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**Official Report  
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(Hansard)**

**Wednesday 14 August 2013**

**Journal  
des débats  
(Hansard)**

**Mercredi 14 août 2013**

**Standing Committee on  
Government Agencies**

Intended appointments

**Comité permanent des  
organismes gouvernementaux**

Nominations prévues

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Hansard Reporting and Interpretation Services  
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111, rue Wellesley ouest, Queen's Park  
Toronto ON M7A 1A2  
Téléphone, 416-325-7400; télécopieur, 416-325-7430  
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## LEGISLATIVE ASSEMBLY OF ONTARIO

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON  
GOVERNMENT AGENCIESCOMITÉ PERMANENT DES  
ORGANISMES GOUVERNEMENTAUX

Wednesday 14 August 2013

Mercredi 14 août 2013

*The committee met at 1005 in room 151.*

## SUBCOMMITTEE REPORTS

**The Vice-Chair (Mr. Joe Dickson):** Good morning, everyone. Welcome to the meeting of the Standing Committee on Government Agencies. Before we begin our intended appointments review, our first order of business is to consider a number of subcommittee reports.

The first subcommittee report is from June 13, 2013. Would someone please move the adoption of the report?

**Mrs. Laura Albanese:** Chair?

**The Vice-Chair (Mr. Joe Dickson):** Thank you. Discussion? All in favour? All opposed?

**Mrs. Laura Albanese:** Shouldn't I say, "I move adoption of the subcommittee report on intended appointments"—

**The Vice-Chair (Mr. Joe Dickson):** Are you going to read everything in? Okay.

**Mrs. Laura Albanese:**—"dated June 13, 2013"?

**The Vice-Chair (Mr. Joe Dickson):** Thank you. Good to see you, Laura. Discussion—I think I asked, "In favour?" I think everyone has voted in favour. Opposed? The motion is carried. Thank you.

The next subcommittee report is from June 20. Would someone please move the adoption of the report?

**Mrs. Laura Albanese:** I move adoption of the subcommittee report on intended appointments dated June 20, 2013.

**The Vice-Chair (Mr. Joe Dickson):** I can flip a coin between Mr. Miller and Ms. Albanese. Discussion? Are you going to read it? You've read it.

**Mrs. Laura Albanese:** I've read it.

**The Vice-Chair (Mr. Joe Dickson):** Okay. Thank you. Discussion? All in favour? All opposed? The motion is carried. Thank you.

The next subcommittee report is from July 4, 2013. Would someone please move adoption of the report?

**Mr. Paul Miller:** I'd like to move that one. I move that.

**The Vice-Chair (Mr. Joe Dickson):** Mr. Miller has moved that. You're not reading it?

**Mr. Paul Miller:** You want me to read number 3?

**The Vice-Chair (Mr. Joe Dickson):** No. Go ahead, sir.

**Mr. Paul Miller:** I think you mentioned number 3. Okay, I'll read it if you like: report of the subcommittee on committee business dated Thursday, July 4, 2013.

**The Vice-Chair (Mr. Joe Dickson):** Just the date is fine. Discussion? All in favour? All opposed? The motion is carried. Thank you.

Our final subcommittee report is from July 25, 2013. Would someone please move adoption of the report?

**Mr. Paul Miller:** Conservatives, get in there.

**Mr. Jim McDonell:** I move that the subcommittee report dated Thursday, July 25, 2013, be approved.

**The Vice-Chair (Mr. Joe Dickson):** Discussion? All in favour? All opposed? The motion is carried.

Just before we begin with our intended appointments review, there are two intended appointees who are unable to make it to today's meeting. They are Yvonne Boyer, nominated as member, Champlain local health, and the other one is Shannon McManus, nominated as a member of the Pay Equity Hearings Tribunal. Both appointees are from the July 19, 2013, certificate, and the time frame for the committee's consideration of their appointments expires this Sunday, August 18, unless we have unanimous agreement to extend the deadline. I will read them to you individually.

