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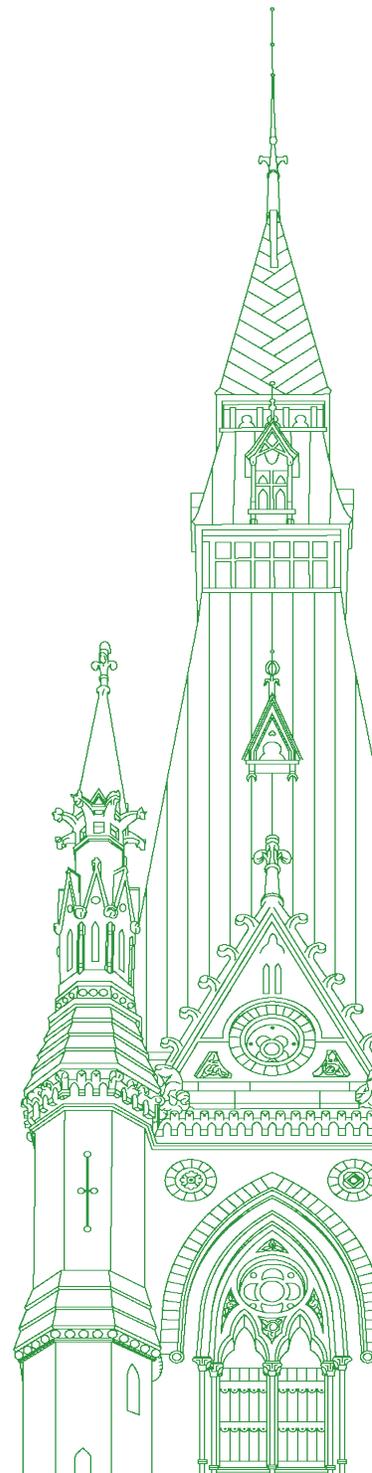
# Standing Committee on Human Resources, Skills and Social Development and the Status of Persons with Disabilities

EVIDENCE

**NUMBER 050**

Tuesday, December 13, 2022

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Chair: Mr. Robert Morrissey



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

Tuesday, December 13, 2022

• (1540)

[English]

**The Chair (Mr. Robert Morrissey (Egmont, Lib.)):** I call to order meeting number 50 of the House of Commons Standing Committee on Human Resources, Skills and Social Development and the Status of Persons with Disabilities.

Today's meeting is taking place in a hybrid format, pursuant to the House order of June 23, 2022. Therefore, members are attending in person and remotely using the Zoom application. To ensure an orderly meeting, I would like to make a few comments for the benefit of the witnesses and members.

Before speaking, please wait until I recognize you by name. For those participating virtually, please use the “raise hand” function. Before speaking, click on the microphone icon to activate your own mike. When you are done speaking, please return to mute. For those in the room, the mike will be monitored by the proceedings and verification officer. The clerk and I will manage the speaking order.

You may speak in the official language of your choice, and interpretation services are available for this meeting. For those participating by video conference, you have the choice of floor, English or French. For those in the room, you can use the earpiece.

Unless there are exceptional circumstances—and it would be exceptional—I will not recognize those appearing virtually unless they have a House of Commons-approved headset to participate in the meeting. They could participate in the voting, of course. I would like to also remind members that screenshots are not permitted.

Should there be any difficulty with the interpretation or translation during the meeting, please get my attention, and we'll suspend while it's being rectified. I would also like to remind members and witnesses to speak slowly, as we do have sign language interpretation for this meeting. They would appreciate it if you could speak slowly.

Pursuant to the order of reference of Tuesday, October 18, 2022, the committee will resume its consideration of Bill C-22, Canada disability benefit act.

Before we continue clause-by-clause consideration, as the name indicates, this is an examination of all the clauses in the order in which they appear in the bill. I will call each clause successively, and each clause is subject to debate and a vote.

If there is an amendment to the clause in question, I will recognize the member proposing it, who may explain it. The amendment will then be open for debate. When no further members wish to participate, the amendment will be voted on. Amendments will be considered in the order in which they appear in the bill or in the package that each member received from the clerk. Members should note that amendments must be submitted in writing to the clerk of the committee.

As chair, I will go slowly to allow members to participate fully in the proceedings.

Amendments have been given an alphanumeric number in the top right corner to indicate which party submitted them. There is no need for a seconder to move an amendment. Once moved, you will need unanimous consent to withdraw it.

During debate on the amendment, members are permitted to move subamendments. These subamendments must be submitted in writing. They do not require the approval of the mover of the amendment. Only one subamendment may be considered at a time, and that subamendment cannot be amended. When a subamendment is moved to an amendment, it is voted on first. Then another subamendment may be moved, or the committee may consider the main amendment and vote on it.

Once every clause has been voted on, the committee will vote on the title and the bill itself. An order to reprint the bill may be required if amendments are adopted, so that the House has a proper copy for use at report stage. Finally, the committee will have to order the chair to report the bill to the House. That report contains only the text of any adopted amendments as well as an indication of any deleted clauses.

I would like to welcome back the Department of Employment and Social Development.

I would ask both witnesses to introduce themselves to the committee.

**Ms. Krista Wilcox (Director General, Office for Disability Issues, Department of Employment and Social Development):** Hi. I'm Krista Wilcox. I'm the director general of the office for disability issues.

**Ms. Mausumi Banerjee (Director, Office for Disability Issues, Department of Employment and Social Development):** Hi. I'm Mausumi Banerjee. I'm the director of policy in the office for disability issues.

**The Chair:** Thank you.

Madame Chabot.

[*Translation*]

**Ms. Louise Chabot (Thérèse-De Blainville, BQ):** Mr. Chair, I would like to make a request. It will be up to you, obviously.

As you know, I always have my union hat on, so I would like to know if we can take a physical and mental health break in the middle of this three-hour block of time.

Thank you.

[*English*]

**The Chair:** Of course, Madame Chabot, we can accommodate that.

Before we begin going back to clause-by-clause review, Madam Wilcox has information to an answer that was requested by Madam Zarrillo as the meeting was closing on Monday.

Madam Wilcox, you have the floor.

• (1545)

**Ms. Krista Wilcox:** Thank you very much, Chair.

With respect to the question Madam Zarrillo asked about paragraph 9(d) and the ability to garnish the Canada disability benefit for the purposes of the Family Orders and Agreements Enforcement Assistance Act, she asked whether this had a greater impact on women and what the gender-based analysis of this clause was.

