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**Standing Committee on
Public Accounts**

Committee business

**Comité permanent des
comptes publics**

Travaux du comité

2nd Session
41st Parliament

Wednesday 10 May 2017

2^e session
41^e législature

Mercredi 10 mai 2017

Chair: Ernie Hardeman
Clerk: Katch Koch

Président : Ernie Hardeman
Greffier : Katch Koch

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LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON PUBLIC ACCOUNTS

COMITÉ PERMANENT DES COMPTES PUBLICS

Wednesday 10 May 2017

Mercredi 10 mai 2017

The committee met at 0902 in room 151.

COMMITTEE BUSINESS

The Chair (Mr. Ernie Hardeman): I call to order the meeting of the Standing Committee on Public Accounts for Wednesday, May 10. Before we go into closed session for committee report-writing, we have a notice of motion to deal with, which was brought up at the last meeting. So we will turn it over to the mover of the motion.

Ms. Lisa MacLeod: I move that the Standing Committee on Public Accounts invite the Ministry of Advanced Education and Skills Development and the Ontario College of Trades to reappear before the committee for the review on Employment Ontario, section 3.04 of the 2016 Annual Report of the Office of the Auditor General of Ontario.

Mr. Randy Hillier: I second that.

Ms. Lisa MacLeod: Thank you, buddy.

The Chair (Mr. Ernie Hardeman): You've heard the motion. Discussion?

Ms. Lisa MacLeod: We talked about this briefly last week. My points still stand. We had a number of people who appeared with that delegation, close to 30 people. We just felt our time was limited, given the report, and the fact that we had to—not only a ministry, but also a government agency. It was our hope that we could bring them back for a little more questioning, particularly on the College of Trades, which we didn't have enough time to pursue. I believe we only had about 35 to 38 minutes amongst each of the caucuses.

As the official opposition, we only had the opportunity to speak to the Minister of Advanced Education and Skills Development. We'd like to have them reappear—only because I think that this was an interesting program. And we did go through a recession, so we wanted to talk about what happened post-recession—some of the things that worked, some of the things that didn't work—in order to put forward a solid report from this committee, to recommend not only to the House, but certainly to the ministers involved. That was the thinking: to have a little bit of extra time.

We've had this conversation in the past. My colleague Mr. Hillier had requested of the House leaders that we be able to sit beyond the prescribed times in the standing orders. It was our understanding, after having spoken

with the government after that motion was defeated, that if there was in fact a committee meeting where we felt that it needed to be extended, that we would actually have the ability to pursue another meeting that would include the delegations involved. Mr. Hillier can speak to this himself, but I believe that when that motion was defeated for us to extend the sitting hours, we felt that the government would be charitable if we indeed had further questions of a ministry or a government agency, board or commission, that we would be able to pursue additional questions. That's why; I just put that out there. I feel very strongly that it would be beneficial for this committee, as well as for the House, to have these two organizations come back, so I'll leave my arguments there. I believe most members of this committee were in attendance the last time I put this forward as a notice of motion, so my arguments from that day stand.

The Chair (Mr. Ernie Hardeman): Further discussion? Mr. Delaney.

Mr. Bob Delaney: Chair, procedurally, wouldn't the best forum to do what the member has suggested be the Standing Committee on Estimates?

The Chair (Mr. Ernie Hardeman): The which?

Mr. Bob Delaney: The estimates committee. Call the ministry, and then you've got all the time you want. Ask them anything you want; you've got seven and a half hours.

Ms. Lisa MacLeod: I don't sit on estimates; that's the problem.

The Chair (Mr. Ernie Hardeman): Mr. Hillier?

Mr. Randy Hillier: First off, the estimates committee is not sitting at the present time, and we don't have as much time as we like in estimates. It is actually prescribed in the standing orders, as well, for a maximum of 90 hours between all caucuses for all selections. Never in my time here have we actually been able to utilize the full 90 hours due to the scheduling of the House. We are fortunate if we get half that time in estimates, so the brief response to that suggestion is, no.

Further on to Ms. MacLeod's motion: During the hearings last week through the discussion—and I would like to put this in context. We are dealing with an agency that has, I believe, 27 different programs and a budget of \$1.3 billion. There is Employment Ontario, but then there's also the College of Trades. We did have about 35 minutes of back-and-forth interchange between the opposition caucus members and the various individuals

here. Thirty-five minutes of discussion and investigation with delegates who represent 27 different programs, as well as the College of Trades—and \$1.3 billion was just not adequate enough. We barely—barely—touched the surface. So I think it is reasonable to afford this committee a little bit more time to engage in those discussions and investigations and examination with Employment Ontario and the College of Trades.