*Interjection.*

**The Vice-Chair (Mr. Joe Dickson):** Sorry, is there a question of the Chair?

**Miss Monique Taylor:** Yes. Who was calling them before the appointments?

**The Vice-Chair (Mr. Joe Dickson):** Sorry?

**Miss Monique Taylor:** I was just wondering who had called them before the appointments, or had it gone to that part yet?

**The Vice-Chair (Mr. Joe Dickson):** The official opposition has done that.

**Mr. Paul Miller:** When will they be appearing before the committee if we extend it?

**The Vice-Chair (Mr. Joe Dickson):** Sorry?

**Mr. Paul Miller:** What date? September 30?

**The Vice-Chair (Mr. Joe Dickson):** If I read this, as I've requested to do, I can answer those questions.

**Mr. Paul Miller:** Feel free.

**The Vice-Chair (Mr. Joe Dickson):** Thank you. Do we have unanimous agreement to extend the deadline to consider the intended appointment of Yvonne Boyer, intended appointee as member, Champlain Local Health Integration Network, to September 30, 2013? All in favour?

**Mr. Phil McNeely:** Agreed.

**The Vice-Chair (Mr. Joe Dickson):** Agreed. Thank you.

The second one is looking for unanimous agreement to extend the deadline to consider the intended appointment of Shannon McManus, intended appointee as member, Pay Equity Hearings Tribunal, to September 30, 2013.

Do we have unanimous agreement on that? We do? We do. Thank you.

1010

## INTENDED APPOINTMENTS

### MS. JOANNA SMITH

Review of intended appointment, selected by official opposition party: Joanna Smith, intended appointee as vice-chair, Workplace Safety and Insurance Appeals Tribunal.

**The Vice-Chair (Mr. Joe Dickson):** We will now move to the appointments review. We have six intended appointees to hear from, four this morning and two in the afternoon. We will consider all concurrences this afternoon at the completion of all of the interviews.

Our first intended appointee today is Joanna Smith, nominated as vice-chair, Workplace Safety and Insurance Appeals Tribunal.

Please come forward and take a seat at the table, Ms. Smith. Welcome, and thank you very much for being here. You may begin with a brief statement, if you wish. Members of each party will then have 10 minutes to ask you questions. Any time used for your statement will be deducted from the government's time for questions. When we get to it, questions will commence with the third party.

Welcome, Ms. Smith.

**Ms. Joanna Smith:** Thank you. Good morning, Mr. Chairman and committee members. Thank you for allowing me the opportunity of appearing before you this morning in respect of my intended appointment to a part-time vice-chair's position at the Workplace Safety and Insurance Appeals Tribunal.

As you are likely aware, if you've had a chance to review my resumé, I am a practising lawyer. I was called to the bar in 2008 and have been practising in employment and labour law since 2009.

**The Vice-Chair (Mr. Joe Dickson):** I'm sorry, Ms. Smith. Could I get you to move a little closer to the mike? That's good.

**Ms. Joanna Smith:** Is that better?

**The Vice-Chair (Mr. Joe Dickson):** You have such a great voice; I want to be able to hear it.

**Ms. Joanna Smith:** Thank you very much.

**The Vice-Chair (Mr. Joe Dickson):** Thank you very much.

*Interjections.*

**Ms. Joanna Smith:** Okay, you threw me off.

As I was saying, I've been practising in employment and labour law since 2009. Before being called to the bar, and during my licensing process, I articulated in the tribunal

counsel's office at the WSIAT and was lucky enough, after completing my articles, to continue on at the tribunal in a lawyer position, filling a mat leave contract until early 2009.

Just to fill you in a little bit, the role of the articling student at the WSIAT, as you may or may not know, and that of the lawyers generally in the tribunal counsel's office, is to support hearing panels and vice-chairs in an on-the-record capacity in cases where the legal issues involved are novel and/or quite complex.