In regard to clause 9, as identified in the 2015-16 survey of maintenance enforcement programs conducted by Statistics Canada, in almost all families, which is approximately 96%, the recipient of the support in these instances is female. From a gender-lens perspective, allowing the Canada disability benefit to be garnished for the purposes of outstanding debts under family support orders would disproportionately benefit women—and their children—who may be the former partners of men with disabilities in receipt of the benefit.

**The Chair:** Thank you, Ms. Wilcox.

We will resume with clause-by-clause review with new clause 11.1. We were in discussions on NDP-5, and there was a subamendment made by Madame Chabot that was under discussion. When we conclude clause 11.1, we will then return to suspended clause 9.

We were in discussion on the subamendment of Madame Chabot on NDP-5.

Madame Chabot.

[*Translation*]

**Ms. Louise Chabot:** Thank you, Mr. Chair.

I want to make it clear to my fellow committee members and everyone tuning in who's part of these groups that the purpose of this subamendment is, in my opinion, essential.

I know we received a letter from the representatives of the 29 groups, who are concerned that the Bloc Québécois subamendment and the NDP amendment could result in people waiting longer for that money.

This subamendment has absolutely nothing to do with confidence. We sincerely believe that the current minister is determined to make this benefit a reality. As committee members, we're determined to make that possible too. That said, as things stand, the bill as written establishes eligibility criteria, conditions and the benefit amount by regulation. That is unheard of.

If we want to see the Canada disability benefit become law and if we want it to be mandatory, the House of Commons and Parliament must say so officially. If they don't, there's no guarantee.

Think of it this way.

Anyone at all could issue a regulation stating that the Canadian benefit is \$5 a month, say. Another government could decide to eliminate the benefit. That would be meaningless because the House of Commons and parliamentarians would not have given it the force of law that would have created the requirement for a Canadian benefit. The bill does not create the benefit. It authorizes the Governor in Council to make a regulation. It doesn't create it.

For example, it would have been inconceivable for the guaranteed income supplement, old age security and the Canada child benefit to be decided by regulation. Those are laws. That's the purpose of our amendment.

The NDP amendment calls for the tabling of a report, but it doesn't introduce a mandatory aspect to the Canadian benefit, which is what our subamendment brings to the table. The only way to guarantee the benefit and make it permanent is for the House of Commons to vote on the regulation.

The idea is not to ignore the “nothing without us” principle. I think that what everyone wants is for us to contribute to the regulatory part.

Unfortunately, there won't have to be a law for all of clause 11.1. Many issues fall under the regulatory aspects, but the first three paragraphs are crucial.

If we want to make sure a Canadian benefit becomes a reality, I think it requires the approval of parliamentarians. The goal of the subamendment is to make this act and this benefit permanent and guaranteed.

• (1550)

[*English*]

**The Chair:** Thank you, Madame Chabot.

Is there any further discussion on the subamendment of Madame Chabot?

Seeing none, I'm going to call for a recorded vote on Madame Chabot's subamendment.

(Subamendment negatived: nays 6; yeas 1 [*See Minutes of Proceedings*])

**The Chair:** We'll return to NDP-5. Is there any further discussion on NDP-5?

Madam Zarrillo.

**Ms. Bonita Zarrillo (Port Moody—Coquitlam, NDP):** Mr. Chair, I want to make some comments on amendment NDP-5.

I want to ask my colleagues to consider a unanimous consent motion to have me remove this one. I've had a lot of conversations with the community over the last few days, at the back end of last week, and I'd like to have it considered later. I have another amendment coming later, which I think will cover what needs to be done, so I'm going to ask for unanimous consent from my colleagues to pull this one and look at ones further down.

This is one of the issues around not having full transparency for the community. They don't have access to all the amendments that are coming. I don't know whether that's something we could do ahead of time. I didn't feel I could even talk about amendments that haven't yet been tabled.

Thank you.

**The Chair:** Does Madam Zarrillo have unanimous consent to withdraw amendment NDP-5 on subclause 11.1(1)?

(Amendment withdrawn)

**The Chair:** We will now move to amendment BQ-1.

Madam Chabot, do you want to speak to your amendment?

• (1555)

[Translation]

**Ms. Louise Chabot:** Are we at amendment BQ-1?

[English]

**The Chair:** Yes.

[Translation]

**Ms. Louise Chabot:** Okay.

Essentially, amendment BQ-1 states that the minister must table in the House of Commons every regulation that the government proposes to make under the first three paragraphs of clause 11.1: 11.1(1)(a), 11.1(1)(b) and 11.1(1)(c). These cover eligibility criteria, the conditions for payment of the benefit and the amount of the benefit.

Then there's the number of days and, in paragraph 11.1(3), there's the same wording as the subamendment we proposed to amendment NDP-5.

I think I would reiterate the same arguments I made earlier. In the interest of transparency, any regulations should be tabled in the House of Commons to make them permanent and mandatory.

[English]

**The Chair:** Is there any further discussion? Seeing none, I shall call a vote on BQ-1.

(Amendment negatived: nays 6; yeas 1 [See *Minutes of Proceedings*])

**The Chair:** We will now move to amendment CPC-2.

Mrs. Gray, you have the floor.

**Mrs. Tracy Gray (Kelowna—Lake Country, CPC):** Thank you, Mr. Chair.

I would like to move that Bill C-22 be amended by adding after line 3 on page 6 the following new clause:

Report

11.1 Within ten months after the day on which this Act comes into force, the Minister must cause to be tabled in each House of Parliament a report setting out proposed amendments to this Act that would, among other things, specify the eligibility criteria for a Canada disability benefit, the conditions that are to be met in order to receive or continue to receive the benefit and the amount of the benefit or method for determining the amount.

That is the entirety of the motion. The intention of this is to put a timeline. We heard a lot in testimony, both written and from people who testified, that there was a lot of concern with not having any timelines. This does put one in. It is a reasonable timeline as well, based on testimony that we heard both from the minister and the officials. It's not far from the potential timelines they gave. It's a little tighter than what they said, but it definitely does put the ministry into a place where they have to work to bring this to a resolution within a time frame.

