee.

Speaker: It is moved by the Government House Leader:

THAT the membership of the Standing Committee on Public Accounts, as established by Motion No. 6 of the First Session of the 34th Legislative Assembly, be amended by:

(1) rescinding the appointment of Don Hutton; and

(2) appointing the Hon. Richard Mostyn to the committee.

Hon. Ms. McPhee: I'm pleased to rise in my capacity as Government House Leader to speak to this motion. I will do so briefly.

The motion is straightforward. It would result in a change to the current membership of the Standing Commission on Public Accounts. This motion arises from a request from the MLA for Mayo-Tatchun to have more time to focus on representing his constituents. He suggested removing himself from two standing committees as a means of accomplishing that goal.

Our first role as MLAs is to represent our constituents. We respect the member's decision to focus on serving the residents of Mayo-Tatchun. Our caucus agreed to the member's request to focus more time on the needs of his constituents. Accordingly, we are bringing this motion forward to effect this change to the membership of the Public Accounts Committee.

I would like to thank the MLA for Mayo-Tatchun for his service on this committee and all he does on behalf of his constituents. He remains the Deputy Speaker, the chair of the community development fund advisory board and a member of the Standing Committee on Rules, Election and Privileges.

I urge my colleagues to support this motion.

Mr. Kent: On behalf of the Official Opposition, I would like to thank the Member for Mayo-Tatchun for his work on the committees that he will be resigning from today. I understand; I worked with him on SCREP and certainly appreciated his input, especially the rural voice that he added to the discussions at the table. I believe his work on the other committees that he will be resigning from is echoed by my colleagues — that he brings a distinct rural perspective as well. We certainly want to thank him for his work on the House committees that he will be resigning from today.

Ms. White: I echo the thoughts of my colleagues. Working with the Member for Mayo-Tatchun has been a delight, and we hope that those appointed in his place are as willing to work toward the common goals as he has been. He was absolutely delightful to work with. We respect his decision, and we thank him for his time.

Motion No. 380 agreed to

Motion No. 381

Clerk: Motion No. 381, standing in the name of the Hon. Ms. McPhee.

Speaker: It is moved by the Government House Leader:

THAT the membership of the Standing Committee on Appointments to Major Government Boards and Committees, as established by Motion No. 9 of the First Session of the 34th Legislative Assembly, be amended by:

- (1) rescinding the appointment of Don Hutton; and
- (2) appointing the Hon. John Streicker to the committee.

Hon. Ms. McPhee: I am pleased to rise a second time in this House today to speak to Motion No. 381. As with the previous motion, it would result from a change to the current membership of one of the standing committees of this House, in this case the Standing Committee on Appointments to Major Government Boards and Committees. The circumstances leading to this motion are the same as I have just mentioned with respect to the previous one, so I will not repeat them here.

I would again like to thank the MLA for Mayo-Tatchun for his service and dedication to the work of this committee, and I urge my colleagues to support this motion.

Motion No. 381 agreed to

Motion No. 376

Clerk: Motion No. 376, standing in the name of the Hon. Ms. McPhee.

Speaker: It is moved by the Minister of Justice:

THAT the Yukon Legislative Assembly, pursuant to subsection 17(1) of the *Human Rights Act*, does appoint Michael Dougherty and Kimberly Green to the Yukon Human Rights Commission for a term of three years, effective December 11, 2018.

Hon. Ms. McPhee: I will be quite brief on this motion as well. The Human Rights Commission consists of five members. There are two members whose terms are set to expire on December 10, 2018. These two members were notified of their term ending and were aware. The two vacancies were advertised. The all-party Standing Committee on Appointments to Major Government Boards and Committees reviewed all applications that were received and recommended that Michael Dougherty and Kimberly Green be appointed to the commission. Each of the recommended applicants brings a variety of skills and experience to the panel, and I look forward to them being appointed and bringing their expertise to that work.

Mr. Dougherty's extensive community work includes the Social Justice Committee at Sacred Heart Cathedral, Yukon Anti-Poverty Coalition volunteer work and Yukon Cares — among many other community activities. He has served as a judge at the Ta'an Kwäch'än First Nation Judicial Council and as an adjudicator on the Yukon Human Rights Panel of Adjudicators in the past. Mr. Dougherty is a recipient of the

Governor General's Caring Canadian Award and the Development and Peace certificate of honour.

Kimberly Green has expertise and extensive experience working with some of the most vulnerable people in our community. Ms. Green brings a strong work ethic, solid decision-making skills and a team approach to the Yukon Human Rights Commission.

I would like to thank all of those who put their names forward to serve on the Commission. I would also like to thank the Standing Committee on Appointments to Major Government Boards and Committees for their recommendations and careful work. I urge all members of the House to support this motion and the appointments of Mr. Dougherty and Ms. Green to the Yukon Human Rights Commission.

Mr. Kent: I would like to thank the Government House Leader for her remarks as well. The two appointments in question were supported by our two members of the standing committee that the Government House Leader referred to, so we wish Mr. Dougherty and Ms. Green well in their deliberations and thank them for putting their names forward to serve on this important committee.

Ms. White: I echo the thoughts of my colleagues in wishing both Mr. Dougherty and Ms. Green well in their deliberations and their current appointments. We thank those who were appointed and have gone on to other things, and we thank those who put their names forward. With that, we will support the motion.

Motion No. 376 agreed to

Motion No. 377

Clerk: Motion No. 377, standing in the name of the Hon. Ms. McPhee.

Speaker: It is moved by the Minister of Justice:

THAT the Yukon Legislative Assembly, pursuant to subsection 22(2) of the *Human Rights Act*, does appoint Carmen Gustafson to the Yukon Human Rights Panel of Adjudicators for a term of three years, effective December 11, 2018; and

THAT the Yukon Legislative Assembly, pursuant to subsection 22(2.01) of the *Human Rights Act*, does designate Carmen Gustafson as deputy chief adjudicator for a term of three years, effective December 11, 2018.

Hon. Ms. McPhee: As of December 10, 2018, the term of the deputy chief adjudicator of the Yukon Human Rights Panel of Adjudicators is set to expire. The current deputy chief adjudicator was notified, of course, ahead of time, and the position was advertised. The all-party Standing Committee on Appointments to Major Government Boards and Committees has reviewed all applications and put forward their recommendation for the appointments to the Yukon Human Rights Panel of Adjudicators, tabled in November 2018.

I would like to take this opportunity to thank all those who put their names forward, as there were many qualified and outstanding applicants. We all depend on Yukoners who are committed and prepared to work hard and to come forward on behalf of all of us to work on boards and committees, a variety that we have here in the territory, and we thank them for their willingness to serve.

By way of a brief introduction — and it is brief — I would like to highlight the recommended applicant. Ms. Carmen Gustafson is the current deputy chief adjudicator of the Yukon Human Rights Panel of Adjudicators. She is a practising member of the Law Society of Yukon and works as a lawyer for the independent legal practice of Morris & Sova here in Whitehorse. Ms. Gustafson has been a policy advisor for the Yukon River Inter-Tribal Watershed Council and has volunteered for Yukon Special Olympics and the Canadian Bar Association here in the territory.

Ms. Gustafson is qualified to continue as the deputy chief adjudicator on the panel of adjudicators and brings a variety of skills to that role. Thank you to the standing committee for taking the time to make this recommendation and for their dedication in reviewing the applicants. I urge all members of this House to support this motion and the appointment of Ms. Gustafson to the Yukon Human Rights Panel of Adjudicators and as the deputy chief adjudicator.

Mr. Kent: Again, as with the previous motion that the Government House Leader introduced, the Member for Porter Creek North and the Member for Watson Lake are our two representatives on the all-party committee, and they supported the appointment of Ms. Gustafson. As I did before, we would like to wish Ms. Gustafson well in her deliberations and her continued role as deputy chief adjudicator.

Ms. White: I think a point of interest is that this is actually a reappointment to the panel of adjudicators, as she has already given three years at this point in time. A quick mover — because, at the time of the appointment, I believe she was indeed working for private practice and now she is actually a Government of Yukon aboriginal and environment lawyer as of about, I think, a week ago.

We wish her well and thank her for her continued dedication.

Motion No. 377 agreed to

Hon. Ms. McPhee: I move that the Speaker do now leave the Chair and that the House resolve into Committee of the Whole.

Speaker: It has been moved by the Government House Leader that the Speaker do now leave the Chair and that the House resolve into Committee of the Whole.

Motion agreed to

Speaker leaves the Chair

COMMITTEE OF THE WHOLE

Deputy Chair (Mr. Adel): Committee of the Whole will now come to order.

Motion re appearance of witnesses

Committee of the Whole Motion No. 8

Hon. Ms. Dendys: I move:

THAT from 3:30 p.m. to 5:30 p.m. Thursday, November 15, 2018, Mark Pike, chair of the Yukon Workers' Compensation Health and Safety Board, and Kurt Dieckmann, president and chief executive officer of the Yukon Workers' Compensation Health and Safety Board, appear as witnesses before Committee of the Whole to discuss matters relating to the Yukon Workers' Compensation Health and Safety Board.

Deputy Chair: It has been moved by Ms. Dendys:

THAT from 3:30 p.m. to 5:30 p.m. Thursday, November 15, 2018, Mark Pike, chair of the Yukon Workers' Compensation Health and Safety Board, and Kurt Dieckmann, president and chief executive officer of the Yukon Workers' Compensation Health and Safety Board, appear as witnesses before Committee of the Whole to discuss matters relating to the Yukon Workers' Compensation Health and Safety Board.

Committee of the Whole Motion No. 8 agreed to

Deputy Chair: The matter before the Committee is Vote 52, Department of Environment, in Bill No. 207, entitled *Second Appropriation Act, 2018-19*.

Do members wish to take a brief recess?

All Hon. Members: Agreed.

Deputy Chair: Committee of the Whole will recess for 15 minutes.

Recess

Deputy Chair: Committee of the Whole will now come to order.

Bill No. 207: *Second Appropriation Act, 2018-19* — continued

Deputy Chair: The matter before the Committee is Vote 52, Department of Environment, in Bill No. 207, entitled *Second Appropriation Act, 2018-19*.

Department of Environment — continued

Deputy Chair: Is there any further general debate?

Mr. Istchenko: I want to welcome you back yet again today. I want to go back to the Alesk moose management program. I had asked about that yesterday. We know that the evaluator who was hired and finished it — I looked through the minutes of the local renewable resources council meeting, and part of it was presented to them. I think they are just waiting — I'm not exactly sure what they are waiting for.

The reason that I asked the question yesterday was because the local trappers — and I am one of them, over the years — have been contacting me and asking me if I knew

what was going on. I just wondered, over the past 24 hours, if the minister might have a little bit more information on this.

