

Chairman: Thank you. Minister Hickes, closing comments?

Hon. George Hickes: Thank you, Mr. Chairman. I don't really have anything to say. It was fairly easy, and I am looking forward to feedback from all members when we bring forward our *Liquor Act* in the next government. Hopefully I'm still here. Thank you, Mr. Chairman.

Chairman: Thank you, Minister Hickes. On behalf of the committee, I thank you and your staff and officials for being here today to answer questions.

Bill 49 – An Act to Amend the Labour Standards Act – Consideration in Committee

We are now going to move on to Bill 49, and I will ask the minister responsible if she could proceed to the desk at the front there, please.

I would like now to ask Minister Ehaloak: do you have officials that you would like to appear before the committee?

Hon. Jeannie Ehaloak: Thank you, Mr. Chairman. Yes, I do. Thank you.

Chairman: Thank you. Does the committee agree for the witnesses to appear before you?

Some Members: Agreed.

Chairman: Thank you. Minister Ehaloak, for the record, if you could introduce your witnesses and then go into your opening comments, please. Minister Ehaloak.

Hon. Jeannie Ehaloak: Thank you, Mr. Chairman. I would like to introduce my colleagues; to my left, Deputy Minister Stephen Mansell, and to my right sitting at the witness table is Erin George, who is a policy analyst, and Amy Short, who is our legislative staff. Thank you, Mr. Chairman.

Chairman: Thank you, Minister Ehaloak. Do you have opening comments? Minister Ehaloak.

Hon. Jeannie Ehaloak: Thank you, Mr. Chairman. Yes, I do. Good afternoon, my colleagues. I am here today to discuss Bill 49, *An Act to Amend the Labour Standards Act*.

This bill amends the *Labour Standards Act* to allow employees to take leave due to public emergencies such as COVID-19. While the details of the leave will be set out in regulation, it is expected that for COVID-19, an employee would be able to take unpaid leave in the event that they, an immediate family member, or a person with whom they are in care require medical treatment or investigation or is under quarantine or isolation due to COVID-19.

This bill also amends the *Labour Standards Act* to allow employees to take leave due to family abuse. An employee would be allowed to take up to 17 weeks of leave if they, a family member, or a person with whom they are in care or relationship experiences family abuse. The leave would allow them to deal with the consequences of family abuse, including obtaining medical care, counselling, and legal or law enforcement assistance.

The proposed family abuse leave is in keeping with similar provisions existing in every other Canadian jurisdiction. It is also reflective of the broad nature of Inuit kinship relationships.

This bill will help support in their times of need, including when faced with public emergency situations and family abuse. Thank you, Mr. Chairman.

We are now and available to take questions.

Chairman: Thank you, Minister Ehaloak. Does the chair of the standing committee have opening comments? Mr. Main.

Mr. Main (interpretation): Thank you, Mr. Chairman. (interpretation ends) As Chair of the Standing Committee on Legislation, I wish to make some brief opening comments as the Committee of the Whole begins its consideration of Bill 49, *An Act to Amend the Labour Standards Act*.

The standing committee supports the overall purpose of the bill, which the sponsoring minister described in her opening comments.

During the minister's appearance before the standing committee, questions were asked concerning the government's timeline for introducing new regulations under the *Labour Standards Act* to give effect to certain provisions of the bill, as well as the government's timeline for introducing similar amendments to the territorial *Public Service Act* that would cover members of the public service.

Members of the standing committee may ask similar questions during today's or tonight's proceedings. (interpretation) Thank you, Mr. Chairman.

Chairman: Thank you, Mr. Main. Are there any general comments? Mr. Main.

Mr. Main (interpretation): Thank you, Mr. Chairman. (interpretation ends) Just very briefly, I think this is a great piece of legislation. It tackles the pandemic issue in terms of allowing employees to take leave in the face of this challenge, as well as the issue of family abuse. That's something that I think we all would agree is far too common in Nunavut. Anything that we can do as a government to further support victims of family abuse, I think, is good news. I'm pleased to see that this is something that's in front of us to debate and consider. (interpretation) Thank you, Mr. Chairman.

Chairman: Thank you, Mr. Main. Mr. Lightstone.

Mr. Lightstone: Thank you, Mr. Chairman. I would like to thank the minister and the Department of Justice for producing this piece of legislation. Domestic violence is a major issue facing so many in our territory. I first brought up the need for domestic violence leave in 2018 and I'm glad to see that this legislation was produced. I would further like to point out that this piece of legislation is above and beyond the other pieces of domestic violence leave legislation that is across Canada, and the fact that every other jurisdiction does provide domestic violence leave, but our piece of legislation is beyond that scope and incorporates all family abuse. I just wanted to recognize that and thank the minister for her efforts. Thank you, Mr. Chairman.