We have to remember as well that the exact same legislation was tabled well over a year ago. We understand there have been lots of consultations already, so this is why we're bringing this forth.

Thank you, Mr. Chair.

• (1600)

**The Chair:** Thank you, Ms. Gray.

Is there any discussion? Seeing none, it is a clear amendment.

(Amendment negatived: nays 6; yeas 5)

**The Chair:** We will move to NDP-6.

Madam Zarrillo, you have the floor.

**Ms. Bonita Zarrillo:** Thank you, Mr. Chair.

This is in relation to a midpoint check-in. Today we were voting on some timelines and some potential pushes for regulations. I guess what I heard last week from the community and again even at the beginning of this week was that they want to have the most amount of input and co-creation on this bill, but at the same time I do want this government to be accountable that the work they are doing is living up to those expectations.

This amendment, NDP-6, is the opportunity to ensure that the disability community, which has been working on this for many years, has influence, but also that we have some accountability to the government that they are moving it along in a timely manner.

I will move NDP-6, which is that Bill C-22 be amended by adding after line 3 on page 6 the following new clause:

Progress Report

11.1(1) Within six months after the day on which this Act comes into force, the Minister must table in the House of Commons a report that sets out the manner in which the obligation to engage and collaborate with the disability community in relation to the development of regulations has been implemented.

(2) The report must be published on the website of the Department of Employment and Social Development.

That is for further transparency, Mr. Chair.

**The Chair:** Thank you, Ms. Zarrillo.

Is there any discussion?

Mr. Van Bynen.

**Mr. Tony Van Bynen (Newmarket—Aurora, Lib.):** Thank you, Mr. Chair.

First, I want to thank Ms. Zarrillo for putting a timeline in that holds the government accountable and makes them report the engagement that we've heard was so critical. I want to thank her for that.

I would like to strengthen it somewhat, if the committee agrees. I'd like to make a subamendment.

Following paragraph 11.1(1), I'd like to add "Tabling". After that I would add, "Within one year after the day on which the act comes into force, the Minister must cause to be tabled in each House of Parliament a report on the progress made in the regulatory process." Then I'd add the following clause, which would be, "The report stands referred to the committee of each House that may be designated or established for the purposes of receiving the report."

That is my subamendment, Mr. Chair.

• (1605)

**The Chair:** Do we have a copy of that prepared?

Is there any discussion on the subamendment?

Mrs. Gray.

**Mrs. Tracy Gray:** Mr. Chair, we would need that in writing.

**The Chair:** I assume, Mr. Van Bynen, that you were reading from a prepared document. Could we get that translated and submitted to the members' P9s?

**Mr. Wayne Long (Saint John—Rothesay, Lib.):** Can we suspend for two minutes?

**The Chair:** Sure.

We'll suspend for a couple of minutes while we get that circulated to the committee members and give them a chance to analyze the subamendment.

• (1605)

(Pause)

• (1610)

**The Chair:** The committee will resume consideration.

You have before you a subamendment to NDP-6. The discussion is now on the subamendment of Mr. Van Bynen.

Mrs. Gray, you have the floor.

**Mrs. Tracy Gray:** Thank you, Mr. Chair.

Speaking to the subamendment, this basically means that the government doesn't have an obligation to meet any kind of timeline; it's strictly a progress report. The government is not commit-

ting to any type of timelines here. That's what they're looking to interject.

That's concerning, especially considering that we had testimony from the minister and officials, who said maybe around a year is likely where it would be. Now this is making it sound like it's going to be considerably longer than that.

Again, they've had more than a year to work on this. The legislation has been exactly the same as the previous legislation. We heard that they were even consulting before the original legislation. Now they're looking at punting it way further down the line. It's very non-committal, and it's sort of surprising that the government's not committing to something stronger in this legislation.

They say in their public statements that they want to provide for people with disabilities and that they want to be helpful. They make lots of really great statements and press releases, yet the actions—we can see it right here—don't reflect that. They don't reflect anywhere near the timeline that the government is talking about.

Thank you, Mr. Chair.

**The Chair:** Thank you.

Is there any further discussion on the subamendment by Mr. Van Bynen?

We have Madam Zarrillo on the subamendment and then Madam Chabot.

**Ms. Bonita Zarrillo:** Thank you, Mr. Chair.

I hear the concerns of the member. I think later in this meeting I'll have a motion to bring forward that I feel addresses that.

Thank you.

**The Chair:** Thank you, Madam Zarrillo.

Madame Chabot, go ahead on the subamendment of Mr. Van Bynen.

[*Translation*]

**Ms. Louise Chabot:** Mr. Chair, I'll take this opportunity to express my disappointment, not in the government's decision to establish a Canadian benefit, because parliamentarians already voted for that in the House of Commons, but in a bill that is essentially a blank page that offers no guarantee whatsoever.

The proposed amendment is basically saying that there will be a very nice report tabled in the House of Commons and that the committee will discuss it again a year later. What will that change? Either the regulation will already be adopted by then, which is fine, or we'll get an update, but that won't change anything about the fact that this will be an unprecedented situation that serves as a precedent because it will be the first act, the first long-term benefit for persons with disabilities for which the decision wasn't made by Parliament.

All that does is make people feel good about themselves and make them look like they did a thorough job.

[*English*]

**The Chair:** We have Mr. Kusmierczyk on the subamendment.

**Mr. Irek Kusmierczyk (Windsor—Tecumseh, Lib.):** Thank you, Mr. Chair.

I see things differently. I see both Madam Zarrillo's and Mr. Van Bynen's amendments as strengthening this bill. It's excellent work. I see the amendment and the subamendment really adding and building additional confidence into the process.

It would include two really important checkpoints. The first would be a pulse check. Within six months of the consultations beginning, government would have to report back to talk about how those consultations are progressing. I think it's absolutely important to make sure that those consultations are progressing as the community wants them to. It's an opportunity, also, to course correct, if required.

On Mr. Van Bynen's subamendment, the government must report back on all the regulations that were brought forward or introduced up until that point. This provides that balance. It provides two of those checkpoints. Also, it balances it against what we heard from the disability community very clearly, which was that we need to make sure we bring people, Canadians, into pay as quickly as possible. We understand the urgency. I believe this amendment strikes that balance. It's about oversight and transparency. I would also add that it does introduce two very clear timelines, six months on the consultation and within one year in terms of the regulations. The timelines are there for all to see.