Hon. Ms. Frost: I would like to thank my deputy minister for coming back in — Ed van Randen. With respect to the Alsek moose management efforts, I wanted to just bring a little bit of information back to the floor for Hansard and for reference. When we look at tools that help the ungulate populations, especially moose and caribou, to recover, the tools include restricting harvest, protecting habitat and supporting the trapping industry to target specific predators. For example, we work closely with — in this particular case — the Champagne and Aishihik First Nations to recover the moose population in the Alsek area, the Alsek Renewable Resources Council, the Government of British Columbia and, of course, Parks Canada, which is also our partner in this work.

The joint initiative referred to as the Alsek integrated moose management program began in 2015 and involved a number of efforts to look at the moose recovery program. The reference that the Member for Kluane refers to is — an independent credential evaluator was brought in to do a complete report and work with the partners — in this case, with Champagne and Aishihik First Nations and Government of Yukon — on how to consider the findings and determine next steps.

The additional recovery action really looked at science-based guidelines for management of moose in Yukon and, as noted, wolf conservation and the specific management plan that integrates all of the tools available to us. It is important to note that, because this is a unique process, this will really help to guide and provide benefits to other communities interested in ungulate recovery programs.

With the funding and with the reporting requirements, it was a three-year project. The three-year project funding agreement ended in March 2018. The Yukon government agreed to provide the necessary supports to conduct this work. The agreement stipulates that it will evaluate at the end of the three years. Prior to making any decisions, it will conduct a comprehensive evaluation. That work is currently being done in conjunction with the Champagne and Aishihik First Nations.

I will maybe just go on to say that, right now, the government is working to conclude the report and, of course, looking at providing some guidance as we have further discussions with our partners on how we take that and put that into respective action.

Mr. Istchenko: I think one thing that the minister might have missed was — she talked about the Yukon government and Champagne and Aishihik First Nations, but also I believe that the local Alsek Renewable Resources Council is a key player in this, because it is set out in chapter 16 of the *Umbrella Final Agreement* that the resources councils are the primary instrument in resource management; so they were a key player in that too. I thank the minister for a lot of that information that I knew already.

One of the key success stories out of the Alsek moose management program — and one of the reasons that it was

something the previous government and myself as the minister had pushed for — was access to traplines. One of probably the most understated and underrated success stories of this is the access to traplines. We had a great lady who first started the program, and she managed to get support from the local trapline holders to let other trappers on those lines work on the recovery of moose management plan.

I have heard from other First Nations and resources councils that they like this program. I think the minister alluded a little bit to that. Has she been able to have those discussions with other renewable resources councils, other First Nations or other trappers about the success on getting access to traplines in other areas in the Yukon?

Hon. Ms. Frost: I thank the member opposite for the further question. I was maybe remiss in identifying the Alsek Renewable Resources Council, but they are very much an integral part of the work in that specific area. I thank them for their great many years of support and services. Of course, there are many members' contributions into the design of the Alsek moose management program and many other efforts there.

With the efforts coming out of the Alsek moose management program and the development of the harvest management plan — the work having concluded in March of this year — the contribution as submitted with Champagne and Aishihik First Nations I think is really pending the results or the development and implementation of a plan by the end of the third year, so that has yet to be done by the Champagne and Aishihik First Nations in partnership.

Once that is concluded in good faith, we will ensure that we provide that more broadly, but we are certainly always looking for best practices as we look at the extension of the program perhaps throughout the Yukon, as we will no doubt see added pressures in other jurisdictions and other areas of the Yukon.

The agreement as defined sort of set the parameters for us to some extent when we look at prescribing a way forward on a significant pressure area, in particular with moose management.

Mr. Istchenko: Another line I want to have a discussion about is about bears. We're used to reports of bear activity in and around residential areas. This has been going on for a long time; however, with increased populations, some new subdivisions and some saying there is an increase in bear populations, we're seeing increased reports of human-bear interactions. Can the minister provide details around the human-bear interaction reports this year? I'm mainly looking to see if the numbers have increased. How many bears were relocated? Where were they were relocated to? Also, what is the number of bears that were killed by conservation officers and the public?

Hon. Ms. Frost: I certainly concur with the Member for Kluane in that bears are very much a part of the life cycle of Yukon. Of course, all of us who spend a lot of time in the wilderness have many encounters, and so we share our wilderness with bears that are obviously very active. We have had many encounters over the course of the summer. In fact,

in my neighbourhood I have had grizzly bears in Copper Ridge. We have had sightings in Riverdale and sightings at F.H. Collins, so they were all over this summer. When we talk to Yukoners, we try to promote more education and awareness and preventive measures.

Conservation officers responded to numerous wildlife conflicts and conflict calls involving bears, and this year is really no different from last year, but at the end of August the conservation officers responded to more than 60 reported bear conflicts in the Whitehorse district alone this summer. We're obviously committed to ensuring, of course, our public is safe, but also to efforts to relocate the bears. When they've become accustomed to being in an urban centre, it's essential that we move them out of there and back into the wilderness setting, and so that means quite a lot of relocations happened.

The decision obviously to kill a bear is not one that is taken very lightly. Of course, first and foremost is to assess the risk to public safety and determine if there have been previous incidences of threat. Animal behaviour is really I think essential to how we react and what we do in circumstances, so compiling and verifying the number of euthanized bears across the Yukon is a challenge for conservation officers during their busy season between May and October.

While we are still verifying the numbers, I can say that by the end of July, we had 11 bears that were euthanized and seven that were euthanized by the Yukon public. The necessary work to compile and verify the numbers will take some time considering that bears were still active up into October, given the warm climate that we had.

Moving forward, we will ensure that we provide the necessary numbers, as noted, but it is certainly not something I can give definitively on the floor of the Legislature today.

Mr. Istchenko: I thank the minister for that. I want to switch over to elk and the agriculture industry a little bit now. I am looking for some comparisons to the last couple of years. Can the minister please let the House know on the floor of the House today if there were more complaints or less complaints, the number of permits that went out — permit holding hunters — and the number of the permits where they were successful in harvesting an elk?

Hon. Ms. Frost: I am working very closely with the Minister of Energy, Mines and Resources when we are looking at the conflict between elk and the agricultural industry in the Yukon. Clearly we have had some significant concerns with elk damaging agricultural crops and properties, specifically in the Takhini area. This has been going on for quite some time. It is not new, and for some reason, they tend to migrate to this area later on in the fall.

We are working with the landlords, the farmers and the First Nations on a number of approaches to address the elk-agricultural conflicts. Obviously, one tool that we have looked at is permit hunts that we have issued for elk in specific areas around agricultural lands. The recommendation on the work that came directly out of the working group is to increase the permits to address the pressures. That work was done early on in the season and we will continue to work on that with the

working group. Of course, input from the landlords is also very significant.

With respect to specific numbers, I can say that in 2017 the herd seemed to be staying pretty steady at around 225 to 230, so it fluctuates significantly. That was in 2017. In 2018, we counted 188 animals, but that seems to be a bit inconclusive in terms of the elk route and counting.

With respect to what was harvested over the course of the last year since 2017, I know what was in the count, but I do not know, at my fingertips, how many elk were harvested, but I would be happy to provide that.

Mr. Istchenko: I look forward to those numbers.

Has there been any more work done — I know there was a lot of work done with the Yukon Fish and Wildlife Management Board. They are a key player in this too, with this and local resources councils, but there were some conversations about the core area and opportunities to move the elk back to the core area and keep them in the core area, some of it looking at habitat, the food and stuff like that.

Has there been any more work done on that to see if we can't keep them in the core area so they don't come onto the farm land?

Hon. Ms. Frost: The working group — the elk-agriculture working group — is comprised of various representatives, and of course, the Fish and Wildlife Management Board is very much a part of that discussion, as are First Nations in whose traditional territory the elk tend to inhabit. What we have done this year is to dispense more hunters more frequently, and that was done by recommendation of the working group. The intent there is really to try to direct the elk to stay within its core habitat area, and of course, that means releasing more permits as well. We don't have the results of that yet. I'm hoping that, in time, the elk will be directed to stay within their core habitat area.

Mr. Istchenko: That's great. I believe that was one of the recommendations. Another one was to maybe look at working with Yukon Energy to put food on their power line out in that area — well, it's not north; it's actually due west, but north up to Alaska. I wonder if there have been conversations with that also.

Hon. Ms. Frost: I'm not sure where that's at, but I would certainly be happy to follow up with the Minister of Energy, Mines and Resources and see what they're doing specifically with ATCO and the power producers, and we will look at ensuring that we look back at the recommendations and merge that into perhaps implementation as we move forward.

Mr. Istchenko: I want to switch gears again here. The minister had received a letter from some concerned Yukon hunters — there are a lot of concerned Yukon hunters, but some of them got together and wrote a letter. When she responded to the letter, she had committed to undertake a complete socio-economic assessment of Yukon resident hunting and angling in order to gain a full appreciation for the value of these privileges territory-wide.

I guess my question would be: How will the Yukon government engage with Yukon residents on their

observations in this area? What will this process look like? Is there some sort of a timeline?

Hon. Ms. Frost: With respect to the socio-economic impacts, that is a very broad question that requires a lot of input and a lot of stakeholders with respect to engagement that needs to be considered. I would venture to say that is the process in which we engage Yukoners, via the self-government process, and then we look at game management zones and specific pressure areas in collaboration with our partners. We try to look at the broader picture and do the assessments based on values and principles in the specific area. It is very important for us to integrate — as noted by the Member for Klwane — the local renewable resources councils and local traditional knowledge and practices as we assess processes.

The permit hunt survey that is going to be launched within the next week will really come alive, and it will start by looking at some of the values and principles around the permit hunt in specific areas and authorizations. Overall, the broader study specific to socio-economic impact will come later, but it is very much in the target for the future.

Mr. Istchenko: I wasn't really talking about the permit hunt; I was talking about the Yukon resident hunting and angling in order to gain — and this was an assessment of Yukon resident hunting and angling — a full appreciation for the value of the privileges held territory-wide. I am sort of wondering — the minister spoke about a survey or something to do with the permit hunt, but how are you going to engage Yukon resident hunters? How are you going to engage the local businesses that provide goods and services to the hunters to see the dollar figure per year? I know it has been done across Canada. There are some Canada-wide numbers out there, but I think this is huge and it is really important to Yukon hunters.

Also, we need to find out how Yukon hunters, as a tradition for generations, have used this to feed their families. I am just wondering if the minister can elaborate a little bit more on this.

Hon. Ms. Frost: That is a great question. Perhaps when I answered the earlier question and spoke about the permit hunts, some of the questions that perhaps will come out of that process are the values- and principles-based questions that will really drive some of what we want to accomplish with respect to potential changes as we move forward.

Resident hunters and anglers and the socio-economic gains and benefits from this industry, I think, is something that we certainly want to look at, because it is a privilege and an honour to access the resources that are readily available to us in the Yukon.

