



MINUTES OF PROCEEDINGS

OTTAWA, Thursday, December 9, 2021

(3)

[English]

Pursuant to the order of the Senate of November 25, 2021, the Standing Committee on Internal Economy, Budgets and Administration met this day in room C128, Senate of Canada Building, and with videoconference at 11:30 a.m., the Chair, the Honourable Sabi Marwah, presiding.

Members of the committee present: The Honourable Senator Bovey, Campbell, Dasko, Dawson, Dean, Gagné, Housakos, Marwah, Moodie, Saint-Germain, and Smith (11).

Members of the committee present by videoconference: The Honourable Senators Boyer, Moncion, Oh and Tannas (4).

Participating in the meeting: Pascale Legault, Chief Corporate Services Officer and Clerk of the Standing Committee on Internal Economy, Budgets and Administration; Gérald Lafrenière, Interim Clerk of the Senate and Clerk of the Parliaments and Chief Legislative Services Officer; Philippe Hallée, Law Clerk and Parliamentary Counsel; senior Senate officials and other support staff.

WITNESSES:

The Honourable Senator Patricia Bovey;

The Honourable Senator Raymonde Saint-Germain;

The Honourable Senator Lucie Moncion;

Tamara Dolan, Curator, Heritage and Curatorial Services;

Élise Hurtubise-Loranger, Senior Parliamentary Counsel, Office of the Law Clerk and Parliamentary Counsel;

Linda Sabourin, Occupational Health, Safety and Wellness, Human Resources Directorate;

Caroline Morency, Director General, Property and Services Directorate;

Pierre Lanctôt, Chief Financial Officer, Finance and Procurement Directorate;

Shaila Anwar, Clerk Assistant, Committees Directorate;

Anne Burgess, Senior Parliamentary Counsel, Office of the Law Clerk and Parliamentary Counsel.

Pursuant to rule 12-7. (1) of the *Rules of the Senate*, the committee continued its consideration of financial and administrative matters concerning the Senate's internal administration.

The Chair made a statement.

The Chair introduced all senators that were present.

CIBA/2021-12-09/027(P) — Additional CIBA Organizational Motions

The Chair made a statement on additional CIBA organizational motions.

The Honourable Senator Saint-Germain moved:

1. Attendance of Senate Administration Support Staff during In Camera Proceedings (in-person and hybrid meetings)

That, unless otherwise decided, the following support staff be authorized to be present during in camera proceedings of the committee:

- Members of the Executive Committee;
- Recording Secretary;
- Representative from the CIBA Secretariat;
- Representative from the Speaker's office;
- Representative from the Office of the Clerk of the Senate and Clerks of the Parliaments;
- Representative from the Office of the Law Clerk and Parliamentary Counsel;
- Issues Management and Media Relations Advisor;
- Interpreters;
- Reporters;
- Technical support staff; and
- One senator staff member (in person only).

2. Distribution of Committee Documents

That, in addition to the members of the committee, the members of the Executive committee and the Recording Secretary, the following individuals be authorized to receive committee documents:

- Speaker of the Senate;
- Leader of the Government;
- Leader of the Opposition; and
- Leaders of all recognized parties and recognized parliamentary groups; and

That, with the exception of documents classified as senator only, the following also be authorized to receive committee documents:

- Two staff members of each of the following offices: Speaker of the Senate; Leader of the Government; Leader of the Opposition; and Leaders of all recognized parties and recognized parliamentary groups;
- One staff member per member of the committee;
- Representatives from the CIBA Secretariat;
- Chiefs of staff for Executive committee members;
- Chief Financial Officer;
- Issues Management and Media Relations Advisor;
- Interpreters; and
- Reporters.

3. Distribution of Committee Documents to Non-Members

That committee documents be distributed to non-members when they enter the committee room or are virtually admitted into the meeting; and

That the non-members be informed of the confidentiality of committee documents.