Again, I commend my colleagues for bringing these amendments forward. I absolutely will be supporting both the subamendment and the amendment.

• (1615)

**The Chair:** Thank you.

Madame Chabot, go ahead on the subamendment.

[*Translation*]

**Ms. Louise Chabot:** I just wanted to say that, since the start of the process, the government hasn't put anything forward on this.

We dropped the idea of the subamendment and the NDP amendment. The NDP decided to drop NDP-5. That is its choice. Now we have a proposal that everyone seems comfortable with but I want to go on record as saying that this won't change anything about the regulatory process in the clause we're talking about, 11.1.

[*English*]

**The Chair:** Thank you, Madame Chabot.

Seeing no further discussions, I'll call the vote on the subamendment of NDP-6, the subamendment of Mr. Van Bynen.

(Subamendment agreed to: yeas 6; nays 4)

**The Chair:** We'll go to the vote on NDP-6 as amended.

Madam Gray, you wanted to speak to it? You have the floor.

**Mrs. Tracy Gray:** Thank you, Mr. Chair.

It would have been great to have both this and also the Conservative amendment that was just voted down. They could have paired together where this one asks for a progress report in six months and then as of 10 months you actually have the regulations. This is con-

siderably weaker, but I guess if this is all that we have, we'll support this. It's better than nothing, but it's certainly not as strong as we would have liked.

**The Chair:** Seeing no further discussion, we will vote on NDP-6 as amended.

(Amendment as amended agreed to: yeas 11; nays 0)

**The Chair:** Now committee members, as I indicated, we will return to suspended clause....

I'm sorry, guys, I cut too quickly. We'll now move to PV-9, and this is deemed moved.

Mr. Morrice, it's your amendment. Do you wish to speak to it?

• (1620)

**Mr. Mike Morrice (Kitchener Centre, GP):** Yes, I would. Thank you, Mr. Chair. I'll start by reading PV-9 into the record.

That Bill C-22 be amended by adding after line 3 on page 6 the following new clause:

11.1 The Minister must provide persons with disabilities from a range of backgrounds with meaningful and barrier-free opportunities to collaborate in the development and design of the regulations, including regulations that provide for the application process, eligibility criteria, the amount of a benefit and the appeal process.

I'll note that, given the recently passed amendment of NPD-6, this would likely be 11.2 in the amended bill if this were to pass.

This is what we heard from so many folks across the disability community, calling for the principle of nothing without us to be baked into the bill and specifically to ensure that people with disabilities across the country are involved meaningfully in the regulatory process. In particular we saw this in briefs from March of Dimes Canada, from Disability without Poverty, from Maytree, the Planned Lifetime Advocacy Network and the Plan Institute.

Thank you.

**The Chair:** Thank you, Mr. Morrice.

Is there any discussion on PV-9?

Ms. Gray, you have the floor.

**Mrs. Tracy Gray:** Thank you, Mr. Chair.

It's very important to have people with disabilities, as this does say, "from a range of backgrounds", to have meaningful opportunities in order to have their voices heard. It does add to co-creation as well, which we heard a lot about in testimony.

We can support this.

**The Chair:** Is there any further discussion?

Seeing no further discussion, I will call the vote on PV-9.

(Amendment agreed to: yeas 11; nays 0)

(On clause 9)

**The Chair:** We will return to clause 9, which was suspended. There was a general discussion, but we had not proceeded beyond CPC-1. The discussion was on amendment CPC-1.

Before I open the floor to discussion on CPC-1, there was some discussion the last time we met. I asked the clerk to reach out so that committee members are aware that, when any member of the committee reaches out to legislative counsel to prepare amendments, they then have client-solicitor confidentiality between the member and that branch of government. As well, the department uses the Department of Justice legal counsel and the department to provide advice on the drafting of the bill.

What you have before you is the department's legal phrasing that is in an amendment proposed by Ms. Gray. Committee members will have to choose on supporting an amendment or supporting the original draft of the section of the bill.

I will now open the floor to discussion.

Go ahead, Ms. Gray.

• (1625)

**Mrs. Tracy Gray:** Thank you, Mr. Chair.

If it's all right, I'll read it again just so that everyone's clear on what we're referencing. I am moving to amend Bill C-22 in clause 9 by adding after line 25 on page 3 the following:

(c.1) cannot be recovered, in whole or in part, under any Act of Parliament other than this Act; and

Just as a reminder about the premise of this, we heard a lot of testimony around concerns about clawbacks. I know that at the last committee we had a lot of conversations around provincial governments, but this is strictly within federal programs. Anything that would be provincial would have to be negotiated, so that's out of the context of this. That would have to be negotiated between the government and the provinces. This is strictly within federal programs, which is also very important.

I will also note that, in this, one of the concerns was around the garnishing of wages, but paragraph 9(d) in the bill itself says it can be garnished for that reason, so it really doesn't apply to this. That's already covered.

I will mention as well that, when we went to legal in order to draft this, this is what they came back with. A lot of people had questions around the word "recovered", but that word is in another part of the bill. It's a term that is used. It's maybe not a word that each of us would use in normal conversation, but again, legal came back with this specific wording in order to address this. Even though we heard concerns around what it might be, that was the rationale.

Thank you, Mr. Chair.

**The Chair:** Is there any further discussion on CPC-1 in clause 9? Seeing none, I will call a vote on CPC-1.

(Amendment negated: nays 6; yeas 5)

**The Chair:** We'll now move to PV-5.

This amendment is deemed moved, pursuant to the motion.

Mr. Morrice, do you wish to speak to it?

**Mr. Mike Morrice:** Thank you, Mr. Chair.

PV-5 seeks to be similar to what we just saw from CPC-1 in terms of addressing clawbacks. On further review and discussion, we realized what we were looking to do isn't possible. I'd like to withdraw the amendment.

**The Chair:** We need unanimous consent to withdraw PV-5, as requested by the mover.

**Some hon. members:** Agreed.

(Amendment withdrawn)

(Clause 9 agreed to)

(On clause 12)

**The Chair:** We'll now move to clause 12, which begins with CPC-3.

Madam Gray, you have the floor.

• (1630)

**Mrs. Tracy Gray:** Thank you, Mr. Chair.

I'd like to move the following amendment. I'll read it here.

