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Monday, May 31, 2010

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Chair

Ms. Candice Hoepfner

Standing Committee on Human Resources, Skills and Social Development and the Status of Persons with Disabilities

Monday, May 31, 2010

• (1530)

[English]

The Chair (Ms. Candice Hooppner (Portage—Lisgar, CPC)): We will call our meeting to order. This is meeting number 18 of the Standing Committee on Human Resources, Skills and Social Development and the Status of Persons with Disabilities.

According to orders of the day, our first order of business is a motion by Mr. Lessard. I will ask Mr. Lessard if he would like to move his motion.

[Translation]

Mr. Yves Lessard (Chambly—Borduas, BQ): Yes, Madam Chair. Here is my motion:

Pursuant to Standing Order 108(2), that the Standing Committee on Human Resources, Skills and Social Development and the Status of Persons with Disabilities study the procedures and practices for appealing the decision by the Employment Insurance Board of Referees, and that it report its findings and recommendations to the House.

If I may, Madam Chair, I will explain my motion. It relates to what happens when someone challenges a decision relating to the right of collecting benefits and that the person is successful at all stages. At the end of this process, everything starts again because they find another reason to do so. This creates totally unacceptable situations, verging on harassment in some cases, relating to the right of unemployed people to collect the benefits to which they are entitled. I do not believe it is generalized—it would be surprising, not to say tragic, if it were—but it has happened in some offices of Service Canada. It is something that the committee should look at closely by hearing some witnesses.

I am ready to answer questions, Madam Chair.

[English]

The Chair: Mr. Plamondon, go ahead, please.

[Translation]

Mr. Louis Plamondon (Bas-Richelieu—Nicolet—Bécancour, BQ): To add to my friend's comments, I would say that it has happened five or six times in my riding over the past 10 years. When the public servants appeal the unanimous decision of the three commissioners, that can take up to six or even eight months. Forcing claimants to wait six months to get a decision which, in most cases, will be the same as the three commissioners', creates untenable financial difficulties for them. I call that administrative harassment.

Thank you.

• (1535)

[English]

The Chair: Mr. Savage.

Mr. Michael Savage (Dartmouth—Cole Harbour, Lib.): Thank you. I just want to make sure I understand what the problem we're trying to address here is. I wonder if I could ask Mr. Lessard either by example or in some other way to explain to us what exactly he is getting at. Is it the length of time that it takes that is the problem? Is it the results? Is it the process itself? Is there a flaw in the process? Can he give us any specific example that would show us what it is he wants to get a closer look at?

[Translation]

Mr. Yves Lessard: I am happy to hear Mr. Savage's question since it will allow me to clarify my motion with a specific example. I could give others but this one is quite recent.

It is the case of a worker who lost his job in a meat-packing plant. He had to wait 10 months for his case to be resolved. He went through all the steps but was told in November that the whole process would start again on the basis of new allegations that had nothing to do with his situation and which were ultimately found to be unfounded.

This person had a family and this situation happened just before Christmas. When I met with the family in February, this father had just killed himself a week earlier because he had not had any income and nothing to allow his family to spend a good Christmas. Just after the Christmas period, he got forced into a new administrative process that he was unable to accept. Furthermore, this process proved totally useless since the issue raised was not relevant. That individual could not understand why he had to go through all that and he killed himself.

I have been made aware of two suicides related to similar situations. Of course, all people facing this problem do not kill themselves but most bear the scars for a very long time.

I am certainly not claiming that it is generalized. If it were, it would be tragic. It may not be generalized but it is frequent enough that we should call some witnesses in order to clarify the situation.

Are those situations the result of overzealous public servants or of guidelines they have to follow? That is what we have to find out.

[English]

The Chair: Mr. Komarnicki.

Mr. Ed Komarnicki (Souris—Moose Mountain, CPC): I'm not sure I'm totally clear as to whether it's a specific case or cases and if it's a matter of the delay that Mr. Lessard is looking at. It seems to be a fairly narrow focus. Of course we are in the middle of a number of other studies and activities, so if this were to go ahead it certainly should be after all the other work is completed.

I'm not settled that I fully understand why it is he wants to do this study.

The Chair: Mr. Lessard.

[Translation]

Mr. Yves Lessard: I do not know if you or anyone you know ever had to collect employment insurance. If you are refused benefits, for any reason, you may appeal the decision. Suppose that the three commissioners find in your favour. After having gone through all the steps and delays, you are ready to receive your cheque but, suddenly, the decision is challenged for reasons that had not been raised earlier during the whole process. So, you end up in a situation similar to the one described by my colleague. Sometimes, you may have been waiting six, seven, eight or ten months to collect your employment insurance cheque but, suddenly, the whole process starts anew.

I don't know if this clarifies the problem for Mr. Komarnicki. In any case, we should have a close look at this kind of situation.

• (1540)

[English]

The Chair: Mr. Savage.

Mr. Michael Savage: Thank you, Madam Chair.

I'm wondering what Mr. Lessard's request would be in terms of timing and how many meetings he thinks we would need. I wouldn't have a problem in supporting this motion if we could suggest that we look at the timing when we come back in the fall. I think our meetings between now the summer are more than tied up.