The support to the panels and the vice-chairs is provided through a number of functions, including through research and written submissions; attendance at hearings to provide oral submissions; questioning witnesses in hearings, from a neutral, investigative perspective, with an aim to eliciting the facts and best evidence necessary for the panel to make a properly informed decision; and through case management generally, in the processing of appeals, which routinely involves not only communicating with unrepresented parties—and by that I mean both workers and employers—but it often also involves dealing with parties who are in highly emotional states and who are trying to navigate an extremely complex process.

My point, really, in getting into the details of the work at the tribunal counsel's office in so much detail is to underscore that, for me, even early on in my path towards working in law, I was afforded the opportunity of gaining on-my-feet experience, even as a student. I had experience in hearings and dealing with parties right from the outset, all of which I believe helped to form a solid foundation from which I could somewhat now naturally move into a vice-chair's position, should I have the privilege of being appointed.

As I said, I currently practise as a lawyer in a small firm.

Maybe I'll just backtrack to something that's not in my resumé, because it was such a brief period of time, but before joining the law firm in 2009, I worked for a few months for a lawyer who practised exclusively in employer-side workers' compensation matters. I was in a neutral position at the tribunal, but in terms of advocacy on WSIB matters, my experience was primarily with an employer-side lawyer.

I then began working, as I said, at a small firm in Hamilton in 2009. Our firm focuses pretty much exclusively on employment and labour law. Because it's a small firm, again, I was fortunate to have been thrown into the water almost immediately upon being hired, and from the outset have routinely attended on behalf of clients in arbitrations, at Superior Court on motions, and at pretrials. I've attended settlement conferences and mediations. I've appeared before the Human Rights Tribunal of Ontario and at both labour boards: the Ontario Labour Relations Board and the Canada Industrial Relations Board. I have conducted some trial work in Small Claims Court and appeared before the federal Court of Appeal.

On the labour law side, our firm represents only unions. However, on the employment law side, although we primarily represent employees in wrongful dismissals and related claims, we also have a few employer clients as well. So I've had some experience on both sides of the table, so to speak, both in hearings and in mediations.

The other thing that's probably apparent from a review of my resumé is that law was a career change for me. I have a master's degree in social work. I graduated from the University of Toronto in 1986 and, prior to returning to school to pursue a career in law, worked in child welfare for a couple of years upon graduation with my master's degree.

Beginning in 1991, for almost 14 years, I worked for Family Services of Peel in each of its Brampton, Mississauga and Caledon offices over the course of my employment with the agency. I began work with Family Services as a counsellor, working part-time while my kids were small, and eventually took on a secondary role of information systems coordinator. I remained in both of those roles until I returned to school in 2004.

As a front-line counsellor, just to give you a sense of what I was doing, I worked with individuals, couples and families who were coming to the agency voluntarily for counselling, and with presenting issues such as depression, other mental health difficulties, couple difficulties, sexual abuse, and other forms of domestic violence, and, through individual counselling, primarily I worked with clients who were both victims and perpetrators of such violence.

Ultimately, I believe the culmination of my 30-plus years of educational and professional experiences both in the practice of law and as a social worker would serve me well as vice-chair of the WSIAT.

The tribunal's hearing process, as you may well know, is meant to be an investigative one, aimed at properly interpreting and applying the law and quite complex legislation, I might add, to cases which are often similarly complex and where parties are often unrepresented and unfamiliar with the appeal process and hearing procedure.

I'm confident that my background would serve me well in taking on such a role, facilitating communication and the implementation of proper procedure as well as applying and interpreting the law to come to a just decision based on the merits of each case, and, through that role, to assist in maintaining the excellent reputation and near-perfect record the tribunal enjoys.

I know first-hand, from having worked there, of the painstaking care which is taken throughout the tribunal to preserve the fairness and sanctity of the adjudicative process, and the responsibility with which it is entrusted, and I believe that I can make a positive contribution to that responsibility were I to have the honour of being so appointed.

Thank you. Those are my comments. I'd be happy to answer any questions you may have.