There are some things that we need to consider as well. We have a lot of non-resident hunters who come into the Yukon. As we look at permit hunting processes in the Yukon and we look at the socio-economic impacts and benefits that are gained from non-resident hunters, it is essential that we weigh in on balancing what pressures we will potentially see in specific game management zones, which will mean a broader discussion.

I did my tribute today on the Porcupine caribou. The emphasis there was about the economics behind sustainability and resource management, or how do you manage the caribou and yet provide for augmenting subsistence and harvesting with what we purchase from the grocery store. In some of these communities, it is very difficult and very expensive. It is certainly something that we want to consider in the future, but the start right now is to do the survey and look at some of the values-based questions out of that.

Mr. Istchenko: I am going to switch over to campgrounds now. I had raised the issue in the spring of deadwood and brush in the areas surrounding campgrounds throughout the Yukon. I raised the idea of firesmarting as a way to mitigate the safety hazards. I would also note that any standing dead harvest would be a great addition to the supplement of wood supplies in the campground. At the time, the minister had said it was a great recommendation and she would take it under advisement. My question is whether the minister has taken this recommendation under advisement and whether any firesmarting is planned for this fall in our Yukon campgrounds.

Hon. Ms. Frost: Thank you for the question. As we look at modernizing and updating the Yukon parks, we know that we have a growing demand for access to our parks. The point well made today — and as I noted earlier, and I will stand by that — and that is to take into consideration all of the feedback that we receive to the Yukon parks strategy and take a strategic look at management and development of all of the Territorial parks. In doing so, it is essential that we look at safety and we also look at assessing and managing appropriately when we start firesmarting or changing the playground equipment. A lot of them are outdated, and we need to obviously modernize and update some of our infrastructure.

So we are trying to balance that. As I said, I would certainly make sure that those comments that we have received are tied back into the Yukon parks strategy. Again, I thank the member opposite for the great question and we will ensure that we highlight that in the park strategy as a key priority.

Mr. Istchenko: Is there any firesmarting happening this fall — this time of the year — in our campgrounds? Maybe just a yes or a no or it will be in the strategy and you will look at it later.

Hon. Ms. Frost: What I can say is that we haven't specifically addressed firesmarting of any of the campgrounds but we have removed hundreds of hazardous trees and vegetation from and around the parks that we manage. With respect to firesmarting, that is a responsibility of Community Services, but we will certainly have a discussion around the broader park strategy and look at ensuring that the parks are safe and that if there are hazards with respect to use of the parks, we will most certainly address those as they come to our attention. Perhaps more tree clearing will be required in the coming season, but I will leave that to the department to assess and evaluate.

Mr. Istchenko: Just to add to that: In this House, we hear a whole-of-government approach to doing business from the government. I might add that there are crews also who work for Wildland Fire Management in the fall — previously I as the minister had looked at budgets and had them go in and do some of this work too. There are many options out there, because you just need to look at the forests, especially in my neck of the woods. If you drive by Pine Lake campground, for every green tree, you see two or three dead trees. I think this is really important.

With respect to the new rules implemented this year around holding campsites, changes were to be implemented in the spring. In debate in the spring, the minister had stated that this year, the department would focus less on enforcement of the new rules and more on educating Yukoners that these new rules will be coming into effect — calling it a “soft approach launch”. A 24-hour limit was placed on the amount of time a campsite can be held by campers before a fine would be levied on the camper.

Can the minister provide a little bit of detail to the House today with the dollar amount levied by the department over this 2018 camping season from fines or campers? How many warnings were issued to campers, and how did it work?

Hon. Ms. Frost: To address the question on the past camping season, the government had the regulation changed to increase the time allotted to hold a camp spot. The soft approach, as recommended, was to provide more education and try to use this as an opportunity to educate the public that we wanted broader use of the campgrounds, as opposed to having a campsite sit empty. Our education, monitoring and enforcement around this 24-hour rule seemed to be very successful this camping season. Many instances of verbal and written warnings were given out. Data on the exact numbers of fines issued and evictions are currently being compiled. That will take some time. What I can say is that the campgrounds provide nearly 60,000 nights of camping for over 80,000 people per year. That is a lot of data to compile and a lot of information.

I am happy to say that, on average, we generally issue five tickets a season — is what I understand — but what happened this year, I am not sure. I don't have that specific number, but we would certainly be happy to provide that once we compile all the data from this last season.

Mr. Istchenko: I thank the minister for that. I just have one more question, just so the critic from the NDP — I am just wondering — and I look forward to getting those numbers. I just want to stay with this: I am just wondering whether the minister has seen any issues with the department's new policy around holding campsites this year. I have had a number of people point out flaws in the new system — it is a new system and it is always going to need work. Some of my fellow colleagues have also had those discussions throughout the summer. I am just wondering if the minister had heard anything. Has the minister received letters or feedback from Yukoners on whether the department's new process is working? Is there any indication that changes to holding campsites need further work in this area?

Hon. Ms. Frost: Given that this was enacted early and we haven't had a lot of time — it is just brand new — the effort and the feedback that we received previously was to look at making this change because it was essential and necessary, as families who were moving out into the various campgrounds were disappointed when they arrived and there was an empty spot and an empty lawn chair sitting next to it.

For the most part, we had very positive feedback throughout the season, and that continues to come in. Was it perfect? I would say that nothing is ever perfect, but the intent is to allow more opportunities for Yukon families to get out and enjoy Yukon's wilderness and access the campgrounds and eliminate some of these — perhaps inappropriate — uses of our campgrounds. Really, I am quite happy with where we are and the great feedback that we have received so far.

Mr. Istchenko: I thank the staff for being here today and I thank the minister for her answers.

Ms. White: I am excited for the six minutes I have before we break.

The first question I have is about resident hunting licences. Online, it talks about how Yukon hunters born after April 1, 1987 — so that would make them 31 years old — need to take the hunter education and ethics development course, so that's eight hours online and a three-hour class in a classroom session. But out-of-territory hunters who are of the same age only need to go with a guide or an outfitter for big game. My question is: What about small game — type B — so game birds and things like that? Would an out-of-territory hunter be able to access a small game licence?

Hon. Ms. Frost: I am just seeking some clarification with respect to the regulations when it comes to out-of-territory hunters.

My understanding is that a special guide licence is required for someone to come in and hunt within the Yukon, whether that's through the outfitter process or through a special guided licence. Hopefully that responds to the question. If it doesn't, I would hopefully get more information back to the member opposite — if I can.

Ms. White: I guess one of the questions was that there seem to be limits. There are more limits put in place for the resident hunters than for Outside hunters.

For example, if I were to go downtown right now to a place like Sportsodge — whichever one is able to issue hunting licences — and, as a resident of 31 years old as of April 1, 1987, I would be told that I need to do the hunter education and the classroom part first, but if I were from out of town, I could do this on my own — the small game.

My question is: Why is there the difference between the resident hunter and the Outside hunter? How was the date of April 1 — so Yukon hunters born after April 1, 1987 — chosen? I don't disagree with the hunter education, but it seems to me that there are barriers in place for resident hunters.

Hon. Ms. Frost: I am trying to go back into the corporate memory bank here and find out where that derived from — April 1, 1987.

My understanding is that the objective through the consultation process when that amendment came forward was to not force people who have been hunting for a long period of time to take the course.

With respect to the point that is being made, which is a really great point — why is there a discrepancy, and what is required to ensure that we address the discrepancy going forward? That is one that we certainly need to grapple with and consider as we look at potential regulatory amendments in the future. It is certainly something that we would endeavour to have further discussions on.

Ms. White: There was a bit of media this fall about wild boars that had escaped from their pens and then had been hunted down by conservation officers. The fine per animal ended up being \$400 for each of the animals killed.

My question is: How many people-hours did conservation officers have to spend looking for those wild boars?

Hon. Ms. Frost: That is a great question. The wild boars that escaped proved to be very destructive and had some significant negative impacts on the environment and were extremely difficult to eliminate from the wild. That took a lot of effort. The conservation officers had to, as part of their jobs, track down the boars to eliminate the potential environmental risks. With respect to how many hours and how much time they spent, I cannot venture to say because I am really not certain of that. It is very much a part of their role as conservation officers to look at implementing the regulations and, of course, needing to address the risk associated with this domestic animal as it escaped from its farm.

Mr. Deputy Chair, I move that you report progress.

Deputy Chair: It has been moved by Ms. Frost that the Chair report progress.

Motion agreed to

Deputy Chair: Pursuant to Committee of the Whole Motion No. 8 adopted earlier today, Committee of the Whole will receive witnesses from the Yukon Workers' Compensation Health and Safety Board. In order to allow the witnesses to take their places in the Chamber, the Committee will now recess and reconvene at 3:30 p.m.

Recess

Deputy Chair: Committee of the Whole will now come to order.

Pursuant to Committee of the Whole Motion No. 8 adopted on this day, Committee of the Whole will now receive witnesses from the Yukon Workers' Compensation Health and Safety Board.

I would ask all members to remember to refer their remarks through the Chair when addressing the witnesses, and I would also ask the witness to refer their answers through the Chair when they are responding to the members of Committee.

Ms. Dendys, I believe you will introduce the witnesses.

Witnesses introduced

Hon. Ms. Dendys: The witnesses appearing before the Committee of the Whole today are Mark Pike, who is the chair of our Yukon Workers' Compensation Health and Safety Board, and Kurt Dieckmann, who is the president and chief executive officer of the Yukon Worker's Compensation Health and Safety Board. I would like to welcome you both here today. We look forward to the discussions and interaction with our colleagues from across the way, so thank you very much for coming.

Deputy Chair: Would the witnesses like to make opening remarks?

Mr. Pike: Thank you to everybody for allowing us to appear here today. As the minister has mentioned, my name is Mark Pike, and I am the chair of the board. With me, I have Kurt Dieckmann, who is my president and CEO. We are here today to discuss our 2017 annual report, and I understand that the report has been tabled in the House and that you all have copies of that report.

2017 marked the 100th anniversary of WCB in the Yukon — or at least the legislation that was in the same mode. Our board is really proud to be part of that tradition.

With respect to the report that you have, there are a couple of points that I would like to bring out. On pages 6 to 11, there is a short history of the compensation system both in Canada and as it has evolved in the Yukon, and I'm sure that you will find that really interesting. There are a lot of facts in there that were new to me as well, so it was really interesting. As we have in previous years, on the front inside cover of the report, we have a document called "Year at a Glance" that lays out some of the more common statistics along with a comparison to 2016.

Also during the year, we developed our next five-year strategic plan, which covers the years 2018 to 2022. We are really grateful to all our stakeholders who gave us their input and provided us with valuable insight into that document. The plan will enable the board to manage the sustainability of the workers' compensation and occupational health system going forward. The plan will also guide us, as a board, toward our long-term vision of zero — that is zero injured workers, zero work-related fatalities, zero permanent impairments and zero safety violations. With that, I'll just quickly ask Kurt if he has anything he wants to add, and if not, Mr. Deputy Chair, I will turn it back to you.