Madam Chair, I also hope that now that the estimates are out that we're going to ask somebody from the department to come to talk to us before the summer break, which I think is a priority.

Mr. Lessard, I could vote for this. I wouldn't even ask that it be deferred. I would support it if we could have a look at it and fit it into our schedule in the fall.

I'm wondering if that's something that would be suitable for Mr. Lessard.

The Chair: Before I give the floor to you, Mr. Lessard, in response to Mr. Savage's comment, yes indeed, our schedule currently is full, and it's primarily the report on poverty that I know is a priority for us to complete. At this point, our schedule is full.

Go ahead, Mr. Lessard, please.

[Translation]

Mr. Yves Lessard: Indeed, I believe it would be unrealistic to think that we could do that study before the House rises for the summer. What we could do would be to support this motion, which would allow us to start looking at it when we return at the end of September or the beginning of October. That would be more logical, I believe. Furthermore, the clerk and the other persons in charge

could take care of calling the appropriate witnesses for hearings in the fall.

[English]

The Chair: Is there any other discussion on the motion?

Mr. Vellacott.

Mr. Maurice Vellacott (Saskatoon—Wanuskewin, CPC): I have a question. Again, as Mr. Lessard responded, we have this study we want to do with respect to adoption as well on that motion. I don't know where we'd place that in time, but he's suggesting the end of September or early October. In fairness to the other stuff we already have on the agenda, the poverty study completion, the motion on adoption, I would think we're putting it off until probably November if we give some adequate time and justice to these other—

The Chair: That's correct, and we may possibly have other government bills coming forward as well.

Realistically, we'd have to look at this again in the fall and fit it in. We can see where we are on the poverty report, and fit it in at that time.

Is there any other discussion?

Mr. Michael Savage: In terms of clarification, I would certainly support voting on this now, supporting it on the basis that we'll have a look at fitting it into our schedule and determining the number of meetings when we come back after the summer. Are we all on the same page on that?

The Chair: That is your basis for support.

The government side...

Mr. Ed Komarnicki: It seems reasonable, given what we're doing. I think we should have another look at it when we get back in terms of fitting it in. We can support that.

The Chair: All right. Is there any other discussion, or are we ready for the question?

(Motion agreed to)

The Chair: Yes, Mr. Savage.

Mr. Michael Savage: I mentioned in my discussion that it is normal when the estimates come out that somebody from the department would come and speak to the estimates and we'd have a chance to ask questions. I'm wondering if that is something we could get scheduled.

The Chair: Right now we do have the poverty report, Mr. Savage, and I'm thinking we could try to continue that right until the ninth. That was basically the deadline, where we knew we couldn't get it in time to report it by the end of this session, so I guess it would be the will of the committee if they would like to invite the officials after that point.

What would the rest of the committee like to do? Is there any comment?

Mr. Martin.

• (1545)

Mr. Tony Martin (Sault Ste. Marie, NDP): I understand what Mr. Savage is suggesting here. My anticipation is that we will be here until the 23rd, so if we could work on this poverty report until the ninth, which is the date that has been established as the drop-dead date or else we can't have it tabled by the summer, I'd like to see us take a shot at that and see if we couldn't get that done. Following that we could bring in the officials to speak to the estimates. That would be my recommendation. I would support your suggestion.

The Chair: Okay.

Mr. Ed Komarnicki: Madam Chair, I missed Mr. Savage's suggestion.

The Chair: He wants to bring in the officials to ask questions regarding the estimates.

Mr. Ed Komarnicki: Is that as a priority?

The Chair: I didn't hear it as a priority.

Mr. Savage, are you open to our waiting until after the ninth?

Mr. Michael Savage: I think it is normal that the estimates would get dealt with before we break for the summer. It seems from the discussions we've had that a lot of people don't think we're going to get the poverty report done by the summer. If I thought accelerating it would happen, I'd be fine with that.

I'm okay, too, if we schedule the first meeting past the ninth for the estimates. I'm okay with that. If you want to work on poverty until then and ask officials to come after that, that would suit me.

The Chair: The other option, if you're open to it, would be that we present a couple of dates to the officials. Mind you, they're fairly flexible, but if they can come on the ninth but couldn't come on the fourteenth, we might want to do it that way.

Are there any other comments?

Mr. Michael Savage: The bells are ringing.

The Chair: The bells are ringing. We are checking to learn why.

It's a vote. All right, then I have to adjourn.

[Translation]

Mr. Yves Lessard: Are we coming back here afterwards, Madam Chair?

[English]

The Chair: Well, it's a 30-minute bell. If it's the will of the committee, we can go a little further and finish up this discussion, so that when we come back we're right on poverty.

Is it the will of the committee that I not adjourn right at this moment?

Some hon. members: Agreed.

A voice: You already did, didn't you?

The Chair: I did, but then I reopened it again.

Ms. Raymonde Folco (Laval—Les Îles, Lib.): Well, let's not spend the time discussing whether we will or not. Let's do it.

The Chair: I just want to know whether everyone is in agreement that we stay a couple of more minutes.