Chairman: Thank you, Mr. Lightstone. Ms. Towtongie.

Ms. Towtongie: Thank you, Mr. Chairman. On page 3, 39.18 (d), I find this to be too wide open, "to seek or obtain Elder counselling"; and I hope it will be covered in the regulation.

Right across Nunavut we have elders that are just physically getting old without knowledge of their own culture or tradition. What I would like to see is traditional knowledge holder, with the ability to transmit culture and tradition. One of the areas that I have seen in Nunavut for counselling is the community of Clyde River. They have traditional Inuit counselling and elder counselling, but the way it is worded right now, I just want to comment that "Elder" is too wide open. Thank you, Mr. Chairman. Final comment.

Chairman: Thank you, Ms. Towtongie. If there are no further comments, I will now open up the floor to any questions on the principle of the bill. Anybody? Mr. Main.

Mr. Main (interpretation): Thank you, Mr. Chairman. (interpretation ends) I'm interested in what parties have been consulted with on this piece of legislation. It's a bill that would affect... It's not about Government of Nunavut employees. It's about employees under other employers, so the private sector and what have you. What stakeholders have been contacted to provide feedback on this, and as briefly as possible, what has been the feedback to date from organizations outside of the Government of Nunavut? (interpretation) Thank you, Mr. Chairman.

Chairman: Thank you, Mr. Main. Minister Ehaloak.

Hon. Jeannie Ehaloak: Thank you, Mr. Chairman. I thank the member for his question. The Department of Justice consulted internally with all departments within the Government of Nunavut, including the labour standards officer, and as well, letters were sent to Nunavut Tunngavik Incorporated, the three regional chambers of commerce, Pauktuutit Inuit Women of Canada, and the Agvvik Society. Of all the people we contacted, the groups we contacted, we only received two letters and those letters were from an individual named Stephen Bird, who is a lawyer who represents various Nunavut employers. Thank you, Mr. Chairman.

Chairman: Thank you, Minister Ehaloak. Mr. Main.

Mr. Main (interpretation): Thank you, Mr. Chairman. (interpretation ends) In terms of the feedback that was received, was it generally supportive or on the fence or against this piece of legislation? (interpretation) Thank you, Mr. Chairman.

Chairman: Thank you, Mr. Main. Minister Ehaloak.

Hon. Jeannie Ehaloak: Thank you, Mr. Chairman. I thank the member for his question. I also forgot to mention that Baffinland was one of the other members who sent us a letter regarding the bill itself. These two individuals that had sent responses were in support of the bill. Thank you, Mr. Chairman.

Chairman: Thank you. Mr. Main.

Mr. Main (interpretation): Thank you, Mr. Chairman. (interpretation ends) The legislative proposal mentions that there are plans for future consultations. What efforts will the department make to reach out to private sector employers or other employers when you're drafting up the regulations under this bill? My concern is that if the private sector or employers are not included as you're developing the regulations, we may end up with something that is well meaning but very cumbersome or hard to apply in the real world in terms of outside of the... . I'll call the real world outside of the Government of Nunavut. Do you have plans to do that if this bill goes forward and you're developing regulations? (interpretation) Thank you, Mr. Chairman.

Chairman: Thank you, Mr. Main. Minister Ehaloak.

Hon. Jeannie Ehaloak: Thank you, Mr. Chairman. I thank Mr. Main for his question. During the drafting of the regulations, the Department of Justice will do extensive consultations with various groups and agencies to ensure that all their concerns are addressed. Thank you, Mr. Chairman.

Chairman: Thank you. Mr. Main.

Mr. Main (interpretation): Thank you, Mr. Chairman. (interpretation ends) Thank you, minister, for giving me that assurance.

My last question is about looking forward to what impact this bill could make in the life of somebody who is being abused or somebody who is a victim because what can happen is they get victimized in their home life, but then that can also extend to their professional career. I have spoken with people who have had hard times holding down a job because their partner was abusive and would come into the workplace, was obsessively jealous or what have you.

In your perspective, minister, will this bill help victims of family abuse by being able to maybe participate in the workforce more? Will this help them be more independent financially and in terms of their careers? (interpretation) Thank you, Mr. Chairman.

Chairman: Thank you, Mr. Main. Minister Ehaloak.

Hon. Jeannie Ehaloak: Thank you, Mr. Chairman. Huge impacts. I can attest today that I was a victim and at that time I had worked for the Government of Nunavut, I had a supportive family and I had a supportive employer. At that time there was no such leave, but I pulled through because of my children.