I would also state on the record here that the member for Ottawa South, during our discussions on my initial motion to be permitted to extend the sittings of this committee—I take it that his comments were offered with complete sincerity and with genuineness. He clearly demonstrated that if there was a need for further discussion or examination of any delegations making representations here, that the Liberal caucus members would give it due consideration, and that would not be an obstacle or an impediment for this committee to do its work. I take the member from Ottawa South at his word in that there was sincerity when he made those comments, and I would hope that all members of the Liberal caucus who are here will give meaning and give effect to their colleague's words during that discussion. Thanks.

0910

The Chair (Mr. Ernie Hardeman): Further discussion?

Mr. Han Dong: Thank you, Chair. I appreciate the member opposite presenting the motion this morning, and this debate. If I recall, in the last public accounts session, we had about 36 minutes between the three parties for questioning. On the Conservative side, when they had their chance to question, I don't recall even once that there was a question towards the College of Trades. In fact, I was the only one who asked a question—well, I was the first one asking a question—of Mr. Tsubouchi, and he responded. Towards the end I recall it was more of a pretty lively discussion, I would say, between the sides.

My concern is that, if we further delay and we call them back and we have to see how everyone's schedule is—because it was a rather large group and we don't know when we're going to schedule this in—we'll further delay report-writing well into the next session. I really would urge the members of this committee to get started with the report-writing and get one thing out of the way and get on with the next one.

Respectfully I would ask my colleague across the floor, is there a specific document, is there any question that you have for the College of Trades? Maybe there's another way than actually having them physically being here—because as I said, scheduling takes a lot of effort, a lot of time. I just don't see a need at this moment to call them back. They can always come back later on to pick this as a topic for report-writing.

Ms. Lisa MacLeod: Before Mr. Hillier speaks, I think I'd like to have them come back. We will have a set of questions, clearly.

But just to respond to your point, respectfully: We had 30 people here and we only had about 30 minutes, and

we were pursuing a line of questioning based on the auditor's report that led us to utilize our time for one particular ministry rather than the program with the College of Trades.

We're not trying to embarrass the government, we're not trying to pick a fight with the College of Trades; we just want to pursue a line of questioning as members of the official opposition. Given the volume and the number of people who were here, as well as the 27 programs that we have to utilize, we are asking the government to allow us to call them back before we go to our report-writing.

At this point in time, the official opposition isn't in a position to advance to report-writing because we still have questions that we wish to ask of the College of Trades, as well as the Ministry of Advanced Education. That's where we're at. I would respectfully request that the government allow us to pursue that line of questioning.

Look, it's not going to happen in the next two weeks. We have two sessions left, so it's not as if we're talking about getting them in either next Wednesday or the Wednesday after the break week. Realistically, we're looking at the fall and perhaps even the winter as we advance. Let's be perfectly clear: We're not going to even start report-writing in the next three weeks.

I would leave that with the committee and I'd request that they consider what we're asking for.

The Chair (Mr. Ernie Hardeman): Mr. Hillier?

Mr. Randy Hillier: Just a follow-up there: We didn't ask any questions of the College of Trades and I think that is the proof point. It's the point that we're trying to make. We never had enough available time to even approach that.

If you'll remember, we had significant discussions with Mr. Levy, and one of the things that Mr. Levy had agreed to do was to provide this committee with documentation about the constraints that he is under with regard to the federal funding of these employment programs—not only the constraints that they're under but other mechanisms that they might employ if those constraints were minimized. We're going to be waiting for that documentation.

Let's bear in mind that the purpose of this committee, at the end of the day, is to provide thoughtful, evidentiary-based recommendations back to the ministry for improvements. I'll put that on the table. There's documentation coming from the ministry that I think we will all find invaluable to ensure that our report meets its purpose.

The same thing applies with the College of Trades. We didn't even get to ask; we didn't have the time to ask. Now, you say 35 minutes, but everybody is aware that it's not 35 minutes of questions. That's an aggregate; that's a total of 35 minutes of questions and responses. So when you look at it, I think that by any objective measure, this committee will be able to do a far more thorough job if we have a little bit more time on Employment Ontario and the College of Trades.

Who knows? There could be a substantial number of additional recommendations we may be able to glean

from the College of Trades. We saw that there are many references in the Auditor General's report about items that appear that they could be improved.