Some hon. members: Agreed.

The Chair: All right. Let's finalize, then, Mr. Savage's request that we invite the officials to come to talk about the estimates after June 9. Is that the will of the committee?

Some hon. members: Agreed.

[Translation]

Mr. Yves Lessard: I want to make sure I understand, Madam Chair. Are we talking of the budget of the committee or the budget of the Department of Human Resources and Skills Development?

Ms. Raymonde Folco: We are talking of the departmental estimates, Mr. Lessard.

[English]

The Chair: It's of the department, the main estimates for the department.

[Translation]

Mr. Yves Lessard: All right, I understand.

[English]

The Chair: It's the supplementary estimates (A).

Mr. Ed Komarnicki: Is it the officials from the department, do I understand?

The Chair: It's the officials we'll be inviting; that's correct.

Mr. Komarnicki.

Mr. Ed Komarnicki: And of course we will ask that when a question is asked the witnesses be given a reasonable opportunity to respond.

Hon. Maria Minna (Beaches—East York, Lib.): With all due respect, Madam Chair, I don't think you can prescribe to the members around the table how they ask their questions.

The Chair: Agreed.

Mr. Ed Komarnicki: It's common sense.

Hon. Maria Minna: Well, we're civil people.

Mr. Ed Komarnicki: I wasn't quite finished. I still have the floor.

I think it's only fair—

The Chair: I'm sorry. Let's just... Madam Minna had the floor.

If she has finished, then did you want the floor?

• (1550)

Hon. Maria Minna: I'm finished.

The Chair: Okay, go ahead.

Mr. Ed Komarnicki: I thought I had the floor. Then I didn't have it.

The Chair: Now you do.

Mr. Ed Komarnicki: The point I'm making is that there is a lot of latitude, of course, in members making comments or asking questions, and that's fair. But when we have the minister here and departmental officials and we ask some pointed, specific questions, we should give them a reasonable opportunity to answer. I'm not saying you have to give them equal time, but just a reasonable opportunity to answer. I think that's only fair.

Mr. Michael Savage: My questions are short.

The Chair: Go ahead, Mr. Lessard.

[*Translation*]

Mr. Yves Lessard: I am really pleased that Mr. Komarnicki has raised this issue, for the second time by the way. It is quite appropriate, Madam Chair, for the following reason. I know why he did so. Last time, I used most of my time to put a question to the witnesses, and I did that deliberately. I do not usually do that but I will explain why I did so then. I believe we will have to come to another agreement. Sometimes, when we put a question to a minister or someone else, that person takes a lot of time to answer just to waste our time. Even though the question may have been quite direct, we are then forced to ask supplementaries. Sometimes, we also have to add comments in order to explain the context.

If the parliamentary secretary agrees, we could establish clear rules about this. I believe we all work hard to prepare our questions in order to get clear answers from the witnesses, but we rarely do. If we are in agreement on this, I can assure you that my questions will be short, and there will be many of them if the answers are short also. I understand that answers sometimes have to be more detailed, and that is understandable. But, sometimes, we are only looking for yes or no.

[*English*]

The Chair: Thanks.

Mr. Lobb, did you want to say something?

Mr. Ben Lobb (Huron—Bruce, CPC): I'm actually encouraged by Mr. Lessard here, that he understands that asking a shorter question will allow more questions to be answered. Hopefully, when he comes in for the department he'll have some brief questions that are short in nature and under five minutes per question, and then he can get more than one question answered. If they rag the puck, then you'll be able to cut them off to let him ask his next question. I think that's only fair.

The Chair: All right. Are we all done?

Ms. Raymonde Folco: I would just like to....

The Chair: Madam Folco, you have something to say. All right.

Ms. Raymonde Folco: Each of us here agrees—we've all agreed—that there be a certain number of minutes that are allotted to us. What we do with them is our own problem. If you want to talk for the five or the seven minutes, there's nothing left to answer; that's our problem.

The Chair: Order, please.

Ms. Raymonde Folco: I'm not addressing this to anyone in particular. I'm just saying that's what it is. We agreed to it. It was a general agreement.

The Chair: It's actually in the rules. It's according to the rule book. Unless there is another motion presented, and a motion that this committee agrees to, you're correct.

I would hope that members would ask questions that could be answered, but ultimately, unless the committee decides otherwise, the members are allowed to use their time as they deem they would like to.

Mr. Komarnicki.

Mr. Ed Komarnicki: Then don't expect us to get more time with the minister for that purpose. It has to be a corresponding thing. The minister is here; we start for an hour; we want him for an hour and a half or two hours. If you get that time, you can't use it up making comments, because what's the point of the whole exercise? That's what I'm saying.

The Chair: I guess this is something that will have to be determined the next time we invite the minister.

That's all for the discussion.

Ladies and gentlemen, if the votes are finished before 5:30, I think we should come back and start working on the poverty report.

An hon. member: It's just one vote, isn't it?

The Chair: We don't know. All I'm saying is that we will come back, all right? We'll all come back. I'll see you all back here.

Thank you.

[*Proceedings continue in camera*]

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