That Bill C-22, in clause 12, be amended by replacing lines 4 and 5 on page 6 with the following:

12 As soon as feasible after the first anniversary of the day on which this section comes into force, after the third anniversary of that day and after each

This is tightening up the timeline for reviews to be had, so that we can see what is working. It also allows parliamentarians to be involved in that process. It's reducing the timelines from what is already in the legislation.

Thank you.

**The Chair:** Before we begin discussion, committee members, if CPC-3 is adopted, PV-10 and NDP-7 cannot be moved as they amend the same line.

You've all heard the amendment of CPC-3.

Mr. Kusmierczyk, go ahead with discussion on CPC-3.

**Mr. Irek Kusmierczyk:** Thank you very much, Mr. Chair.

I just wanted to say that I very much appreciate MP Gray bringing this amendment forward. It absolutely strengthens this process. It adds an additional layer of review, transparency and accountability. More than that, it shortens the timeline for that accountability.

It very much strengthens this bill and adds confidence to what we're trying to do here. We will be supporting this amendment.

**The Chair:** Is there any further discussion on CPC-3?

Madam Zarrillo, you have the floor.

**Ms. Bonita Zarrillo:** I, too, wanted to thank the member for the amendment.

I want to express how difficult it has been for all of the members of this committee on the opposition side to do that balance between wanting to advance this work as quickly as possible to get support to people and having oversight. I really appreciate this. I want to acknowledge that there's a lot of hard work involved.

**The Chair:** Is there any further discussion on CPC-3?

Seeing none, do I sense unanimous agreement on CPC-3?

(Amendment agreed to)

(Clause 12 as amended agreed to)

(Clause 13 agreed to)

(On clause 14)

**The Chair:** We'll now move to clause 14, and we have amendment NDP-8.

Go ahead, Madam Zarrillo.

**Ms. Bonita Zarrillo:** Thank you, Mr. Chair.

It looks like we are coming quickly to the end, so I am going to read the amendment. I move that Bill C-22, in clause 14, be amended by replacing lines 18 and 19 on page 6 with the following:

14 This Act comes into force on the first anniversary of the day on which it receives royal assent.

I will say that I am expecting that the government moves this as quickly as it can through to royal assent.

Thank you.

• (1635)

**The Chair:** Before we get to that, if NDP-8 is adopted, PV-11 and LIB-2 cannot be moved, as they amend the same line.

Now we'll open the discussion with Mr. Long and then Madame Chabot on NDP-8.

**Mr. Wayne Long:** Thank you, Chair.

Through you to MP Zarrillo, I just want to thank MP Zarrillo for the work she's done on this. I know she's very passionate about this. I think this amendment hits the mark, and we can certainly support it.

**The Chair:** Madame Chabot, do you request...?

[*Translation*]

**Ms. Louise Chabot:** My understanding is that it will happen in 2023 if the bill receives royal assent in 2022, but the Liberals might aim for 2024. It would be best if the timeline were as short as possible, assuming it will meet expectations. This doesn't make a substantive change to the bill. It will still be a regulation we have no control over.

So why not 2023? If that creates the illusion that we are improving things, fine.

[*English*]

**The Chair:** Ms. Gray, you have the floor.

**Mrs. Tracy Gray:** Thank you, Mr. Chair.

I would have liked to see something sooner, but based on other votes that we had earlier, I guess this is as good as we can get. It certainly would have been better to have a timeline that was sooner.

Thank you, Mr. Chair.

**The Chair:** Yes, Mr. Morrice, do you want to comment?

**Mr. Mike Morrice:** Just as a suggestion for the committee, if the current amendment specifies that it comes into force on the first anniversary, I wonder if there's a member of the committee who would entertain an amendment to read, "no later than the first anniversary" in case it might be done sooner.

**The Chair:** I don't see anybody.

We'll suspend for a couple of minutes.

• (1635)

(Pause)

• (1640)

**The Chair:** We suspended at the request of Mrs. Gray.

**Mrs. Tracy Gray:** Thank you, Mr. Chair.

I would like to thank Mr. Morrice for the suggestion.

After consideration, I would like to move a subamendment to this amendment. It's very brief. It would be to remove the word "on" and replace it with "no later than". Just to reiterate, I'll read what that sentence says now and then I'll read what I recommend it being changed to. I'll read it slowly. Thank you, Mr. Chair.

Right now, this part of this amendment reads, "This Act comes into force on the first anniversary of the day on which it receives royal assent."

With my subamendment, it would then read, if it goes through, "This Act comes into force no later than the first anniversary of the day on which it receives royal assent."

**The Chair:** Okay. All committee members—

**Mrs. Tracy Gray:** Mr. Chair, I'm sorry. I just realized that I think I said to remove the word "on", but I would have to remove the word "on" and the word "the" in order for it to be grammatically correct.

**The Chair:** So that we're clear, let's go back and read it again, Mrs. Gray.

**Mrs. Tracy Gray:** Sure thing.

My subamendment would be to remove the words "on the" and replace them with "no later than".

No, that's wrong. Just forget what I just said. The word "the" does make sense. I apologize. Again, I would just remove the word "on" and replace it with "no later than".

I thank the clerk for catching that.

• (1645)

**The Chair:** The clerk is the unbiased referee here.

Madam Zarrillo, you had your hand up.

**Ms. Bonita Zarrillo:** I did.

I think this is an excellent demonstration of how collaboration can really work. I think this is a good change. I'll reiterate that I expect the government to move this as quickly as they can.

Thank you, Mr. Chair.

**The Chair:** Are members clear now on the subamendment? I will call a vote on the subamendment to NDP-8.

Do we have unanimous consent on the subamendment?

(Subamendment agreed to)

(Amendment as amended agreed to: yeas 11; nays 0)

(Clause 14 as amended agreed to)

(On the preamble)

**The Chair:** On the preamble, we have PV-12.

**Mr. Mike Morrice:** Thank you, Mr. Chair.

PV-12 states that Bill C-22, in the preamble, be amended, first, by replacing lines 1 and 2 on page 1 with the following:

Whereas persons with disabilities are more likely to live in poverty than per-

Second, it would replace, in the French version, line 4 on page 1 with the following:

les personnes qui ne sont pas

What this amendment would do is remove the words “working-age” seeking to move the Canada disability benefit to apply to all persons with disabilities. Poverty doesn't end for a person with a disability after the age of 65 and neither should the Canada disability benefit. Ten per cent of Canadians with severe disabilities over the age of 65 live in poverty. We heard this supported by many organizations, including a joint letter by the Citizens for Public Justice and the Canadian National Institute for the Blind.