**The Vice-Chair (Mr. Joe Dickson):** Thank you very much. I would now commence questioning with the third party.

**Miss Monique Taylor:** Thank you. Good morning.

**Ms. Joanna Smith:** Good morning.

**Miss Monique Taylor:** Thanks for being here with us today. We definitely appreciate your time and coming before the committee. It's an important matter. As I'm sure you would agree, it's an important process of our WSIB system. We know, with the complexities of cases that are before many of our offices, that the tribunal definitely falls into a lot of that role.

I'm curious to know what you feel that you could bring different to the table there and how you feel that you could help move those cases through, because we're definitely in a backlog.

1020

**Ms. Joanna Smith:** Right, and I do know of the backlog—not intimately. I haven't been involved directly with the tribunal since leaving in 2009. I guess I would see my role as getting my hands dirty, getting in there and trying to move cases through. I understand that part of the issue is not only the volume of appeals but also a shortage of vice-chairs, so I would see it as my role to try and get in there and move some cases through as expeditiously as possible.

**Miss Monique Taylor:** Okay. I'm sure you're quite aware of Professor Arthurs's recommendations. I would like to know your thoughts on those recommendations, and would you be interested in implementing those recommendations?

**Ms. Joanna Smith:** I'm actually not familiar with Professor Arthurs's recommendations. I apologize. But in terms of—well, I won't guess at what they are, but I would—

**Miss Monique Taylor:** How about, for instance, restoring full indexation?

**Ms. Joanna Smith:** I guess I would see the vice-chair's position as not a policy one. It's about processing the appeals as they come; it's an adjudicative position. In terms of policy, that role belongs to the chair of the tribunal. My influence, if any, would only be to the extent that I would report to him on any issues that might arise in terms of the processing of appeals and the process. But beyond that, I don't see it as my role in a vice-chair's position.

**Mr. Paul Miller:** Good morning.

**Ms. Joanna Smith:** Good morning.

**Mr. Paul Miller:** I do believe you would take part in that process as vice-chair.

**Ms. Joanna Smith:** It may be that I'm unfamiliar with what we're talking about.

**Mr. Paul Miller:** I've got a couple of questions for you. Do you agree with restoring the value of the eroded benefits of injured workers?

**Ms. Joanna Smith:** Again, from a policy perspective, my role, I guess, would be to interpret and apply the legislation, as opposed to influencing a change in the direction of the legislation.

You're not agreeing with me; I can see that.

**Mr. Paul Miller:** No.

**Ms. Joanna Smith:** Maybe it's a naive perspective from where I have sat or where I sit now, but as I saw it, the role of the vice-chair was, as I said, to, as expeditiously as possible, move through the appeals that are before them and to bring any issues to the forefront.

**Mr. Paul Miller:** Okay. I've got some more questions, and obviously you won't be able to answer them because you're not familiar with it. But you realize that in your position as vice-chair you'll play an active role in a lot of policy requests and changes that will come forward for legislative changes. You'll certainly have an influence on that, and that would be an important part of your role. So I'm hoping that—

**Ms. Joanna Smith:** Better brush up.

**Mr. Paul Miller:** Well, you might want to do some homework. But the bottom line is, I think you have a lot of experience and I think that you bring to the table both sides, the management as well as the union side, and that's a good thing. Obviously you're a quick learner. That you went back to school and got a law degree that quickly is obviously impressive. So other than brushing up on what we'd like to see in the Arthurs report, I don't have a problem with your appointment.

**Ms. Joanna Smith:** Thank you.

**Miss Monique Taylor:** How much time do we have left?

**Mr. Paul Miller:** Ten minutes. We get 10 minutes, right?

**The Vice-Chair (Mr. Joe Dickson):** You have 10 minutes; you still have—

**Mr. Paul Miller:** A couple of minutes?

**The Vice-Chair (Mr. Joe Dickson):** Five minutes, 57 seconds left, unless you'd like to pass that on.

**Miss Monique Taylor:** Thank you. No, no. I'm happy to speak further about the wait times that folks are feeling when they have issues, or they've been on WSIB for years and now changes are coming and they're being denied access to certain medications or to certain physiotherapies or things that they have needed for so many years on WSIB, and now they're being forced back into the system of arguing on a regular basis and being sent back to the tribunal. What are your thoughts on all of these many, many cases?