But, again, to your point, you were stating it as something negative, or that we didn't have an interest in the College of Trades. It's not that we didn't have an interest. We just didn't have the available time, and that's what we're looking to ameliorate.

The Chair (Mr. Ernie Hardeman): Mr. Hatfield.

Mr. Percy Hatfield: I feel somewhat at a disadvantage, since I wasn't here. I was subbed out earlier, so I'm not sure exactly what happened. But I've always held the opinion that this committee is non-partisan and we're more of a consensual—we like to get things done in collaboration, and we try to get agreements through consensus.

What I've heard so far, to me, sounds reasonable—that the opposition members have asked for another opportunity to ask some questions. I also understand Mr. Delaney's point that perhaps it's another committee, but I agree with my colleagues in the opposition that this seems to be the committee where those questions could be put.

I don't know the scope of the questions. I don't know if the College of Trades needs 30 people here to answer, or whether Mr. Tsubouchi and a couple of people could appear and provide the information that the Conservatives are seeking.

I believe we have to advance the agenda. We have to work with the Auditor General on getting reports out. I don't know if we can move to report-writing. Send a letter to the college, asking them to come back—give them some suggested dates—and suggest that it's more of a scoped questioning as opposed to whether they need 30 people here or not. I don't know. Maybe the Conservative members could scope that in some way as to limit the availability of how many people they would have to bring, if it's going to get them here any quicker.

Whether we can do it before the break—I don't know if it's within the parameters of the committee to meet during constituency week. If it's a matter of expediency and you want to get it done, if that's the only option to get it done before the June break—if there is a June break. I keep hearing rumours that we could be here all summer.

I'm willing to work in a consensual manner with the approach to try to get their questions answered in a reasonable time frame. At the same time, we can get on to the report-writing.

The Chair (Mr. Ernie Hardeman): Further discussion? Mr. Dong.

Mr. Han Dong: Again, I don't recall a question asked by my Conservative colleagues specifically to the College of Trades. We prepared a list of questions, and I had a good discussion with Mr. Tsubouchi.

0920

Yes, it would be nice to have all the time in the world to learn and ask about the functions of the ministry and the College of Trades, but we do have a job here; we do need to get on with the report-writing.

I can't agree with the notion that we didn't have enough time with the College of Trades. They're not the only ministry that we question in report-writing. We brought ministries forward, questioning about their programs and their functions in the past as well.

I don't remember that it's the norm of this committee to ask for additional time, to ask them to come back again. I would like to check with the Clerk. In the past, when was the last time we called back a ministry?

To the point that Mr. Hillier was making, that it's a short time—I was under the impression that he was saying that we never had enough time to question the ministry.

Clerk, do you remember? When was the last time we called back a ministry?

The Clerk of the Committee (Mr. Katch Koch): At the risk of giving the wrong answer, I really need to go back to the office and check our records. Just off the top of my head, I can't remember. To give a proper answer, I really need to check the committee records.

The Chair (Mr. Ernie Hardeman): The Auditor General would like to answer that, too.

Ms. Bonnie Lysyk: There have been, since I've been here—I came in when the Ornge—not to say this is the same thing at all, but there is precedent because there were many people recalled for Ornge ambulance hearings. So the committee had many meetings on the same subject from our audit office. During my time, that's the one that I recall.

Mr. Han Dong: That was nine years ago?

Ms. Bonnie Lysyk: No. That was just three and a half years ago.

Mr. Han Dong: So in the last three years, it's not a normal practice of this committee. I've only been here for three years. I don't remember the last time we called back a ministry.

When we come to these committees and we're preparing for report-writing, the onus is on us to prepare a line of questions, because we know who's coming, and we have the report in front of us. So it's fair to all parties, we have to find the most efficient way to use the time that's allotted to us to ask questions, to get some answers.

This time, my friend from the Conservative caucus is asking for the College of Trades to come back. If we keep doing this and setting a precedent, then we will always be calling back ministries. I'm a little bit worried about going forward and making this a normal practice.

The Chair (Mr. Ernie Hardeman): Mr. Hillier?

Mr. Randy Hillier: I see every argument advanced from the Liberal caucus has been found to be false. There is precedent. The Auditor General has just stated that in her short time, in three and a half years, there have been a number of occasions when it has happened.

Mr. Lou Rinaldi: One.

Mr. Randy Hillier: No, there were a number of people recalled to the committee. They were all under one—but there were a number of people recalled, and the sky didn't fall. The committee still got its work done. Things still proceeded along.

The argument about the estimates committee—I think we've put that one off to the side and have shown that that is not an effective remedy.