**The Chair:** Thank you.

Before we get to a discussion, I have a ruling on this.

Madame Chabot.

[*Translation*]

**Ms. Louise Chabot:** I have a question about consistency. This seems like the same amendment that was proposed for previous clauses, and I voted against it. I'm wondering if we're about to vote on the same thing. If so, I'll vote the same way.

[*English*]

**The Chair:** PV-12 is inadmissible as no amendment to the bill to justify amending the preamble has been adopted. The amendment seeks to make a substantive modification by removing elements of the preamble linked to the notion of working age.

As the *House of Commons Procedure and Practice*, third edition, page 774, states:

In the case of a bill that has been referred to a committee after second reading, a substantive amendment to the preamble is admissible only if it is rendered necessary by amendments made to the bill. In addition, an amendment to the preamble is in order when its purpose is to clarify it or to ensure uniformity of the English and French versions.

In the opinion of the chair, the proposed amendment is substantive and is, therefore, inadmissible. That is my ruling.

PV-12 is ruled inadmissible.

PV-13 is deemed moved pursuant to the routine motion adopted by the committee.

Mr. Morrice.

• (1650)

**Mr. Mike Morrice:** Thank you, Mr. Chair.

Given your ruling, I assume the same will apply to PV-13. I will take the 30 seconds or so to simply read it into the record to recognize that this was requested by groups like the Canadian Human Rights Commission. It would change Bill C-22, in the preamble, so as to be amended by adding after line 20 on page 1 the following:

Whereas Canada, as a signatory to the United Nations Convention on the Rights of Persons with Disabilities, is committed to ensuring an adequate standard of living and social protection for persons with disabilities and their families, especially those living in poverty;

Whereas Canada, as a signatory to the International Covenant on Economic, Social and Cultural Rights, has undertaken to ensure the realization of the right of every person to an adequate standard of living:

**The Chair:** PV-13 is admissible because of an earlier decision of the committee.

I'll open discussion on PV-13. Seeing no discussion, I will call a vote on PV-13.

(Amendment negated: nays 6; yeas 5)

**The Chair:** PV-14 is deemed moved pursuant to the motion.

Mr. Morrice.

**Mr. Mike Morrice:** Thank you, Mr. Chair.

This is the third and last attempt to improve the preamble. Specifically, it says that Bill C-22, in the preamble, be amended by adding after line 8 on page 2 the following:

Whereas the Government of Canada recognizes that persons with disabilities must be given meaningful opportunities to collaborate in the development and design of regulations made under this Act;

What this would do is go further than the existing text, specifically naming that the opportunities must be meaningful and specifying that collaboration must be in the design of regulations. This follows and aligns with a previous amendment, PV-9, that puts this into the bill. This would better align the preamble with the amended bill.

Again, as I mentioned earlier, organizations like the March of Dimes and Disability Without Poverty and many others called for this level of engagement specifically in the regulations.

Thank you.

**The Chair:** PV-14 is admissible. Is there discussion? Seeing none, we'll call the vote on PV-14.

(Amendment negatived: nays 6; yeas 5)

**The Chair:** Shall the preamble carry?

**Some hon. members:** Agreed.

**The Chair:** Shall the short title carry?

**Some hon. members:** Agreed.

**The Chair:** Shall the title carry?

**Some hon. members:** Agreed.

**The Chair:** Shall the bill as amended carry?

**Some hon. members:** Agreed.

**The Chair:** Shall the chair report the bill as amended to the House?

**Some hon. members:** Agreed.

**The Chair:** Shall the committee order a reprint of the bill as amended for the use of the House at report stage?

**Some hon. members:** Agreed.

**The Chair:** That concludes the clause-by-clause review of Bill C-22, a very important piece of legislation.

Thank you, committee members, for your contributions from all sides, and thank you to the departmental staff and the legislative counsel for navigating me correctly through this process.

We still have time in the committee.

I'll go to Madam Zarrillo, who has her hand up.

● (1655)

**Ms. Bonita Zarrillo:** Thank you, Mr. Chair.

I do have a motion that I want to bring to the floor, but before that, there are still three sitting days left in this session. Could the committee get an idea of whether this report can go right away to the House? What's the timeline for that?

**The Chair:** Do you mean the bill?

**Ms. Bonita Zarrillo:** Yes, the bill. I'm sorry.

**The Chair:** The earliest would be tomorrow.

It's ready now. It will depend on the calendar of the House. I don't control that, but the committee has dispensed of its work with the bill, so it will go into the priority of the House schedule.

**Ms. Bonita Zarrillo:** Okay. We can expect to see it tomorrow, as soon as possible...?

I'll take that as a yes.

**The Chair:** But I don't make that decision, as long we're clear on that.

**Ms. Bonita Zarrillo:** I have a motion that I want to share. I did share it with my colleagues at the end of last week. I move:

That the House of Commons Standing Committee on Human Resources, Skills and Social Development and the Status of Persons with Disabilities call upon the government to explore an immediate emergency relief benefit for persons with disabilities due to the rising costs of food and housing.

I really would like to see the government look at that seriously and look at options, because we know that this bill is needed immediately and it will take some time to get those regulations in place.

Thank you, Mr. Chair.

**The Chair:** The motion is in order.

Is there any discussion?

Madam Zarrillo, could you clarify whether you want to present this to the House?

**Ms. Bonita Zarrillo:** Yes, please.

**The Clerk of the Committee (Ms. Danielle Widmer):** I'm just looking for clarification on whether this is a statement from the committee that will be presented as a motion, which, if adopted, will be put in the minutes, or whether you are calling upon the House to do an action.

**Ms. Bonita Zarrillo:** Yes. I'm calling on the House to do an action.

**The Clerk:** It's to present this as a report from the committee.

**Ms. Bonita Zarrillo:** That's it. Yes. Exactly.

It would be similar to what we did on our codifying motion.

**The Chair:** Okay.

Go ahead, Ms. Gray.

**Mrs. Tracy Gray:** Thank you, Mr. Chair.

Do we have a copy of this motion in writing?