Ms. McLeod: I want to thank the witnesses for appearing today to have this discussion with us. On December 31, 2017, WCB had a funded position of 143 percent. When WCB appeared last year, the House was informed that the Board would be looking at this funding position and seeing what they could do to get back to the target range, which I think was about 125 percent of the estimated liabilities, and a commitment was made to do so.

Can the witness confirm how this 143 percent compares to other Canadian jurisdictions?

Mr. Pike: Mr. Deputy Chair, I will address that. I don't have the specific documents sitting in front of me. I know that, of the 12 boards across Canada, there are huge differences in their funding level. I believe that, without

naming provinces, some of them are significantly underfunded. Some, like ours, are overfunded or have a surplus.

Again, I don't have the specific documents sitting in front of me to tell you what those are. I can certainly get a copy of whatever is publicly available and make sure that is given to you — or you could Google it and find it, I'm sure.

Ms. McLeod: I appreciate that response. There is no need to submit any documentation in that regard.

Can the witness confirm whether consideration was given to this commitment over the last year, and what steps have been taken to reach the funding target of 125 percent?

Mr. Pike: I will address that. The board committed itself — committed on behalf of the board — to getting back to our target funding position, which is somewhere between 121 percent and 129 percent, often referred to as 125 percent, which is the average of those numbers.

Our board has a funding policy that, in fact, returns surpluses to employers through our funding policy and through a reduction in rates. In addition to that, the board committed to get there quicker and over the last three years, has given out rebates to employers in an attempt, in actuality, to return part of that surplus. The board does that each fall, taking into account the economic circumstances of what has gone on in the world.

For us, you know, it is not just what happens here in the Yukon, but it is what happens with the markets and where we are. Each fall, we sit down and look at where we are and what we can afford to do, while still maintaining the integrity and sustainability of the system. We will be doing that again this fall to see where we are. As soon as a decision is made, we will announce that.

Ms. McLeod: I appreciate that discussion on the rebates. How does the board balance the fact that the rebates are from past premiums paid by employers who may not be currently active but are paid to current employers?

Mr. Pike: There are some practicalities there that you have to deal with. The board looked at that whole issue and considered it. We factor in the premiums paid in the last three years in coming up with the rebates. As well, a significant amount of the rebates has been generated as a result of our ability to generate investment income and not specifically the premiums paid by employers.

Again, looking at the practicalities, you can't go back 20 years or 10 years. Businesses don't exist, they're gone, and so we balance that off by using the three-year time frame.

Ms. McLeod: Does the board maintain a reserve fund? If they do, can the witness tell us what these reserves are for?

Mr. Dieckmann: Yes, we do maintain reserves. We have an adverse events reserve so in case there are — something unusual happens. The example we tend to use is a plane crash — it would be a huge hit to the compensation system, so we maintain a reserve for that. We also maintain a rate stability reserve so that if there are fluctuations, increased claims cost in a particular year, investments tank in a particular year, we're able to smooth out the rate fluctuations

that might occur. Those are the two reserves that we do maintain.

Ms. McLeod: With regard to these reserve funds, does the board have any plans to amend or add to these reserves? What kind of a level is optimum?

Mr. Dieckmann: The reserves that we maintain are laid out in our funding policy. We don't have any intention at this time to be reviewing that funding policy. It seems to be working the way it is right now.

Ms. McLeod: I thank the witness for that. Does the witness — or has the board considered that there is merit in legislating the board to automatically return surpluses to employers, as they do in Alberta and Saskatchewan?

Mr. Pike: Just one comment: obviously, legislation is the purview of this House and not mine, so we are tasked with administering the legislation that is given to us. As an accountant, as the chair, if you ask my personal opinion, I personally believe it is much better to allow the board — in its wisdom and with its stakeholders — to decide what's the appropriate thing to do, but again, the legislation is not ours. It's created by this House.

Ms. McLeod: While I can appreciate that, yes, legislation is the responsibility of this body, I would think that the board would make recommendations to government, and I think I have my answer to that, so thank you. We're going to move on.

The maximum wage rate for coverage for workers in the territory is \$85,601. I'm curious what the basis is for that number and when it was reviewed the last time.

Mr. Dieckmann: There is a formula set out in the act that establishes what the maximum wage rate was when the legislation came in, and there's an escalator built into it; so it is calculated every year based on that formula that is in the act.

Ms. McLeod: The federal government, of course, has made a decision to extend the coverage of old age security — and that was back in 2016 — by decreasing the eligibility age of old-age security pension recipients. That resulted, I believe, in the board's liability for future benefits to decrease by \$4.5 million.

Does the witness have any comments on what effect this will have on the board's liability forecasting?

Mr. Pike: Yes, you are correct. In fact, the government of the day first increased the eligibility age to 67, which resulted in us having an increase in our liability. Then in their wisdom, they decreased the age to 65, which resulted in us having almost an equivalent decrease in the liability.

Because of the system, through our funding policy, that we used to smooth those effects out, those transactions were not a huge number of years apart, and so they had only a small effect on the actual rate that employers paid over that period of time. However, those types of changes in legislation certainly have a big effect on the fund, and we are required by legislation to take those into effect as they come along.

Ms. McLeod: Would it be correct to say then that, once having taken into account the \$4.5-million decrease in

liability, that would be built in ongoing? I guess that's what I am looking for.

Mr. Pike: I believe that is correct — unless the legislation was to change again — that we in our benefits liability are dealing with an age of 65. That age is in perpetuity until the legislation changes.

Ms. McLeod: Are there any employees in the territory who are not covered by WCB?

Mr. Dieckmann: Anybody who works for the federal government is not covered by the Yukon Workers' Compensation Health and Safety Board, but all other employees — all industries — otherwise are covered under the act.

Ms. McLeod: I don't understand the rationale behind that, so if you could just explain that, thanks.

Mr. Dieckmann: Employees of the federal government — that would be the RCMP, anybody who works directly for the federal government — are covered by the — I don't exactly know the name of the act, but it is the federal compensation act. That's where they get covered. Anybody else, as an enterprise in the territory, is covered under our act.

Ms. McLeod: Thank you to the witness. We note that the board's salaries and benefits costs decreased by \$304,000 — about 3.5 percent — from 2016-17. Can the witness confirm the reason for this decrease?

Mr. Dieckmann: We had some retirements of people who were paid at the top of the wage range, and when new staff are hired, they come in at lower- to mid-range. That accounted for some of it, and some of it was because we were unable to replace people as quickly as we would have liked. So if we have a vacancy for six months or so, it does show up on the books. Those are the two reasons.

Ms. McLeod: We also note that the consulting and professional fees increased by \$211,000 over the same period. Can the witness tell us what the reason for that increase was?

Mr. Dieckmann: The majority of that would have been for legal services when we were doing the consultation on act amendments for the PTSD presumption.

Ms. McLeod: Can the witness tell us how many FTEs are currently funded under WCB? I am wondering how many staff it translates to and whether or not WCB is fully staffed now. How does this number of FTEs compare to last year?

Mr. Dieckmann: Our FTE count for 2017 was 84. The FTE count we have for this year we increased by one, so I think we are at 85. We are not fully staffed currently. We still have some vacancies. I don't know the number, but I can get you the number if you would like, but we are currently not fully staffed.

Ms. McLeod: That's sufficient for me, thanks. Can the witness tell us how much is spent on contracts and tell us a little bit about WCB's process for contracting?

Mr. Dieckmann: The actual amount spent on contracts I will have to get for you. I don't have that figure for you, but I can speak to how we do our contracting. We have a contracting policy that very closely mirrors the Government of Yukon contracting policy — the thresholds are the same as what you would find in the government. Off the top of my

head, I am not sure what they are, but all of our sole-source are the same levels, and when we have to go to tender, they are at the same levels as well as what you would find in the Government of Yukon contracting policy.

Ms. McLeod: Can the witness tell us what percentage of contracts go to Yukon companies?

Mr. Dieckmann: Our service contracts for things like snow clearing or janitorial — those types of contracts — our contracts for the majority of our systems work are Yukon companies. We just did a repair on the roof of our building that went to a Yukon company. For some of the specialized services that we get — two of our systems in particular — we use Outside contractors because the vendor was from outside the territory, and they are the ones that provide us with the tech support in those areas. But I would say that at least 75 percent of our contracts are internal to the Yukon and that just specialized contracts go outside. Some of our legal work is external to the territory when we need specialized advice.

Ms. McLeod: Does the board foresee the need for future expenditures on any office space or technology?

Mr. Dieckmann: Yes, technology is constantly requiring us to spend money. We have to stay current, especially when it comes to the changing security landscape that we have for IT services. That is constant and ongoing.

As far as office space, we have just done an addition to our building recently, and we foresee that it will be sufficient into the future, but there is always a possibility that we may — depending on what happens with the economy — have to expand at some point.

Ms. McLeod: I have a question regarding the high radon levels that have recently been reported with regard to government buildings. I am curious as to what the WCB's role will be in ensuring compliance with respect to mitigation in these buildings and whether or not WCB is involved in the follow-up testing.

Mr. Dieckmann: When it comes to radon in government buildings, yes, we have been very involved in the testing that happened. We worked with Yukon government a number of years ago and did the initial testing. Based on some of the findings, Yukon government came up with a radon remediation plan. We did review that radon remediation plan, and we were quite satisfied with the plan that government had come up with. Their testing protocols are all well within national standards, and they are meeting the goals set out in Health Canada's radon guideline. At this point with the government facilities, we are monitoring to ensure that they are continuing to follow up on it, but we very much leave it to the employer to correct any deficiencies that they have in their workplace.

Ms. McLeod: I have a question about inspections. We know that we have a number of inspectors who cover a wide variety of concern areas, such as health, building and mining inspectors. Does WCB coordinate their inspections with other government departments in order to promote efficiency of travel, for instance, out to remote sites or other communities?

Mr. Dieckmann: We do, especially when we are doing fly-ins to remote camps. We will, from time to time,

coordinate with other agencies — with Energy, Mines and Resources and their inspectors. We have gone out jointly to sites. We also work very closely with Community Services and their building inspectors to try to gain efficiencies there and make sure that, when we are doing those inspections, we are all on the same page and able to provide employers with the best services that we possibly can.

Ms. McLeod: Thank you to the witness.

Obviously cannabis has become a frequent flyer in our lives. With that comes the concern, I guess, about abuse of not only cannabis, but other substances. How is the board looking to address employer concerns regarding impairment in the workplace from any variety of substances?

Mr. Dieckmann: One of the advantages that we have seen from the legalization of cannabis in Canada is that it has reopened the discussion around impairment. We view this as a real opportunity.