Finally, the assertion that because we didn't ask a question means it's justified not to call somebody back is just foolish. If we had time to ask the questions, we wouldn't be having this motion. But I'm not going to belabour the point.

Just for the record, I would like to see the Liberal members on this committee give meaning and effect and—with sincerity to the words that were used by the member from Ottawa South—that they would continue to connect themselves in an impartial manner, a non-partisan way, and permit the committee to do the examinations that the committee members feel are important to examine.

The Chair (Mr. Ernie Hardeman): Mr. Rinaldi?

Mr. Lou Rinaldi: I'm under the same sort of umbrella as Mr. Hatfield. I wasn't here for part of the discussion. I haven't been here for a while.

As we try to look for a solution that's middle of the road—when I was here for about a year or so on this committee, in many cases we had you, Chair, write to the delegates who were here and request specific questions in writing to come back to this committee. So I would offer that as a suggestion, to try to get some kind of balance, if we or members of the official opposition or the third party have further questions to ask. That was a practice very widely used, if I'm not mistaken, on many occasions in that year or so that I was here. I would encourage looking at that, as a suggestion.

The Chair (Mr. Ernie Hardeman): Mr. Dong.

Mr. Han Dong: I just want to second that. That's exactly what I was going to suggest.

The Chair (Mr. Ernie Hardeman): Yes?

Ms. Lisa MacLeod: I think we might as well just put this to a vote.

People are watching this at home, and they're probably wondering what the government has to hide if we're not able to pursue this line of questioning in a public forum and we have to resort to letter-writing.

I believe that it's my role, as the Vice-Chair as well as a member of the assembly, to pursue the truth, and when we have questions in pursuit of that truth—to the relevant ministries, government boards, agencies, or commissions—that we have access to them in a public forum.

I won't be backing down off this. I will revisit this at some point in time before we assume report-writing. If that happens to be the case when we return in the fall, I'll do that. I believe it's my right, as an individual member who is elected to represent a riding—that when there are questions, the government should not hide the bureaucrats or the appointed individuals to those government boards, agencies or commissions from me. So I will continue to make that call.

The line of questioning from the government side is really offensive to me. It inhibits me from doing my job. So my motion will stand. I appreciate the support that I

have from the other members of the opposition. The government hasn't compelled me to change my opinion based on their flawed argument that we haven't taken people in here before. If they're concerned about this practice becoming daily or weekly or bothersome, I think we look to the past—that the only time that we've ever really brought it in was when we wanted to dig a little bit deeper.

Regarding the argument that this should go to estimates, no, it should not. It's an Auditor General's report, and this is the Auditor General's committee to which she reports. Therefore, it is our job, in the public accounts committee, to not only review the recommendations that she has made, but to question witnesses from those relevant ministries and, as a result, based on her recommendations, to actually make further recommendations to the House.

I've been a member of this committee since when I was first elected 11 years ago. I've been the Vice-Chair of this committee for the past three years. I don't think what we're asking is unreasonable.

Finally, to the point that we didn't ask the 30 people in our 30 minutes of back-and-forth—it was impossible. When you get into a line of questioning and you're trying to split your time equally—we had three members on this side. You're trying to follow a theme. You're trying to pursue the truth. We simply didn't have enough time. I am just asking for these members to understand that we do have time constraints on this committee, which is why Mr. Hillier, a few weeks back, requested that we sit longer if we had to. That motion was defeated by the government. But at the same time, to use Mr. Hillier's words, we felt that there was a sincerity on the part of the Liberal lead, Mr. Fraser, that if we ever felt that it was necessary to pursue an additional line of questioning, we could invite people back.

0930

That's all we're doing. We're not asking for the Minister of Transportation to come back for an audit; we're not asking for the Ministry of Health to come back for an additional audit. We're asking the College of Trades and the Ministry of Advanced Education just to come back sometime in the fall because we definitely, based on our workload, will not be able to accommodate that before June. We do have time on our side. They can come back. Otherwise, I ask, what is the government trying to hide?

The Chair (Mr. Ernie Hardeman): Go ahead, Mr. Hatfield.

Mr. Percy Hatfield: I will be supporting the opposition motion, but I come at it, I guess, from a different way. From my perspective, I believe in the principle of what is being requested, but I differ with my friend from Ottawa-Nepean in that I don't believe the government is trying to hide anything. I don't think there's truth being hidden. I don't think witnesses are being shielded. I think it's a matter that, from their perspective, they see it as due process, and the way they want to handle the situation is different from what we in the opposition are

requesting. I don't think there's a nefarious attempt over there to prevent us from learning the truth about anything. I think they just see it differently: that we had our time to ask questions and we didn't ask all the questions we wanted to ask.