4. Confidentiality of Committee Documents

That, the following committee documents related to the public portion of a meeting be classified as follows:

1. Confidential until 1 hour before the start of the meeting:
 - Public Agenda
2. Confidential until the beginning of the presentation:
 - Presentations from external witnesses
3. Confidential until adopted by the committee:
 - Minutes for the public portion of a meeting
4. Confidential until moved, tabled or presented in committee:
 - Motions;
 - Subcommittee and Advisory Working Group reports when the report will not subsequently be tabled or presented in the Senate by the committee

5. Confidential until tabled or presented in the Senate:

- Committee reports (includes subcommittee reports adopted by the committee and subsequently tabled or presented in the Senate);

That, any other documents related to the public portions of meetings be classified as confidential unless otherwise determined by the committee;

That, all documents related to in camera portions of meetings be classified as confidential unless otherwise determined by the committee; and

That the confidential nature of the document be visible on each document before they are distributed to members.

The question being put on the motion, it was adopted.

CIBA/2021-12-09/028(P) — Adoption of Minutes of Proceedings from December 2, 2021 (public)

The committee considered the Minutes of Proceedings from December 2, 2021 (public).

The Honourable Senator Dean moved that the Minutes of Proceedings of Thursday, December 2, 2021 (public), be adopted.

The question being put on the motion, it was adopted.

CIBA/2021-12-09/029(P) — Update from the Former Artwork and Heritage Advisory Working Group

The Honourable Senator Bovey provided a verbal update on the work of the former Artwork and Heritage Advisory Working Group and answered questions.

CIBA/2021-12-09/030(P) — Eleventh Report from the Former Subcommittee on Human Resources — Occupational Health and Safety Policy

The former Chair of the Subcommittee on Human Resources, the Honourable Senator Saint-Germain, presented the Eleventh Report of the subcommittee as follows:

Thursday, December 9, 2021

The Subcommittee on Human Resources of the Standing Committee on Internal Economy, Budgets and Administration has the honour to present its

ELEVENTH REPORT

Your subcommittee, which was authorized by the Standing Committee on Internal Economy, Budgets and Administration (CIBA), to examine and report on issues related to human resources in the Senate, including Senate policies referred to it by the committee, received a proposal to examine and approve the new *Senate Policy on Occupational Health and Safety* (the Policy) and the *Internal Complaint Resolution Process* (ICRP), which would replace the current *Senate Interim Policy on Occupational Health and Safety 2019* (Interim Policy).

On July 29, 2019, Part II of An Act to amend the Canada Labour Code (harassment and violence), the Parliamentary Employment and Staff Relations Act and the Budget Implementation Act, 2017, No. 1 (the Act) came into force and made significant changes to the legal framework governing occupational health and safety in the Senate. The Act incorporated the occupational health and safety requirements of Part II of the Canada Labour Code (CLC) into the Part III of the

Parliamentary Employment and Staff Relations Act (PESRA), which for the first time made the Senate legally obligated to comply with this Part of the CLC. However, a further amendment to PESRA created section 88.6 which clarified that while this Part of the CLC does apply to the Senate, it does not in any way limit the powers, privileges and immunities of the Senate or permit the interference, directly or indirectly, with the business of the Senate.

To fulfill its legal obligations under the CLC, the Senate was required to establish a Health and Safety Policy Committee (Policy Committee) and to involve the Policy Committee in the development of the new Policy. To allow for sufficient time for the creation of and consultation with the Policy Committee, CIBA approved the adoption of the Interim Policy in September 2019. Over the following months, the Policy Committee participated in the development of the new Policy that provides a mechanism, consistent with the Senate's legal rights and obligations, for the resolution of occupational health and safety issues that might arise in the Senate workplace.

Another significant amendment because of the Act is the broadening of the definition of workplace accidents and injuries under the CLC to include cases of harassment and psychological injuries and illnesses. The *Senate Harassment and Violence Prevention Policy* sets out a complaint process to deal with occurrences of harassment and violence in the Senate workplace, whereas this Policy deals with injuries and illnesses arising out of the workplace, and that are unrelated to harassment or violence. This expanded definition has been incorporated into the Policy.