I know for a fact that I have family members and friends who have approached me during my campaigning as an MLA and said, “We need change. We need help.” I can attest today that if this bill is passed, it will have huge impacts on those who are affected because of abuse. Thank you, Mr. Chairman.

>>Applause

Chairman: Thank you, Minister Ehaloak. Anyone else with questions towards the principle of this bill? Ms. Towtongie.

Ms. Towtongie: Thank you, Mr. Chairman. I just have one question under page 2. We are dealing with the *Emergency Measures Act* and then we are dealing with the *Public Health Act*. Would this relate to COVID-19? I know COVID-19 has been a part of the public health measures. I need clarification on that, Mr. Chairman. Final question.

Chairman: Thank you, Ms. Towtongie. Minister Ehaloak.

Hon. Jeannie Ehaloak: Thank you, Mr. Chairman. When it comes to the leave for the *Public Health Act*, under the public emergencies, the types of public emergencies are the *Emergency Measures Act*, the *Public Health Act*, and the *Quarantine Act*, and yes, COVID-19 would be considered under this Act. Thank you, Mr. Chairman.

Chairman: Thank you, Minister Ehaloak. Mr. Pedersen.

Mr. Pedersen: Thank you, Mr. Chairman. I just have one question and it's on the Verification of family abuse leave, 39.23, “An employer may require an employee to provide the employer with reasonable verification with respect to the family abuse leave as provided for in the regulations.” I'm just trying to put myself in the victim's shoes. How far would the victim have to go with reasonable verification to their employer in order to receive or to get the leave approved? Thank you.

Chairman: Thank you. Minister Ehaloak.

Hon. Jeannie Ehaloak: Thank you, Mr. Chairman. I thank Mr. Pedersen for his question. When it comes to verification, what would verification look like? We have not

defined verification in the bill, but we will have specifics and it must be reasonable. An employer can request proof of the need for the leave, but the request must be reasonable.

More specific information about the required verification will be included in the regulations. As we're doing consultations, employers will give us some idea and recommendations as to what verification would look like and that would be detailed out in the regulations. Thank you, Mr. Chairman.

Chairman: Thank you, Minister Ehaloak. If there are no more questions, I will ask members to go to Bill 49 in your legislative binders. Bill 49, *An Act to Amend the Labour Standards Act*. Clause 1. Agreed?

Some Members: Agreed.

Chairman: Clause 2. Agreed?

Some Members: Agreed.

Chairman: Clause 3. Agreed?

Some Members: Agreed.

Chairman: Clause 4. Agreed?

Some Members: Agreed.

Chairman: Clause 5. Agreed?

Some Members: Agreed.

Chairman: Clause 6. Agreed?

Some Members: Agreed.

Chairman: Clause 7. Agreed?

Some Members: Agreed.

Chairman: Clause 8. Agreed?

Some Members: Agreed.

Chairman: Do members agree to Bill 49?

Some Members: Agreed.

Chairman: Do members agree to put Bill 49 on the orders of the day for a third reading?

Some Members: Agreed.

Chairman: Thank you. Minister Ehaloak, closing comments, please.

Hon. Jeannie Ehaloak: Thank you, Mr. Chairman. I would like to personally thank all the members for giving us the opportunity to sit here today, and I look forward to these regulations, I look forward to working with the members on the regulations, and I am very excited for these regulations and especially as Mr. Lightstone mentioned, we need to support people who are vulnerable, who are victims, and it shows that this government is willing to do that. Thank you, Mr. Chairman.

Chairman: Thank you. Minister Ehaloak. On behalf of the committee, I thank you and your staff for being here to answer the questions for the members. With that, we will move on. Mr. Akoak.

Mr. Akoak: Thank you, Mr. Chairman. I move a motion to report progress. Thank you, Mr. Chairman.

Chairman: Thank you, Mr. Akoak. There is a motion on the floor to report progress. The motion is not debatable. All those in favour. Thank you. Opposed. Motion carried. I will now rise to report progress to the Speaker. Thank you.

Speaker (interpretation): Good afternoon. Item 20. (interpretation ends) Report of the Committee of the Whole. Mr. Rumbolt.

Item 20: Report of the Committee of the Whole

Mr. Rumbolt: Thank you, Mr. Speaker. Your committee has been considering Bills 44, 48, 49, and 50 and would like to report that Bills 44, 48, 49, and 50 are immediately ready for third reading. Mr. Speaker, I move that the Report of the Committee of the Whole be agreed to. Thank you, Mr. Speaker.

Speaker (interpretation): Thank you. There is a motion on the floor. Is there a seconder? Mr. Akoak.

>>*Laughter*

Speaker (interpretation): The motion is in order. To the motion.

An Hon. Member (interpretation): Question.

Speaker: All those in favour. Opposed. The motion is carried.