

Minister of Energy
and Natural Resources



Ministre de l'Énergie et
des Ressources naturelles

Ottawa, Canada K1A 0E4

The Honourable Senator Ratna Omidvar
Chair, Standing Senate Committee on Social Affairs, Science and Technology

Dear Senator Omidvar:

I was pleased to appear before your committee on June 6th, 2024 regarding Bill C-50, the *Canadian Sustainable Jobs Act*.

During our discussion, members of the committee raised important questions concerning Bill C-50's contribution to advancing diversity and inclusion of equity-seeking and underrepresented groups in the move to a low-carbon economy, including the critical importance of advancing reconciliation with Indigenous peoples. Committee members also focused on the need to address the unique perspectives of official language minority communities as we carry out this work and to ensure that the views and concerns of non-unionized workers are considered alongside workers that are part of trade unions. The importance of addressing barriers to employment for persons with disabilities was also underlined.

I would like to provide further context on these important issues for the Committee's consideration in advance of its clause-by-clause review of the bill.

At the outset, let me assure you that advancing equity, diversity and inclusion is central to the Government's approach on sustainable jobs. As emphasized in the interim Sustainable Jobs Plan, the Government is taking a people-centered approach to the net-zero future. An integral part of our approach is to ensure the unique circumstances of marginalized and underrepresented groups are considered and barriers addressed to facilitate their full and equal participation in the economy.

Equity, diversity, and inclusion is addressed through the establishment of sustainable jobs principles that will guide the Government's work. The preamble of the bill lists these principles, including that policies and programs in support of sustainable jobs should be inclusive and address barriers to employment, especially for equity-seeking groups. These principles apply to all the work that the Government undertakes with respect to sustainable jobs, including the work of the Secretariat and the Sustainable Jobs Action Plans. In particular, the bill stipulates that each Sustainable Jobs Action Plan must describe how the federal government is upholding the guiding principles set out in the preamble. It also prescribes that Action Plans include data related to equity, diversity, and inclusion in the labour force, along with a description of how that data informed the development of measures outlined in the Plan.

The importance of equity, diversity and inclusion is also important to the composition and responsibilities of the Sustainable Jobs Partnership Council. A key function of the Partnership Council is to ensure regular engagement with all Canadians in the formulation of its advice – including with underrepresented, equity-seeking groups. In addition, in recommending members to the Governor-in-Council, consideration will be given to ensuring that the composition of the Council reflects Canada's diversity. The recommendations will reflect balance in terms of regional representation, linguistic representation, gender and racial representation, and other factors that represent Canada's diversity.

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Regarding consideration of Indigenous peoples in the bill, the preamble recognizes the enactment by Parliament of the *United Nations Declaration on the Rights of Indigenous Peoples Act*, meaning that the Government is obliged to abide by its provisions. The bill also states that the Government is committed to strengthening its collaboration with Indigenous peoples with respect to the creation of sustainable jobs, and to taking Indigenous knowledge into account when carrying out the purposes of this Act. The bill outlines that three member positions on the Partnership Council will be for Indigenous peoples, reflecting the important role that Indigenous peoples will play in the social dialogue that will be undertaken by the Council. Effective engagement with Indigenous peoples will be an important part of its engagement approach.

Persons with disabilities are an important equity-seeking group, and it will be important that their views and perspectives are sought both through the work of the Secretariat and the Partnership Council. The preamble to the bill recognizes that Canada ratified the United Nations Convention on the Rights of Persons with Disabilities and indicates that the Government is committed to a sustainable jobs approach that addresses barriers to employment for persons with disabilities in Canada.

Official language minority communities (OLMC's) are considered by this Act, although not explicitly referenced in the non-exhaustive list of underrepresented groups. Further, the *Official Languages Act* outlines the Government of Canada's obligations to advance the equality status and use of French and English. This includes enhancing the vitality of French and English linguistic minority communities and to support their development, and to protect and promote the French language. In addition to making written materials and engagement opportunities available in both official languages, efforts will be made to ensure OLMCs are engaged through processes established by the Secretariat and Partnership Council.

Recognizing that a large part of Canada's workforce is not unionized, it will be critical that the views and perspectives of all workers are addressed through the implementation of this Act. The composition of the Partnership Council will include members of labour unions, understanding they are broadly focused on the interests of all workers. It will nonetheless be important that the Partnership Council make deliberate efforts to engage with non-unionized workers so that their views are reflected in advice to the Minister, and I have every confidence that this will be reflected in the work that will be done by the Partnership Council as well.

The Terms of Reference of the Partnership Council are in development and offer an opportunity to further address many of the important issues raised by the Senate during its committee hearings on Bill C-50. In particular, I am committing to provide input to ensure that the following key provisions are included in the Terms of Reference (TOR) for the Sustainable Jobs Partnership Council:

- With respect to engagement, the TOR stipulate that the Partnership Council will undertake engagement with a wide range of implicated partners and stakeholders. This includes equity-seeking groups, official language minority communities, and Indigenous peoples. Engagements will specifically include opportunities to hear from rural, remote, resource-dependent, official language minority communities, and Indigenous voices, particularly those in resource-dependent communities.
- The TOR will also reflect that Indigenous communities and organizations are to be a key engagement priority for the Council, and that the Council must establish an Indigenous engagement plan.

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- The TOR will also stipulate that the Council ensure that its publications and engagement opportunities are offered in both official languages and that it engages with and consider the perspectives of Official Language minority communities in the context of its work.
- The TOR will underline that the Partnership Council must make efforts to meaningfully engage with non-unionized workers, particularly in high-emitting industries.
- With respect to the provision of advice, the TOR will broadly underline the importance of ensuring its advice reflects the need to address and remove barriers to the full and equal participation of equity-seeking groups in the low-carbon economy.

I would be happy to share a copy of the Terms of Reference with the committee once it has been finalized, and my officials would be pleased to appear before your committee in the future to discuss this in greater detail once a copy is made available. The bill also requires that the Terms of Reference be made public once finalized as another accountability and transparency feature of the Bill.

I hope that this letter provides additional context to my comments at the committee on June 6th and addresses the concerns raised by committee members. You have my assurances that I share your views about the importance of the sustainable jobs approach prioritizing the improvement of equity, diversity and inclusion of the work force and advancing economic reconciliation with indigenous peoples. This will be at the forefront of the work for myself and my officials as we faithfully implement this legislation once it receives Royal Assent.

Respectfully,

The Honourable Jonathan Wilkinson, P.C., M.P.
(he/him/il)

A handwritten signature in black ink, appearing to read "Jonathan Wilkinson".

CC:

The Honourable Senator Marc Gold, P.C.

Government Representative in the Senate

The Honourable Senator Hassan Yussuff

All members of the Standing Senate Committee on Social Affairs, Science and Technology

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