In 2016, we started by having a workplace solutions seminar where we brought in a speaker to discuss the topic of cannabis and substance abuse in the territory. That was kind of our kickoff, and since then — we partnered with the Public Service Commission last year to provide information and do a seminar there as well. We have been creating materials as we go in order to answer questions that might be coming from employers — and workers, quite frankly. It has been quite successful, I think, that we have been able to sort of slowly build. What we have been doing now is, as with legalization, we have stepped it up again and have sent information out to all the employers in the territory. We have initiated a number of discussions. We will continue, over the course of the next year, to examine the issues of impairment in the workplace.

We will be launching a major campaign early in the new year to speak to the issue, and we don't see it dying off in the next year or so because there are still a lot of things that are going to happen on that cannabis file. I mean, there are still edibles to come into play and regulations to be developed in that area, so we're really trying to look at this from the perspective of how it creates an opportunity for us to continue to engage in the conversation and bring that conversation to the forefront.

Ms. McLeod: So, of course, we know that it's only been not quite a month since that legislation passed, and that's obviously not enough time to collect data or analyze the trend, but to date, have there been any concerns expressed by employers with regard to existing legislation or policies of WCB in the matter of handling what I guess is called "abuse"?

Mr. Dieckmann: We haven't had any complaints about the regulation or the policies. We actually have some pretty good regulation when it speaks to impairment in the workplace. What we have heard from a lot of employers is concern with their own policies and what they have to do to enhance their policies in order to deal with the issue of impairment.

One of the main concerns for a lot of employers is, especially around cannabis, that when it was illegal — they viewed it as a lot easier to deal with the issue of an illegal substance and perhaps be able to take action a little more

readily, but really there isn't a big difference, because whether it's a legal substance or an illegal substance, you have to take into consideration a number of factors that may come into play in the workplace.

The big thing that we try to get employers to understand is that they need to be training their supervisors, they need to be having those conversations with their workers — helping their supervisors be able to identify when somebody may not be at their personal best is key and then train them how to have those discussions and how to respond. The sort of the questions we've been really getting from a lot of employers is: How do we manage that?

There are a lot of employers in the territory that currently have drug and alcohol policies that are really quite good and all that really needs to happen is tweaking the language a little bit.

Ms. McLeod: Is there a policy in place now that will deal with cannabis use for medical purposes versus personal use? I get that we have policies in place for personal use, but it seems to me that there might be some kind of a blurring of the lines here, so how do you deal with medicinal purposes?

Mr. Dieckmann: There again, really it comes down to the individual workplaces to establish how they will deal with that, so advice that we tend to give employers is that if somebody has a bona fide reason for using a substance — so they're using cannabis for medical purposes or they're using an opioid for medical purposes — they need to be looking at the work that they're assigning that person to do and have them make sure that they are performing work that is within their capabilities. If they are unable to assign work that the person is capable of doing given the substance that they have to use for medical purposes, that's a discussion that they should be having with that person and getting advice from medical professionals on what to do.

The key to it is to look at what the functional abilities of the person are and match the job. If they are unable to do that, then they should have policies in place that deal with that specific issue.

Ms. McLeod: Is the board aware of any employers incorporating or allowing the use of medical marijuana within their safety regulations for those who are using cannabis as some form of treatment?

Mr. Dieckmann: I am not aware of any people who are using medical cannabis. It is an issue that we deal with on a regular basis when it comes to painkillers and those kinds of things where there may be some impairment and we are working on a return-to-work plan for an injured worker. We do work with employers on the compensation side of our business to help them understand when we have functional abilities identified by the medical professionals that they are dealing with. We will help those employers to understand what that means — what the context of those functional abilities is and how they can accommodate a worker to return to work. But when it comes to workers who are not part of our system — so they are not in the compensation system — we are not aware of that. It's not something that is reported to us.

Ms. McLeod: Moving on then to the Northern Safety Network Yukon.

Last year, I asked whether the Northern Safety Network Yukon was offering training in the communities. The witness reported that regular training was offered in Watson Lake, Haines Junction and Dawson City, with other training in communities as requested by that community.

Can the witness confirm the frequency of training offered in each of the three communities that we mentioned — Watson Lake, Haines Junction and Dawson City — and whether or not any of the other smaller communities received training and some indication of the frequency of that training?

Mr. Dieckmann: That is going to take me a second to find here in my massive binders.

In 2017, the Northern Safety Network Yukon offered 16 training days in Dawson City. They did one training session in Haines Junction, eight training days in Watson Lake, two training days in Carcross, four training days in Carmacks, four training days in Teslin, five training days in Mayo and eight training days in Faro.

In 2018 to date, they have done 19 training days in Dawson, two training days in Haines Junction, one training day in Teslin, one training day in Pelly Crossing, two training days in Burwash, five training days in Mayo and six training days in Carcross.

Ms. McLeod: Can the witness tell us how much funding is provided to Northern Safety Network Yukon each year and what type of funding agreement is in place?

Mr. Dieckmann: Yes, I can. We have two funding agreements with Northern Safety Network Yukon. One is for delivery of the certificate of recognition program. In 2018, we are providing \$557,400 worth of funding. We also have another funding agreement with Northern Safety Network Yukon for the delivery of return-to-work training. The amount of that one for 2018 is \$90,452.

Ms. McLeod: For the Northern Safety Network Yukon, is that a sole-source kind of contract, or is that ever tendered out to the broader public?

Mr. Dieckmann: That is a contribution agreement. It is not a contract that we have. It is a contribution agreement that we entered into a number of years ago. I think the first agreement was in 2004, and it has been renewed every three years since then.

Ms. McLeod: Thank you for that. Is it the only organization that is able to provide this kind of training and certification, or has the board ever reached out more broadly? How did they get the contract in the first place? I'm not quite sure what the process was or how it is determined year to year to maintain it with that one organization.

Mr. Dieckmann: Originally, the way it came to be was that the Yukon Contractors Association approached the Workers' Compensation Health and Safety Board with a proposal to provide safety training and to specifically establish the certificate of recognition program. That program is a national program, and it is a registered program trademarked by the Canada Federation of Construction Safety

Associations, so they are the only ones who can deliver that particular program.

The Yukon Contractors Association put forward a proposal, the board agreed to fund the program, and then, after the program was up and running for about three years, it was the Yukon Contractors Association that stepped back and the organization registered as a society — as the Northern Safety Network Yukon — and it has just continued since then.

One of the things that we do on a regular basis is a review of the program. We are regularly doing audits on them to make sure that they are meeting the terms of the agreement, but two years ago, we also did a comprehensive review of the program. We got a third party to come in and do a value-for-money, value-for-service review and asked all of our stakeholders if they felt that the program added value to what was being done in the territory. We got a resoundingly positive response from that. Based on that response, the board decided that they would continue with the current agreement that we have.

Ms. McLeod: That is excellent news. I am going to move on to WHMIS. With respect to the updated WHMIS regulations, can the witness confirm whether any employers have had trouble getting workplaces in line with regulations or will have trouble making the December 1 transition deadline?

Mr. Dieckmann: We don't anticipate that the December 1 deadline coming up will be a problem at all. The regulations actually came into effect in 2015, and so there has been a three-year transition period to the new regulations.

We actually started having discussing with employers in 2015, reviewing their WHMIS programs and advising them of updates that needed to be made. The major change that came with the updating of the WHMIS regulations was not so much in-territory as it was at a national level where there were major changes made to the classification of hazardous materials and the safety data sheets and the information that had to be provided on them. Most of the major changes have come from the importers and manufacturers of the products.

The big thing that employers have to do is make sure that their workers are trained on the new symbols, because a lot of the symbols changed — it is more of a training issue — and make sure that their material safety data sheets for the products that they previously had are replaced with safety data sheets that are the new standard that was put in place in 2015.

Ms. McLeod: Can the witness confirm what assistance, if any, was provided to employers in terms of training, labelling, monitoring and reporting?

Mr. Dieckmann: As I said, we started in 2015 with the outreach and providing a lot of training materials and information on what the changes were — and a lot of going into workplaces and having the discussions with people to point out what changes had to happen. We continue to provide the materials to familiarize their workers with.

The other thing we did is we assisted Northern Safety Network in updating their training programs. We have reviewed training programs from other organizations that have come to us and said, "Are we meeting this standard?" That is some of the work that we have done.

Ms. McLeod: Does the board have a figure for how much it is costing employers per employee to complete the training?

Mr. Dieckmann: No, we do not because there are so many training providers that it would be difficult to come up with a number for that. For the online training, for example, you can go to CCOHS and take an online training course there for about \$90, I believe it is. What Northern Safety Network does is they offer a train-the-trainer program, so an employer can go in there and get a worker trained who can then come back into their workplace and train other workers. So there are a variety of ways that people can be compliant, and we do not track those costs. They do not provide it to us, so it is not something that we actively track.

Ms. McLeod: Can the witness confirm how many cases with respect to either medical care or return-to-work that they currently have open dealing with non-resident workers? Can the witness tell us whether there has been an increase in these numbers over the last five years?

Mr. Dieckmann: I will have to get back to you on that. I do not have those numbers.

Ms. McLeod: Thank you for that. Can the witness confirm whether the training programs that were implemented for students in kindergarten through grade 12 are still in operation? Does the witness have any comments on the success of this training that takes place?

Mr. Dieckmann: I can confirm that training is available, and it is reviewed quite regularly by our consultants who are doing the outreach into the schools. This is actually an area that we are quite proud of. We feel that we really do add value. We have been expanding the programs over time, so we have expanded what we are offering from what we were offering three years ago, and we will continue to look at new and innovative ways that we can do outreach into the schools.

One of the things that we have done to try to help measure success — and we have just initiated this recently — was that we now have websites set up for teachers where they can go online and get material and it's set up for them. They can also provide us with feedback in the form of a survey on how successful they felt the intervention was when our staff came directly into their classroom and presented and can make comments on the effectiveness of the materials that we provide. We are looking forward to getting that information back over the next couple of years and getting a better idea of which direction we can go with the program we have in the schools.

Ms. McLeod: Can the witness tell us how many schools in Whitehorse are taking advantage of this training and whether or not there are the same opportunities for schools outside of Whitehorse?

Mr. Dieckmann: I do have that information, and I will just see if I can find it here.

We try to visit every school in the Yukon at least once every other year. We have been to every school in Whitehorse, and we have been to every school in the territory, including Old Crow. That is the toughest one for us to get to, so we tend to do that less frequently. We go every other year

to the schools because a lot of the classes are combined. We don't want to go every year because then we have the same students getting the same information, so we offset it. Every second year, we will go back to a school so that we are getting a different group of students in a classroom where they have combined classrooms. As far as Whitehorse goes, we attempt to make it to every school in the course of a year. We try to get to Dawson every year, and Watson Lake — we try to get there every year, I believe.