**Ms. Joanna Smith:** I don't know the reasons for the backlog at this point, but just to clarify, there's a division between the WSIB and the tribunal. The processing of the claims at the WSIB may be backlogged for its own reasons, versus what happens at the tribunal, which is now at the stage where it's appealing what happened at the WSIB. So there's not generally—or not in my understanding—a return to the tribunal. Once you're at the tribunal, this is the last level of appeal.

Certainly, while I was there, we would hear frustration about dealing with the process and, you know, the best that any of us can offer in a front-line capacity is to say that we are going to be—again, I hate to be repeating myself—as conscientious about dealing with the matters

before us as we can be and moving them through as expeditiously as we can. But in terms of the handling at the WSIB, again, that's not within the jurisdiction or the domain of the tribunal, so I can't speak to that. Within the tribunal I guess all I can speak to is what I have just said, that my role would be to be getting my hands dirty, getting in there and trying to get the appeals moving.

**Mr. Paul Miller:** How do you feel about ad hoc indexing?

**Ms. Joanna Smith:** Okay, so I'm going to answer—I mean, I'm going to end up feeling really stupid reading this transcript at the end of the day, but I'm not familiar with what you're referring to, and I think it's outside the purview of a vice-chair's position. It's up to the chair to be working on the broader policy issues.

**Mr. Paul Miller:** Okay. Thank you.

**The Vice-Chair (Mr. Joe Dickson):** Thank you very much. We will then go on to the government side; you have—what is the time?—three minutes and 30 seconds.

**Mrs. Laura Albanese:** Thank you, Chair. Good morning.

**Ms. Joanna Smith:** Good morning.

**Mrs. Laura Albanese:** Welcome to our committee.

**Ms. Joanna Smith:** Thank you.

**Mrs. Laura Albanese:** I wanted just to ask you, how did you hear about this position, that it was available at the tribunal?

**Ms. Joanna Smith:** My former boss and principal at the tribunal, Dan Revington, sends me—sends us all—Christmas cards each year. Last year he sent me a Christmas card telling me about the backlog and saying, if I ever was interested, that there would be a time coming that they would be looking for part-time vice-chairs. I was interested; I applied online. I saw the position advertised online. I applied, I wrote the exam—there's an exam—and then met with the chair in an interview, and now here I am.

**Mrs. Laura Albanese:** I guess the next question is—and you've answered it partially before but maybe you can expand a little bit on it—how do you believe that your past experience would help you in your new role? You did mention the backlog, so you certainly seem keen to help in that regard, but how do you think your previous experience will specifically be of help in this new role?

**Ms. Joanna Smith:** I guess in both of my past experiences in law and in social work, first of all dealing with upset people, communicating with upset people, that being a routine part of my work, and having also done that at the tribunal, I think that there's an issue in adjudicating—maybe “issue” isn't the right word. It's a unique forum to be adjudicating matters with unrepresented parties. So I believe that I would have skill in processing those hearings and adjudicating those matters, partly or assisted by the fact that I have quite a few years—a lot of years, too many years to count—of working through issues with people, as I was saying, in emotional states, dealing with highly emotional matters, and

getting the process focused notwithstanding the emotional atmosphere that comes with that.

That's number one, and I think number two, having worked at the tribunal, you become accustomed to really digging into complex law and nitty-gritty law, reading over and over and applying and interpreting from a neutral perspective, which is what my role was at the tribunal. I think that I can hit the ground running with that skill already in place.