**The Chair:** Yes. It was circulated to all committee members last week.

● (1700)

**The Clerk:** I can recirculate it.

**The Chair:** The committee will suspend for a few moments while committee members get a chance to analyze the motion.

This will be the third break for Madame Chabot.

**Voices:** Oh, oh!

● (1700)

(Pause)

● (1710)

**The Chair:** We'll resume. We suspended at the request of Ms. Gray for some consideration of the motion by Ms. Zarrillo.

You had the floor, Ms. Gray, when we suspended. Is there anything, or do we...?

**Mrs. Tracy Gray:** Mr. Chair, we're just a little unclear as to how this will affect the calendar. We certainly wouldn't want to do anything to delay the legislation we've just been working on.

**The Chair:** No, it would not delay the calendar. It does not request a study. It's simply that, if adopted, this request would be presented to the government by the committee.

We'll go to Ms. Gray and then Madam Zarrillo.

**Mrs. Tracy Gray:** Mr. Chair, I was referring to the calendar of the House, not necessarily of the committee, just for clarification. Thank you.

**The Chair:** It shouldn't. No, it would not impact the calendar of the House.

Madame Chabot, did you have your hand up?

Madam Zarrillo, did you?

You have it now. This is your last chance.

[*Translation*]

**Ms. Louise Chabot:** All I wanted to say is that the motion says “exploring”. Regardless, the House or the government will make that decision once this gets there, if it does.

[*English*]

**The Chair:** Is there any further discussion or debate on the motion put to the committee by Madam Zarrillo? Does everybody have that? If there's no further discussion, I will call a vote on the motion by Madam Zarrillo.

(Motion negated: nays 5; yeas 2)

**The Chair:** I just want to advise the witnesses that you're okay to go. I'm sorry; I should have done that a little earlier. I could see you were totally captured by the drama going on in the committee. Again, thank you for coming and providing answers to the committee members as we were doing the clause-by-clause of Bill C-22. It's most appreciated. Thank you.

Do you have your hand up, Madam Zarrillo?

• (1715)

**Ms. Bonita Zarrillo:** I do. I have one more motion, Mr. Chair, that I distributed to the committee on Friday last week.

**The Chair:** You're full of motions. Okay.

**Ms. Bonita Zarrillo:** I am.

This is in relation to the care economy labour shortages study that we began in March of this year. The motion reads:

That, in relation to its study of Labour Shortages, Working Conditions and the Care Economy, the committee make time to finalize the report on the Care Economy-Labour Shortages no later than December 14, 2022; and that the report be tabled in the House of Commons immediately thereafter on the first available sitting day.

Mr. Chair, with the crisis we are seeing right now in the health care system, we have a lot of good testimony I'd like to get into the hands of the House.

Thank you.

**The Chair:** Thank you, Madam Zarrillo. Everybody has the notice of motion. Version two has been finalized, and all committee members have it.

Madame Chabot, you had your hand up.

[*Translation*]

**Ms. Louise Chabot:** There's something I'd like you to clarify right away, Mr. Chair.

Are we meeting tomorrow? I'm sure you can tell us. We don't know if there's going to be a meeting tomorrow because we don't have the calendar.

The proposal is for us to meet tomorrow. Last week, we weren't able to do the CMHC work. Whether we adopt the report on the labour shortage tomorrow or in January will not change the situation.

[*English*]

**The Chair:** Currently, we have a meeting as scheduled on the regular calendar, unless something occurs in the House that changes that.

Mr. Kusmierczyk

**Mr. Irek Kusmierczyk:** Thank you, Chair.

I just wanted to take a second to speak to this motion. The study that MP Zarrillo has brought forward to this committee is an important study. It's an incredibly timely study. Anything that we can do to accelerate our tabling that in the House of Commons we would absolutely support.

It's not only a timely study, but I would even venture to say that when MP Zarrillo brought it forward back in March of this year, it was very prophetic—not only timely, but prophetic—in terms of the situation that we're facing right now in our health care system.

Wholeheartedly, without any reservation, I will be and we will be supporting this motion to make sure that we report this back to the House as quickly as possible. Thank you.

• (1720)

**The Chair:** Go ahead, Madame Chabot.

[*Translation*]

**Ms. Louise Chabot:** I'm not opposed.

Whether we adopt the report on the labour shortage now or when we come back in January, the world will keep on turning. This report won't solve any health care issues.

The Minister of Families, Children and Social Development was scheduled to appear before the committee tomorrow. Yesterday, work was cancelled. The schedule had already been changed, and we were supposed to move on to Bill C-22. What we did today was on the agenda for yesterday's meeting.

I want to make sure that what we have scheduled for tomorrow, the appearance of the Minister of Families, Children and Social Development, is still a go.

[*English*]

**The Chair:** Yes, Madame Chabot.

The committee's calendar for tomorrow has the Minister of Employment and the Minister of Families scheduled, but the adoption of this motion would not interfere with that because it's....

I'll just clarify that, Madame Chabot. If this motion was adopted by the committee, it would have to fit within the timeline of tomorrow's calendar. One would have to take precedence over the other. As we're currently scheduled, two ministers are to appear before the committee tomorrow, should the committee meet. I have no direction on what's going to take place in the House tomorrow.

If the motion of Madam Zarrillo is adopted by the committee, then it would have to fit in the calendar.

Go ahead, Madam Gray.

**Mrs. Tracy Gray:** Thank you, Mr. Chair.

We had met as a committee to look at what our priorities were. We should also respect the ministers' schedules, if those are confirmed for Wednesday, and continue with the meeting that is scheduled, unless our member here is asking for an additional meeting on Wednesday or a lengthier meeting. Perhaps she can clarify that. As it is, it sounds as though we already have a meeting scheduled on Wednesday.

**The Chair:** We do.

Is any clarification required? We currently have before....

Madame Chabot.

[*Translation*]

**Ms. Louise Chabot:** If I understand correctly, if we adopt Ms. Zarrillo's motion, it will be added to our agenda and we'll have to extend our calendar and add a meeting. However, I just want to make sure this motion will not take precedence over what we're working on now and that we will have each minister for an hour. If I understand correctly, if we adopt it, tomorrow's meeting will be extended.