Ms. McLeod: WCB developed a code of practice in 2009 covering young workers aged 15 to 24. I'm wondering if the program has been updated since 2009 and whether or not the board has any statistics regarding workplace injuries specific to that age group.

Mr. Dieckmann: That code of practice that was put in place in 2009 has not been updated. The code of practice is designed to provide guidance to employers on what training needs to be provided for young workers and what a young worker is. It also deals with new workers, so workers who are new to a job. We haven't updated that code of practice.

We don't necessarily have statistics on the young-worker injuries, but what we do have — if you look in our annual report on page 21, you can see the numbers of young-worker injuries that we get. What you see on page 21 for those age groups — it has remained fairly steady for the last two or three years, fluctuating for the 15- to 19-year-olds. It is between 25 and 35, generally, and the same with the 20- to 24-year-olds. Those raw numbers have not come down considerably, but we don't track the rate. It's a little bit difficult to get a rate, given that we don't know exactly how many young workers are out.

Ms. McLeod: In the strategic plan, the board talks about getting to zero, and obviously we're not there. What major thing or push is the board moving forward with to achieve that zero level?

Mr. Dieckmann: We're tackling it from a number of fronts. There is no single initiative that we're doing.

One of the keys to reducing injuries and reducing the rate of injury is to make sure that we have a well-trained, knowledgeable workforce in the territory. That's one of our key areas — looking at the training provided to workers and the availability of training for workers.

Other areas that are really important are for workplaces to understand how to do proper hazard assessments, look at the risks associated with the work that is being done and then develop programs to reduce that risk.

I get asked an awful lot: What is the most hazardous workplace in the territory, or what are the most hazardous workplaces in the territory? The reality of it is that every workplace has hazards associated with it, but they are very different. If you want to look at where we get the most expensive injuries, that is one way of classifying it. Looking at where we get the greatest number of injuries and not necessarily the most severe is another way of looking at it, but the reality of it is that every workplace has hazards, and so what we really try to impress upon employers and workers is that they need to be doing those hazard assessments. That's a

big place where we're going to focus over the next few years — getting workplaces to understand that they need to look at the hazards associated with the work that they do and then put measures in place to reduce those hazards.

You look at inherent risk and residual risk. If you go to a construction site, they have a lot of inherent risk. They are very risky workplaces, but when they have safety programs and proper training in place and they have policies and procedures and have really thought about how they do the work and regularly review those things, the inherent risk gets reduced, and the residual risk can be quite low at a high-risk workplace that is doing things right. Those are two areas that I think we really need to be concentrating on to bring that down to zero.

Ms. McLeod: Thank you for that. How many marketing campaigns are initiated over the course of a year? If you can just provide us with a little information on how long they run and delivery methods — I notice in the strategic plan that the board mentions social media outreach.

I'm wondering how you are going about that because, frankly, I haven't seen anything on social media myself — so just a little information about how that is working.

Mr. Dieckmann: The use of social media can be a challenging area. We use social media — very targeted. If we have campaigns that we are running to target youth, we will design a social media campaign based on the platforms that the kids use a lot. What are they using now? Facebook is not something that the kids are using.

Some Hon. Member: (Inaudible)

Mr. Dieckmann: Instagram — that's the one. We will use Instagram. There are a couple of others. Andrew tells me on a regular basis what they are, but I'm too old for it to mean anything.

We will target based on the platforms that they are working on. We take a “get in and get out” approach. We will use it for a targeted campaign and then we exit the space — the reason being is that to maintain a presence in social media is very resource-intensive. We all know that the expectation for answers is instantaneous, so if you are maintaining that constant presence, then we have to have people who are constantly monitoring. For our purposes, it's easier if we use a “get in and get out” approach and make it very targeted.

As far as the numbers of campaigns that we run in a year — that fluctuates from year to year depending upon the issues that we're dealing with at any given time. Typically, what we do is that the administration will provide the board of directors with a social marketing strategy that we have for the next three to five years. Based on that, we will then build campaigns to try to impact the areas that we want.

When you asked about how we are going to try to get ourselves to zero, we will design campaigns that will target specific areas where we are seeing increased injury and those types of things.

Ms. McLeod: What is the board's current budget for marketing campaigns? I'm curious about whether or not the full budget amount for the last fiscal year was spent.

Mr. Dieckmann: I do not have that information with me but I will get it. I will get it to you.

Ms. McLeod: I just really have one more question, and then I am going to turn it over to my colleague from the Third Party. I want to thank the witnesses for attending today.

With respect to the board's goal to facilitate service delivery, what has it considered as a way to improve service to non-residents or to those with limited access to phone or Internet? How does the board monitor individuals who are out of the territory?

Mr. Dieckmann: As far as monitoring individuals out of the territory, as I'm sure you know, our system is very much medically driven.

When we have claimants who are outside of the territory — same as what we do with people who are inside the territory — we require them to do regular doctor visits. If their doctors have recommended that they take particular medical treatments, we will monitor those treatments. We rely heavily on the doctors providing us with the functional abilities of the workers and their injury — so where they are in their recovery period. As we get the information from the doctors and the other medical providers, we will maintain constant contact with that worker and sort of set the expectations.

What becomes difficult at times is if they were a seasonal worker and they don't have jobs to return to, we are not able to do the return-to-work pieces as easily as we might have. That doesn't matter if they are in the territory or out of the territory. Ultimately, our goal is to return that worker to employability. When the medical service providers tell us that the person has reached maximum recovery then, dependent on what that is — if that is 100 percent and they are back to being fully recovered and able to go to work, then they are off the system. If there is residual injury, then we will work with them to make a determination of what that level of dysfunction is and what work they are able to return to.

Ms. Hanson: I would also like to join in thanking the witnesses for being here today, and I concur with the comments at the outset that the piece at the front of the annual report that sets out the background and history of the evolution of workers' compensation in the Yukon is very interesting and it is well-written and the graphics are, I thought, very helpful and very good.

There are a number of questions that I have on matters that arise from the report and a couple related to the strategic plan. My colleague from Watson Lake has raised a question with respect to the WHMIS in terms of all workplaces using hazardous products in their workplace being required to comply with WHMIS. When we looked at the accepted claims by event or exposure, we notice that the exposure to harmful substances or environments has actually gone up. In this last calendar year — the reported year for the annual report — it went from 53 to 72. I would be interested in the witness's analysis of why that might be, what kinds of workplaces we are talking about and what kind of substances or environments are captured in that statistic with the increase noted.

Mr. Dieckmann: As far as the nature of the exposures that we are seeing there, I would have to do a deeper dive with

an analysis on that. I don't have that information with me right now, so I will have to get back to you on that one.

Ms. Hanson: Does it concern you that there is that increase? I mean, that is a significant increase. We are not talking about huge numbers in total in terms of the overall number of claims but just the fact that, in the three years after the regulations came into effect, we are seeing an increase in hazardous products causing injuries sufficient enough that there is an accepted claim.

Mr. Dieckmann: Fluctuations of the size that we see here are not uncommon, given our small numbers. As you say, those are very small numbers that we are talking about. One of the things when we talk about harmful substances, I do know that harmful substances do include WHIMS-controlled products, but when we talk about environment, that also includes things like frostbite, exposure to cold and those kind of things that can happen as well. Sometimes, depending on the nature of the work that is going on, if we have a lot of outside work happening — construction, those kinds of things — we can see increases in that area because of the exposure to harmful environments as well. Like I said, I have to dive into it a little bit deeper to understand what we are seeing here.

Ms. Hanson: I appreciate the witness sending this information. I am interested in the split between those injuries that arise in workplaces with respect to hazardous products versus the environment. I get that there is a difference.

We note in the report that mental health claims went up again from 29 to 36. The report also points out that 19 of those mental health claims were related to PTSD — post-traumatic stress disorder. If the witnesses could comment on what types of employment the 19 PTSD cases break down into? What is the breakdown of the nature of employment? How many of these are public versus private sector employees?

Mr. Dieckmann: I just need a second to see if I have that information.

Some Hon. Member: (Inaudible)

Mr. Dieckmann: For the PTSD claims, in 2017 we had nine claims accepted for PTSD. Six were from emergency response workers, and as to the others, I believe that all but one were government workers.

Ms. Hanson: I do note that the report mentions that the amendments to the legislation with respect to PTSD had only come into effect in 2017, so anticipated here and, later on, there's mention, I think, in the strategic plan about the presumption that there will be an increase in this area. This raises the question: What kind of training do caseworkers working for the board have in terms of dealing with those who have post-traumatic stress disorder?

Mr. Dieckmann: Over the past two years, we've been providing a fair bit of training to our staff on dealing with psychological injury, and as always, we rely very heavily on the service providers to assist us in coming up with plans for return to work and for dealing with the recovery. It really is a combination of the work our staff do and the knowledge our staff have and relying heavily on the mental health service providers to provide us with a lot of assistance in

understanding what the functional capabilities are and helping those people return to work where they can.

Ms. Hanson: In 2007, Occupational Health and Safety conducted 306 inspections. On page 14, it says — I don't know how these pages work in your report — which resulted in the issue of 1,230 orders. What I'm interested in is the next part: As well, 32 administrative penalties were levied: 16 to employers and 8 each to supervisors and workers.

The board, in its report, talks about revisiting a cross-section of the businesses and being happy to report that the majority were found to be in compliance with the orders issued last year. In which sectors are we seeing the preponderance of these infractions? Does one industry stand out?

Mr. Dieckmann: I'm glad you asked that, actually, because I asked the same question of the folks in Occupational Health and Safety. I was told that no, there isn't any one that really jumps out. I was really interested in if there were certain employers or certain occupations, and no, there is a good cross-section of areas where there's non-compliance.

With some of the administrative penalties, they are for non-compliance with orders that were written, and those are right across the board. With some of the other ones where we find people not wearing personal protective equipment and those types of things, those are typically in the construction industry.

Ms. Hanson: I thank the witness for that. One of the policies is policy EA-15, which is "Employer Penalties for Failure to Provide Timely Notice of a Work-Related Injury." How is this particular policy monitored? Basically, what I am concerned about is: How is compliance ensured?

Mr. Dieckmann: That is a challenging area — the reporting — because what the act says is that the employer has to report within three days of being made aware. One of the biggest challenges that we see is that a lot of times a worker will go and seek medical treatment without talking to their employer, so we will receive a worker's report of injury and we won't have anything from the employer. What we do, as soon as we receive either a doctor's report or a worker's report, is we immediately contact the employer and ask them to fill out theirs. Often it is us who are actually making them aware.

The response rate we have on that is tremendous. The vast majority of employers will immediately provide us with — they will go and talk to the worker or talk to the supervisor, find out what happened and provide us with notification. We haven't actually issued any penalties for failure to report within the legislated time, because we find that they do report quickly once we let them know. The challenge that we are trying to wrestle with is how we make people aware that they should be letting their employer know as soon as they are injured.