The purpose of the Policy is to ensure that the Senate takes all reasonable measures to protect the health and safety of every employee by preventing workplace accidents as well as physical and psychological injury or illnesses arising in the context of the Senate workplace. It applies to all persons employed by the Senate including Senate Administration employees and employees working in senators' offices. It also applies to senators, as supervisors to the staff working in their offices.

The ICRP accompanies the Policy and outlines the processes to be followed for filing a formal complaint under subsections 127.1 (1), 128 (1), or 132 (1) of the CLC and a corresponding complaint under section 1.6.1.2 of the Policy. Under the ICRP, the Policy and the CLC, employees have the right to file three different types of complaints. The process to be followed for each one of these complaints is outlined in Appendix A of the ICRP.

RECOMMENDATIONS

After careful review of the new Policy and the ICRP, your subcommittee recommends that:

- the new Senate Policy on Occupational Health and Safety be approved;
- the Internal Complaint Resolution Process be approved; and
- that they both be in force immediately.

Respectfully submitted,

RAYMONDE SAINT-GERMAIN

Chair

The Honourable Senator Saint-Germain made a statement and, together with Linda Sabourin and Élise Hurtubise-Loranger, answered questions.

After debate, the Honourable Senator Saint-Germain moved that the Eleventh Report of the former Subcommittee on Human Resources be adopted.

The question being put on the motion, it was adopted.

CIBA/2021-12-09/031(P) — Request for Proposal — Printer Maintenance

Caroline Morency made a statement and answered questions regarding a request for exception to the procurement policy requirements for printing equipment maintenance.

CIBA/2021-12-09/032(P) — Report from the Former Subcommittee on the Senate Estimates — Senate Procurement Policy

The former Chair of the Subcommittee on the Senate Estimates, the Honourable Senator Moncion, presented the Tenth Report of the subcommittee as follows:

Thursday, December 9, 2021

The Subcommittee on the Senate Estimates of the Standing Committee on Internal Economy, Budgets and Administration has the honour to present its

TENTH REPORT

Your subcommittee, which was authorized by the Standing Committee on Internal Economy, Budgets and Administration (CIBA) to examine and report on financial matters, including Senate policies referred to it by the committee, received a request to review and approve the updated *Senate Procurement Policy* (the Policy).

The Policy establishes the requirements for the acquisition of all goods and/or services from third parties, other parliamentary entities and government organizations in an efficient and effective manner that results in the best value for the Senate while mitigating risks, enhancing access and encouraging competition and fairness for suppliers.

The Policy also outlines the roles and responsibilities of CIBA, the Executive Committee, the Chief Financial Officer, the Manager, Procurement Services, the Deputy Chief Financial Officer and Comptroller, Contracting Authorities, the Corporate Security Directorate, and Senators, Members of the Executive Committee and Administration Directors and Managers who require the acquisition of goods and services.

When initiating the review process of this Policy, the Finance and Procurement Directorate analyzed good practices with other organizations, reviewed documentation from and/or consulted the House of Commons, the Library of Parliament, the National Capital Commission, the Royal Canadian Mint, and the current Treasury Board Contracting Policy and Treasury Board Contracts Directive.

The changes proposed to the Policy and its content align with good practices for public organizations. A summary of the driver, key changes, benefits and impacted groups pertaining to this Policy can be found in the appendix.

RECOMMENDATIONS

After careful review of the revised Policy, your subcommittee recommends that:

- the updated *Senate Procurement Policy* be approved;
- Schedule A of the *Senate Administrative Rules* be amended to reflect changes to the sole source contracting thresholds set out in the *Senate Procurement Policy*;
- the *Senate Procurement Policy* come into force on February 1, 2022.