Do I agree that there should be another opportunity? Yes, but for different reasons. I just don't think there is anything in the College of Trades portfolio—that there's some big exposé that they are trying to cover up over there that they're afraid we'll find out about. I don't see it like that. I think it's just time for more questions. There wasn't enough time, and I'll be supporting the motion from that perspective.

The Chair (Mr. Ernie Hardeman): Mr. Dong?

Mr. Han Dong: Chair, I can't accept my colleague from Ottawa–Nepean's notion that we are trying to hide something in this process. We are talking about an auditor's report—unless she's saying that she can do a better job than the auditor herself. The auditor spent extensive time going to the ministry, looking at the books, and came up with all these recommendations. My understanding of this process is that it is to help us to better understand the function of the ministry and the function of the College of Trades and to see if these recommendations—to what degree these recommendations are implemented and see if there are further recommendations that we can provide.

I felt the time was sufficient. We asked good questions on this side, and so did the NDP caucus. There was some lively discussion going on. I just think that, to all members, we need to be prepared with our questions and fully utilize the time that's given. The notion that we're trying to hide something, using Mr. Hillier's word, is “foolish.” I suggest the committee move to vote.

Ms. Lisa MacLeod: So, Chair, just to be perfectly clear, the Liberals now are not only trying to shield witnesses and to shut down the ability for the opposition to pursue a line of questioning; they have also suggested something very substantially false—he may wish to withdraw: that I suggested, at any time, that I was going to do a better job than the auditor, which I find absolutely offensive, and then he called me a fool. Let me just be

perfectly clear here that when I look at this Hansard when it is posted online, we'll be coming back with that.

I would like to request a 20-minute recess.

The Chair (Mr. Ernie Hardeman): A 20-minute recess has been requested before the vote. We come back in 20 minutes.

The committee recessed from 0935 to 0945.

The Chair (Mr. Ernie Hardeman): I call the committee back to order.

Mr. Randy Hillier: Chair?

The Chair (Mr. Ernie Hardeman): Yes—we'll put the vote.

Mr. Randy Hillier: Could I call for a recorded vote, please.

The Chair (Mr. Ernie Hardeman): Recorded vote.

Ayes

Hatfield, Hillier, MacLeod.

Nays

Anderson, Delaney, Dhillon, Dong, Rinaldi.

The Chair (Mr. Ernie Hardeman): I declare the vote lost. Back to business.

With that, that concludes the business of the motions—

Ms. Lisa MacLeod: Are there any more votes, Chair, before Mr. Hillier has to leave?

The Chair (Mr. Ernie Hardeman): No. So we're going into closed session.

Mr. Han Dong: Before we do that, could I just make a quick comment with regard to the vote on the motion? I think our offer for additional documents still stands—

The Chair (Mr. Ernie Hardeman): No, there's no debate on the motion.

Mr. Han Dong: I just want to make a comment.

The Chair (Mr. Ernie Hardeman): No. No comments, no debates. The motion is dealt with.

Interjections.

The Chair (Mr. Ernie Hardeman): We have no further time.

The committee continued in closed session at 0947.

STANDING COMMITTEE ON PUBLIC ACCOUNTS

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Mr. Ernie Hardeman (Oxford PC)

Vice-Chair / Vice-Présidente

Ms. Lisa MacLeod (Nepean–Carleton PC)

Mr. Bob Delaney (Mississauga–Streetsville L)

Mr. Vic Dhillon (Brampton West / Brampton-Ouest L)

Mr. Han Dong (Trinity–Spadina L)

Mr. John Fraser (Ottawa South L)

Mr. Ernie Hardeman (Oxford PC)

Mr. Percy Hatfield (Windsor–Tecumseh ND)

Mr. Randy Hillier (Lanark–Frontenac–Lennox and Addington PC)

Mr. Monte Kwinter (York Centre / York-Centre L)

Ms. Lisa MacLeod (Nepean–Carleton PC)

Substitutions / Membres remplaçants

Mr. Granville Anderson (Durham L)

Mr. Lou Rinaldi (Northumberland–Quinte West L)

Also taking part / Autres participants et participantes

Ms. Bonnie Lysyk, Auditor General

Clerk / Greffier

Mr. Katch Koch

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Ms. Erica Simmons, research officer,
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