Ms. Hanson: Here is a mea culpa. I was one of those workers who didn't know that. I showed up at my doctor's office and found out that it was a work-related injury. If you've never dealt with the system, you don't know that, so it is an important piece in terms of worker education.

I have a number of questions with respect to how the Workers' Compensation Health and Safety Board conducts work site inspections to monitor compliance with health and safety regulations. If there is a complaint of unsafe work conditions at a work site made by either a worker or a member of the public, I would be interested in having you describe the process that is followed. Is it complaint driven or does WCB, as a matter of course, visit work sites? So that is one set of questions — whether it is complaint driven.

A subset of that one about complaint driven is if there is a complaint or more than one complaint about a workplace — an observation by a member of the public — is there automatically some sort of more of a review or a closer scrutiny put on a work site? This is if there have been observations that there are potentially unsafe work practices.

Mr. Dieckmann: This is a topic I could speak on for the rest of the appearance. In a nutshell, our process for visiting workplaces is both. It is complaint driven and it is based on activity at a time of year. So in the summertime we tend to be concentrating on the mining industry and the construction industry — those things — although construction now runs right through the year, so we focus on them all year round. We also try to make it to retail stores, grocery stores and offices. Government being one of the largest employers in the territory, we do go to a lot of government worksites, but we try to be strategic in how we do those visits. If we notice there is a particular sector where we are seeing increases in the number of injuries, number of incidents or number of complaints, we will concentrate a little bit more on that industry or on that sector. If they have an industry association or some sort of a sector association, we will really try to work closely with that association as well to try to help get the word out that here is what we are seeing. We will focus our inspections that way.

When we get complaints, we will respond to the complaints. We will ask for information, such as could you tell us where it is and give us your name — those kinds of things — so that we can follow up, and we will follow up with it. If we get numerous complaints from a workplace, we will absolutely scrutinize a little bit more, maybe visit a little bit more often and provide them with a little bit more assistance to be compliant. So, yes, that is the way we approach it.

Ms. Hanson: I can understand how the board's marketing and its information campaigns with respect to workplace safety and workers' safety are largely targeted to Yukon-based employers because that is your constituency. The industry associations, of course, would be responsive to that, but we have a significant number of out-of-territory workers and employers coming here. What outreach is done, or how does the board satisfy itself that those workers and those employers from out of Yukon are wholly aware of what the expectations are in Yukon with respect to workers' safety?

Mr. Dieckmann: A lot of the workers who are coming in from out of the territory are working in the construction and mining industries. We do get a lot of consultants coming through the territory — very difficult for us to target them —

but they are also typically in lower hazard areas, so it is not as much of a concern.

One of the things that we do is that when a company comes into town, especially if they have a contract with Yukon government or with the City of Whitehorse — both of those organizations require their contractors to come to us to do a pre-project meeting, so we get eyes on just about all the contractors who are coming into the territory doing work for governments.

That is really handy, because we sit down with the employer, a safety officer will meet with them before they even start their project, and we will go through the pre-project meeting to get an idea of where they're working. There is specific information we ask: where they are working, how many people they are going to have working on their work site, how many first aid people they need, who the first aid attendants are — we go through a pretty comprehensive list to get a feel for the type of work that is being done. Then we will provide them with a copy of our legislation and regulations, and we will have a discussion about what expectations there are and what they can expect from a workplace visit from one of our safety officers. When we talk about where we might concentrate our efforts, we will always try to make sure that we visit at least once, and then, depending on what we find from that point forward, we will make a determination on whether or not we need to be visiting them more frequently.

Ms. Hanson: I thank the witness for the response. I think that really does address it. To a large extent, I think you can have some assurance with respect to those contractors working for government — municipal or territorial. I guess we do also have a number of large private sector projects underway in the City of Whitehorse and elsewhere. That's a concern that I will put on the table, because they are not necessarily going to get captured by this "come and chat with us about your project" because they don't have to, as I understand it. I'll ask the witness to confirm that in his response to my next question.

When I look at the report, I note that assaults, violent acts and harassment events have gone up — it's not huge. Again, these numbers aren't huge, but we're talking about the Yukon, and we see any events — assaults, violent acts or harassment. It is about 10 percent, so 34 to 38. Can the witnesses indicate to this House whether these are in the public or private sector, are they in any particular field, or are there any trends that they've noticed? I'm only looking at this one year, so it's at 38 now. Where was it, say, a couple of years ago?

Mr. Dieckmann: I'll first deal with the first point that you raised. The construction companies that are coming up and doing building work that is not for government — the company has to register with the board, so Occupational Health and Safety gets a list of all the newly registered companies in the territory. If there is a mining project that is happening or a construction project that is happening, they will make a point to get out to visit it. When I said that we will concentrate more on the construction in certain times of the year, they make sure that they get to those places and do a visit.

As far as the violence or harassment, that is multi-sectorial. We do get injuries happening in all sectors. If we go back to 2015, there were 30; in 2016, we had 34; and we had 38 in this past year. So yes, it looks like there has been a slow uptick in it.

It's one of those areas that is of concern to us as well, because although the numbers are small, the impact is large. One of the largest factors in psychological injury is workplace violence harassment. It can have a huge impact. What happens sometimes with those types of injuries — especially of a violent incident — is there may be a physical injury that occurs that the person recovers from, but then there is ongoing psychological injury that then has to be dealt with over the longer period. It is a concern for us, and it is something that we are working on strategies to address.

Ms. Hanson: I do concur. It can create a toxic work environment when you have one — the ripple around a harasser or violent acts that are occurring.

Do the statistics that the board keeps indicate whether these are employee on employee — harassing employees — or is it boss to employee?

Mr. Dieckmann: We don't keep statistics on it, but we do have ways of looking at the information that comes in. So when we get our workers' report of injury or our employers' report of injury, it generally describes what the incident was. But we see all kinds of things, from a server in a bar getting punched to a worker in the hospital being verbally abused — yelled at or screamed at. There is really a broad range of things that we see.

This is what makes it difficult for us — we can't really categorize it as “this is what is happening in Yukon workplaces”. There is a broad spectrum.

Really what we need to be looking at is — it comes back to hazard assessment again. What is the likelihood of this type of thing occurring in your workplace? There are certain factors that really will play into it. Anybody who deals with money, deals with benefits in some way for a person — so if a benefit is conferred or could be denied, those types of industries — any time people are dealing with substances or people who are using substances — those are all high-risk areas. The employers who deal with those types of situations and those types of activities need to be looking at the hazards associated with that and developing programs that can really be in place to try to reduce the risk.

Ms. Hanson: Has the board ever considered — not just for this but for others — withholding that rebate that they give to employers as a blanket rebate for any employers where you have incidents that are causing damage to workers?

Mr. Pike: The board has a comprehensive policy for who gets the rebate and under what circumstances we would withhold it for a time frame. The fact that a particular industry or workplace has more injuries than somebody else is not one of those factors that we have put into place. However, if they have failed to comply with an order or owe us money or have other issues with us, we will, in fact, hold it back and say, “Until you comply with this order, you don't get your money.”

Ms. Hanson: I can understand that to a certain degree, but it seems to fly in the face of the concept of the focus being on the worker and not on the financial aspect, which is that the board is not really there to make money and it is not really that material as to whether or not the — I mean, to me the biggest determinant, in my opinion, is that the focus should be on the worker. If the workplace is paying all their bills, great, but if they have a lousy workplace culture that is dangerous, it seems that it is kind of an oxymoron to give them a rebate. I am not going to debate it. That is not the purpose of having the witnesses here — I am just stating my comments, as I am wont to do.

One of the areas that appears to have been on the right trajectory is the issue of worker fatalities. Hopefully our witnesses can confirm that we are still on the right trajectory, because in 2016, we marked three fatalities, and last year in 2017, there was one. We are almost to the end of 2018: How are we doing?

Mr. Dieckmann: So far we are on a good trajectory, yes. The fatality that we had in 2017 was occupational illness-related, so it was from previous exposure.

Deputy Chair: Ms. Hanson, I would just like to request that when you are asking your questions, if you could address them a little bit toward me so that I can hear them a little better.

Ms. Hanson: I will try to do that, Mr. Deputy Chair.

Deputy Chair: I would appreciate it.

Ms. Hanson: I will articulate more clearly, Mr. Deputy Chair.

I just have a couple of questions with respect to the strategic plan. Both in the first goal and then later it is linked to the fourth goal, the board makes mention of the fact that they are doing work and anticipate doing work — and I have heard this during previous appearances — but it is captured quite succinctly in this strategic plan with respect to anticipated amendments to the workers' compensation legislation — sort of a global as opposed to a partial review and amendment that we did with post-traumatic stress disorder. Can the witnesses update us as to the status of that review and what their anticipated timelines are?

Hon. Ms. Dendys: I would like to reply to that question. Thank you to the member opposite for that.

First, I would just like to say that we are very proud of some of the changes that we have made. In the fall of 2017, the House worked to introduce PTSD presumption for emergency response workers. We also opened the door for the new regulations aimed at preventing psychological injury in the workplace, as we have just heard the witnesses talk about today. As we move forward, we remain committed to a full review of the *Workers' Compensation Act* and the *Occupational Health and Safety Act*.

I have asked the Workers' Compensation Health and Safety Board to begin this important work. I'm really looking forward to it. The Yukon Workers' Compensation Health and Safety Board has hired a director of legislative development. I will keep the House apprised as we advance through this, but at this point, it is with the Cabinet Committee on Legislation.

Ms. Hanson: I thank the minister for that clarification. There are a couple of questions that I have and they are related to the legislation and to the board's role with respect to it. Before I get there — in the plan, the environmental scan that is at the outset of the plan makes a couple of observations that are pretty well-known at this stage of the game, but I want to come back to one of them, which is the notion that Yukon's workforce is aging. There is an acknowledgment that older workers tend to have fewer workplace accidents, but it can take longer to recover as you age.

My question is — I was just piqued by a couple of things that the witness had said at the outset or that were embedded in some answers to the Member for Watson Lake. Can the witnesses confirm if workers' compensation covers somebody regardless of how old they are? If I am 75 and still working — god forbid — am I going to be covered by workers' compensation if I get knocked over as a greeter at Walmart?

Mr. Dieckmann: The legislation says that compensation ends when you reach the age of eligibility for old-age security, but there is also a provision in there that says that if you are over the age of eligibility and you get injured, you will receive compensation for two years.

Ms. Hanson: Given the observation of both the strategic plan and the reality that many senior citizens are no longer able to retire — it is one thing for those who are a part of the public sector or have secure pensions in any form, but many people are reaching the age of eligibility for old-age assistance, but old-age security is nowhere near a living income for a senior. We are seeing many people in Canada returning to work and many single women returning to work or continuing to work.