Respectfully submitted,

LUCIE MONCION

Chair

The Honourable Senator Moncion made a statement and, together with Pierre Lanctôt, answered questions.

After debate, the Honourable Senator Moncion moved that the Tenth Report of the former Subcommittee on Senate Estimates be adopted.

The question being put on the motion, it was adopted.

CIBA/2021-12-09/033(P) — Allocation of Office Accommodations during a Period of Prorogation or Dissolution

Shaila Anwar made a statement and answered questions on the allocation of office accommodations during a period of prorogation or dissolution.

After debate, the Honourable Senator Dawson moved that the Chair be authorized to seek the Senate's approval to amend chapter 4:03, section 2 of the SARs, by way of a notice of a motion in the Senate, to designate the senators who were members of SELE's steering committee on the day on which Parliament may be prorogued or dissolved to allocate office accommodations to senators during an intersessional period.

The question being put on the motion, it was adopted.

CIBA/2021-12-09/034(P) — Report from the Subcommittee on Agenda and Procedure — Bi-Annual Exemptions to *Senators' Office Management Policy*

The Honourable Senator Marwah tabled the Twelfth Report of the Subcommittee on Agenda and Procedure on the exemption and exception requests to the *Senators' Office Management Policy* that it has received and the corresponding decisions since February 11, 2021.

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The Subcommittee on Agenda and Procedure of the Standing Committee on Internal Economy, Budgets and Administration has the honour to table its

TWELFTH REPORT

Pursuant to Section 1.6.2 of the *Senators' Office Management Policy*, the subcommittee now tables a report on the exemption and exception requests to the policy that it has received and the corresponding decisions since February 11, 2021.

1. Extension to Office Departure

The subcommittee received a request from the former Honourable Senator Andreychuk for an exception to Section 8.4.3 to extend the one-year departure period. The subcommittee agreed to extend the deadline until June 30, 2021, due to the exceptional circumstances of the COVID-19 pandemic.

2. Office Budget Shortfall

The subcommittee approved an increase of approximately \$1,650 to Senator Duffy's office budget to cover the shortfall for the 2021-22 fiscal year due to economic salary increases considering the unique circumstances around the timing of the salary economic increases and Senator Duffy's retirement date.

3. Office Budget Shortfall

The subcommittee rejected a request from Senator Klyne for an increase to his office budget to cover the shortfall for the 2021-22 fiscal year due to economic salary increases.

4. Extension to Office Departure & Contract

The subcommittee received a request from the former Honourable Senator Munson for an exception to Section 8.4.2 in order to extend the two-month transition period and a contract for one of his employees, by two weeks, to assist with the closing his office. The subcommittee agreed to extend the deadline and the contract until October 2, 2021, due to the exceptional circumstances of the COVID-19 pandemic.

Respectfully submitted,

SABI MARWAH

Chair

CIBA/2021-12-09/035(P) — Public Accounts for Fiscal year 2020-2021

Pierre Lanctôt made a statement regarding the public accounts for the fiscal year 2020-2021.

CIBA/2021-12-09/036(P) — Other Matters

The Honourable Senator Moncion raised a question regarding the adoption of the minutes of proceedings.

Pascale Legault answered questions and the Chair took the matter under advisement and indicated that it would be raised with members of the Subcommittee on Agenda and Procedure.

CIBA/2021-12-09/037(P) — Report from the Former Subcommittee on Long Term Vision and Plan

It was agreed that in the event a single North-South tunnel is considered, it should be in a location where it can be easily used by all Parliamentarians.

At 12:28 p.m., the committee suspended.

At 12:30 p.m., the committee resumed in camera, pursuant to rule 12-16. (1).

At 12:55 p.m., the committee adjourned to the call of the chair.

ATTEST:

Pascale Legault

*Chief Corporate Services Officer and Clerk of the Standing Committee on
Internal Economy, Budgets and Administration*

Keli Hogan

*Recording Secretary
Administration*