[*English*]

**The Chair:** If the motion by Madam Zarrillo is adopted by the committee, then it will have to be added to tomorrow's meeting. That means we'll have to either shorten the timeline for the ministers or add additional time to the meeting. It will not take precedence. It will add to the meeting if the committee agrees to it, or it will shorten the timeline of the ministers' appearances.

Mrs. Falk, you have your hand up.

• (1725)

**Mrs. Rosemarie Falk (Battlefords—Lloydminster, CPC):** Thank you, Chair.

Just for clarification, does the clerk know that resources are available tomorrow to extend the meeting?

**The Chair:** No.

**Mrs. Rosemarie Falk:** Then how do we know that our meeting would be extended?

**The Chair:** We would check on that if the committee voted on that. It doesn't mean we would carry on with it, Mrs. Falk. We'd have to check on that. If resources were available, as they are today, then we could extend. The committee controls its own destiny by majority.

Is there any further discussion on the motion by Madam Zarrillo?

Mrs. Gray.

**Mrs. Tracy Gray:** Mr. Chair, thank you very much.

Just going back to the fact that we agreed we would have the ministers here for a certain amount of time. That was agreed to, so we wouldn't want to go back on what we had all agreed to in terms of how long the ministers would be here when they come to speak to us about the supplementary estimates.

**The Chair:** Committee members, it's your decision. I'm in the hands of the committee as to how it wants to proceed. You have a motion by Madam Zarrillo. If it is adopted, then it will have to fit into the schedule tomorrow evening, into a schedule we're not sure about because I do not know what's on the calendar of the House for tomorrow. As we're currently scheduled, the committee will meet tomorrow for two hours and two ministers will appear.

I see Mr. Van Bynen.

**Mr. Tony Van Bynen:** How many estimates are there? Are they time-sensitive? Is there a timeline against which we're required to deal with those?

**The Chair:** Do you mean for the estimates? No, the timeline has gone by.

The timeline was December 8. The committee can still request that the ministers appear to speak to them, but there's no vote required on them since the timeline has gone by.

Mr. Kusmierczyk.

**Mr. Irek Kusmierczyk:** Thank you, Mr. Chair.

Just as a question, are we able to begin tomorrow with the report so that we're able to get that taken care of fairly quickly? We have the report, as I understand it, the second draft, and we've pretty much agreed on the substance of it in the last couple of meetings we've had. This is something that we could take care of fairly quickly.

**The Chair:** The committee can choose to do as the committee chooses to do by majority. You have the motion on the floor from Madam Zarrillo. If you adopt it and you want to adopt it by giving it precedence for tomorrow's meeting, it will be the first agenda item of the committee, should the committee sit.

I'm in the hands of the committee. By majority, the committee makes that decision.

I have Madame Chabot and then Madam Zarrillo.

[*Translation*]

**Ms. Louise Chabot:** I expect you'll be proceeding to the vote soon. I'll vote against the motion. You did say that, if there is a meeting tomorrow to hear from both ministers, that should take precedence. That's what I disagree with.

[*English*]

**The Chair:** Okay.

We have Madam Zarrillo, and then we're going to proceed to a vote because we are running out of time.

**Ms. Bonita Zarrillo:** Thank you, Mr. Chair.

When we agreed that the ministers were coming, it was for the estimates. What we've heard now is that we've missed the window for the estimates, so now we're just having ministers here, which I agree with. In fact, we invited the Minister of Employment, Workforce Development and Disability Inclusion to come here last Monday, I think, and the minister didn't come, so I definitely want to see the minister.

At the same time, the committee has been working on this for a long time, and I think there's an opportunity. We said that we were going for three hours today, and we're going for an hour less, so I think maybe there is an opportunity for us to find some additional resources to get that work out of this committee and also to see the ministers at the same time.

Thank you.

● (1730)

**The Chair:** Before I go to Mrs. Gray, the ministers are appearing on the supplementaries. There's just no requirement for a vote because of the timeline. Those are the rules of the House.

I have Mrs. Gray.

**Mrs. Tracy Gray:** Mr. Chair, that is exactly what I was going to say.

Thank you.

**The Chair:** What are the wishes of the committee? I see no further discussion.

You have the notice of motion from Madam Zarrillo. It has not been amended. Seeing no further discussion, I'll proceed to a call for the vote on the motion of Madam Zarrillo—

**Mr. Irek Kusmierczyk:** Mr. Chair, I'm sorry. Can I just get a clarification, then, on what the meaning of the motion is in terms of the order of dealing with this matter and then the appearance tomorrow should this pass? Could you explain what that means?

**The Chair:** It's simply that it is a motion, but it does not change the calendar for tomorrow unless the committee moves to change the calendar for tomorrow, which it already has agreed to.

**Mr. Irek Kusmierczyk:** Mr. Chair, may I introduce a friendly amendment that we give precedence to the care economy report in tomorrow's dealings so that we can address it right off the bat and hopefully conclude it in a timely fashion, and then move on to the

next proceedings? I have every confidence in the world we're going to be able to get this out of committee very quickly.

**The Chair:** Is everybody clear on the amendment to Madam Zarrillo's motion?

Do you want to restate that clearly to the committee, Mr. Kusmierczyk?

**Mr. Irek Kusmierczyk:** Yes. The amendment is simply that, in order of preference for...

**The Chair:** If the motion is adopted....

**Mr. Irek Kusmierczyk:** If the motion is adopted, the order of preference would....

**The Chair:** It would be the consideration of version two, the adoption of version two, of the labour shortage study by the committee.

**Mr. Irek Kusmierczyk:** That's perfect. Thank you, Chair.

**The Chair:** Is there any further clarification on the amendment by Mr. Kusmierczyk?

Seeing no discussion, we'll call a vote on the amendment by Mr. Kusmierczyk, which will give this priority at tomorrow's meeting.

(Amendment agreed to: yeas 6; nays 5)

**The Chair:** Now, seeing no further discussion on the motion as amended, I'll call the vote.

Madame Chabot, do you want the floor?

[*Translation*]

**Ms. Louise Chabot:** Don't we have to adopt the motion as amended?

[*English*]

**The Chair:** That's where we're going. Seeing no discussion, I'll call the vote on the motion of Madam Zarrillo, as amended.

(Motion as amended agreed to: yeas 6; nays 5)

**The Chair:** There is no further business before the committee. Is it the pleasure of the committee to adjourn?

**Some hon. members:** Agreed.

**The Chair:** The committee is adjourned.







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