Do the witnesses anticipate that this is an area that will need to be reflected in the legislation to provide greater flexibility with respect to coverage if people are working longer than 67?

Mr. Dieckmann: Actually it is back to 65. Sorry.

Hon. Ms. Dendys: Mr. Deputy Chair, as I stated, we are committed to a full comprehensive review of both acts, and we intend to look at these types of issues as we go forward with the review.

Ms. Hanson: With respect, Mr. Deputy Chair, I am asking the witnesses who are experts on this subject area for their views on this. I am not asking them to draft the legislation or anything. I am simply asking for their views with respect to the observations that are contained in the strategic plan, which talks about the aging demographics, and if that would be a recommendation. Their plan speaks to the fact that they are working on these things. I am raising it in that context. Is that not admissible?

Hon. Ms. Dendys: I am simply responding to questions around legislation, which is the responsibility of us as legislators in this House. As I have stated, we are absolutely committed to doing a full comprehensive review of both acts. Currently, as I have stated, a director of legislative development has been hired. We are doing research, and it is before the Cabinet Committee on Legislation. I can assure, Mr. Deputy Chair, that there will be a tremendous amount of

opportunity for Yukoners to be involved in the review of these acts and to bring forward areas that are at issue. I will look forward to the Leader of the Third Party's participation in this review.

Ms. Hanson: Again, with respect, we are members of this Legislative Assembly. I am not talking about being involved in the public process of engagement — a public review process where I go and do an engageyukon.ca survey. I am talking about questions that arise from my reading of the strategic plan the annual report and correspondence from the Workers' Compensation Health and Safety Board. I do not understand why it is verboten to have this conversation.

Deputy Chair's statement

Deputy Chair: It is the opinion of the Chair that the witnesses, when they came in earlier, stated quite clearly that the legislation is the purview of this House. If the questions are dealing strictly with the legislation, then I would have to agree that it stays within the House. The witnesses are here to answer questions directed to them on policy and other things that are within their purview. I am just going to say that if you ask your question again and you are asking for an opinion, perhaps they can provide that to the best of their ability, as long as it does not cross over to what we do here for legislation.

Ms. Hanson: — as legislators we cannot talk about in this Chamber.

One of the questions that I would like to ask the witnesses has to do with policy FA-06 — annuities. It goes back to the issue of age. I hope I'm not treading too delicately, but here is the question for the witnesses. When somebody is on — so I'll posit a theoretical case, if you don't mind. So somebody is injured and gets put on permanent disability. I just want to confirm with the witnesses that, going back to the age of 65 — so when somebody's in a permanent injury situation and going to be receiving workers' compensation benefits for life, essentially, and could be on it for 20 or more years, depending on the severity of the injury, my understanding is section 48 of the *Workers' Compensation Act* of 1986 — if I may be so bold as to quote the legislation — grants an individual an annuity, but he can only get that annuity when he turns 65. Could the witnesses confirm that please?

Mr. Dieckmann: That is the case, that they have to wait until they are 65 before they are eligible for their annuity.

Ms. Hanson: Now, we've had situations where somebody who has — it's my understanding that there are provisions — and I will ask the witnesses to confirm this or not, and if I have it wrong, they can clarify it — that their only — so their legislation has been changed over time, and my understanding is that there are no — I guess I should pose it as a question: Are there any circumstances where an individual who has been on permanent lifetime disability compensation from workers' compensation could have that annuity paid out prior to the age of 65? For example, if somebody has a terminal diagnosis and is looking to provide some assistance for the family so that they can provide in-home care, as

opposed to having to work and watch somebody die. So knowing you are going to die — is there any ability for the workers' compensation to provide lump sum payments to the individual?

Mr. Dieckmann: This is a situation that has come up a couple of times. We have thoroughly examined the legislation and there is no way that we can pay it out to the individual before they reach the age of 65.

Ms. Hanson: I won't be asking the witnesses if this will be an amendment that they would be recommending to the government. I will be putting on record that it is a recommendation that the New Democratic Party will be lobbying for very hard, in terms of the compassionate approach that the legislation does not currently allow the board to respond to those kinds of situations.

I have a couple of other questions, if I may, just quickly. In the strategic plan, there is a recognition on page 6 of that plan with respect to immigration and the growth — a larger workforce.

It talks about the territory continuing to attract "... significant numbers of immigrants, mostly in the Economic Class category, with the majority coming from the Philippines, India, Germany and China." They mentioned that the government, through its move of the immigration unit from the Department of Education to the Department of Economic Development, signalled "... a clear intention of the territorial government to link immigration to the economy and to use immigration as a means of meeting labour market demands." So that is part of the strategic plan overview.

The implications then for the board are that "A larger workforce means possible overall increases in workplace injuries and claims. Growth in the resource sectors mean more workers in higher-risk industries and more workers in the 25-to-34 age group — workers who typically account for more accepted claims than any other..."

It also goes on to say, "Immigrant workers face both language barriers and a new workplace culture when they arrive in Canada. The YWCHSB is challenged to ensure that these workers are made aware of their workplace safety rights and responsibilities so they are not at higher risk of workplace injury."

Given that — and I would very much agree, and I am happy to see this kind of observation being included in the board's strategic planning — does the board currently have second-language service provision for those who do not speak English as a first language? When I read through the various policies, there are functional illiteracy kinds of policies, but are there policies that address the fact that somebody may be verbally capable of basic communication, but they may not have the command of the English language in terms of hazardous waste or hazardous products or anything else in the workplace? Both in terms of dealing with a potentially complex presentation of their own case, in terms of explaining what has gone on in the workplace — does the board currently have second-language service provision or second-language materials for people who do not speak English, if we are

anticipating an increase? If not now, is that something that is built into the planning in the near future for the board?

Mr. Dieckmann: This is a challenging area for us. Being a small jurisdiction and a small board, it is very difficult to resource. There are a couple of ways that we manage second-language issues. One of the places where we are lucky is that with most of our communities, there are people who are very proficient in the English language, and then there are others who are not proficient in the English language at all.

What we found a lot of times, especially on the claims side of the business, is that people will come in with a representative to help them with the translation. When that is not available, we subscribe to the LanguageLine, which is a very good service. You can phone into the LanguageLine and they will provide translators who are fluent in the language, whichever one it is.

I think they have a total of 150 languages that they can provide translation for. The nice thing is that the translation that they do is in common dialects as well, for the most part. We can utilize them. It is not the most desirable, but it is effective and can be done either in person — with the person in the office — or there is an ability to speak to them over the phone and have a translator from the LanguageLine participating as well. Those are the two ways that we do handle it.

As far as materials produced in other languages, no, we don't have a lot of materials. The fortunate thing that we do have is that we are members of the Association of Workers' Compensation Boards of Canada, and most of the larger jurisdictions have lots of information provided in multiple languages, especially BC and Ontario — they are really good. They will provide us with any assistance that we need. If we do have particular areas where we have concerns with new residents coming into Canada, we can get those materials and are able to provide them.

Ms. Hanson: I thank the witness for that answer. That sounds like a positive approach.

Is the translation line on a fee-for-service basis?

Mr. Dieckmann: Yes, it is. The fortunate part is that Yukon government has the contract for it. We pay for the services that we use, but because the Yukon government is the one that has the contract — I suspect, but I can't verify this — but I suspect that our rates are lower than they would be if it was us going it alone.

Ms. Hanson: Goal 3, objective 4 of the strategic plan speaks to fostering positive relationships with Yukon First Nations. The first one is to continue to engage First Nation governments and their organizations as opportunities arise to assist in the growth of safety programs, such as certificate of recognition — COR.

Can the witnesses tell this House how many First Nation governments and/or organizations have availed themselves of COR?

Mr. Dieckmann: As of right now, there is only one First Nation that is COR-certified. That is the Kwanlin Dün First Nation. One of the great things about them is they are

outreaching to other First Nations as well to help them as they try to develop their safety management systems.

It is a work-in-progress, but we have had positive responses in our outreach and we have been approached by a number of First Nations who have been looking for additional help in developing their safety programs.

One of the challenges we have with the First Nations is that First Nations are federally regulated on the occupational health and safety side, and there are some differences between federal legislation and our legislation. We can help them with the principles around developing safety programs, but the actual legislation and regulation they have to follow, we are not as well-versed in.

Ms. Hanson: I just have a quick question. I'm just curious if that applies to self-governing First Nations as well as *Indian Act* bands, because as self-governing First Nations, the laws of general application would apply — just a question.

Mr. Dieckmann: That applies to all First Nations. We have had multiple discussions with the federal government on that, and they have assured us that the *Canada Labour Code* applies to all First Nations, whether they are self-governing or not.

Ms. Hanson: Curious. Goal 3, objective 4 is a positive one, as well, in terms of fostering that positive relationship as the notion of setting a goal of having the Workers' Compensation Health and Safety Board staffing be a representative workforce. Can the witnesses indicate to the House whether or not there are any — what the degree of representation is right now, in terms of — if we look at the Yukon, take a snapshot of what the Yukon population looks like, what is the representative nature of the staff of the board?

Mr. Dieckmann: As far as the numbers, no, I can't tell you, but I can tell you that we have a ways to go yet.

Ms. Hanson: I'm glad to see that their last goal on that one is accountability and it's a notion that the board will be putting together some reporting measures that will be approved by the board this year so they can measure their success in achieving these objectives.

With that, Mr. Deputy Chair, I would like to thank the witnesses for their presence here this afternoon and for addressing the matters raised.

Hon. Ms. Dendys: On behalf of Committee of the Whole, I would like to thank both of our witnesses, Mark Pike and Kurt Dieckmann, for being here today and answering all of the questions. It was very informative, and again, we thank you very much for taking the time to come and be here with us.

Deputy Chair: The witnesses are now excused with the thanks of the Chair.

Witnesses excused

Hon. Ms. McPhee: I move that the Speaker do now resume the Chair.

Deputy Chair: It has been moved by Ms. McPhee that the Speaker do now resume the Chair.

Motion agreed to

Speaker resumes the Chair

Speaker: I will now call the House to order.

May the House have a report from the Deputy Chair of Committee of the Whole?

Chair's report

Mr. Adel: Mr. Speaker, pursuant to Committee of the Whole Motion No. 8, witnesses appeared before Committee of the Whole from 3:30 p.m. to 5:30 p.m. today to discuss matters related to the Yukon Workers' Compensation Health and Safety Board.

Committee of the Whole has considered Bill No. 207, entitled *Second Appropriation Act, 2018-19*, and directed me to report progress.

Speaker: You have heard the report from the Deputy Chair of Committee of the Whole.

Are you agreed?

Some Hon. Members: Agreed.

Speaker: I declare the report carried.

The time being 5:30 p.m., this House now stands adjourned until 1:00 p.m. on Monday.

The House adjourned at 5:30 p.m.