**Mrs. Laura Albanese:** Thank you. I don't have any further questions, but my colleague—

**The Vice-Chair (Mr. Joe Dickson):** You have half a minute left.

**Mr. Mike Colle:** Yes, I just want to say how impressed I am by your career.

**Ms. Joanna Smith:** Thank you.

**Mr. Mike Colle:** I've never met you before, and the fact that you went back to get your law school, raised a family—

**Ms. Joanna Smith:** Humbling, let me tell you.

**Mr. Mike Colle:** I don't know where you get the strength. But anyways, thank you for offering your experience, education and life experiences to the people of Ontario.

**Ms. Joanna Smith:** Thank you very much.

**Mr. Mike Colle:** I was very impressed with your background just on what I've heard. Thank you.

**Ms. Joanna Smith:** That's very nice of you to say. Thank you very much.

**The Vice-Chair (Mr. Joe Dickson):** Thank you very much. We will now go to the official opposition for 10 minutes.

1030

**Mr. Jim McDonell:** Thank you for coming out today. We talked somewhat about the backlog. Do you see any light at the end of the tunnel to get those numbers down, or what can you see that you might be able to do to get them down? I guess the objective is 4,000, so we're 50% above that objective now.

**Ms. Joanna Smith:** In all honesty, I don't know the reason why there is such a backlog at this point in time. I know that historically there's always an issue in terms of trying to get cases processed, both at the board and at the tribunal. Without knowing the reasons, and with having limited power over what happens in terms of addressing the backlog, I couldn't give an estimate or even a projection about what might happen beyond what I could contribute myself, personally, which is to try and get things going.

**Mr. Randy Pettapiece:** Considering your numerous achievements in labour organizing, is it fair to assume that you have a very strong idea as to which direction the WSIAT should be taking in the future? This will have to be weighed against the normal fiscal challenges that the WSIB is facing right now, and the Ontario government as a whole. Do you have some idea of how you can balance these two interests?

**Ms. Joanna Smith:** Balance the issues between—  
*Interjection.*

**Mr. Randy Pettapiece:** Pardon me?

**Ms. Joanna Smith:** Sorry?

*Interjection.*

**Mr. Randy Pettapiece:** The WSIB has some really interesting fiscal challenges, if I can put it that way, as does the government, and yet we see that different organizations—labour and other organizations—continually want more and more. Now, we have to be fair about this whole thing, but there are some very serious fiscal challenges involved in these organizations. I just wonder if you have any ideas on that.

**Ms. Joanna Smith:** I really don't. Again, it's one of those broader policy issues that—again, I would say there's a division between the tribunal and the—not a division as in a split, but they're two separate entities, so the issues that go on at WSIB would be far removed from me. I didn't ever work there, and I have no idea what their internal workings are. The tribunal—I mean, I was a front-line kind of person, and that's what I anticipate this position being, if I'm lucky enough to be in it.

Again, I don't know the inner workings. I don't know what the chair is dealing with in terms of managing money and dollars, so I don't have an opinion on how that should go.

**Mr. Randy Pettapiece:** Okay. Thank you.

**Ms. Lisa M. Thompson:** Thank you for being here.

**Ms. Joanna Smith:** Thank you.

**Ms. Lisa M. Thompson:** Given your anticipation of moving into the vice-chair role, I'm sure you have ideas and concepts you'd like to bring to the table to put your stamp on your vice-chair role. Have you given some thought to that? What direction, what influence, what impact would you like to be known for, once your term is completed?

**Ms. Joanna Smith:** It may sound a little Pollyanna, this answer, but honestly, the people who work at the tribunal are of a calibre that you cannot imagine if you're not there. I think my mark would essentially be to fit in and follow in the footsteps of those who are there and those who have come before me. It's an extremely high standard, in terms of the decisions that come out. I believe there is only one decision, in all of its years, ever finally overturned.

It takes pride, as does everybody who works there, in the fact that it's carefully, as I said, painstakingly preserving—the intent on the part of everybody there is to preserve the sanctity of the adjudicative process, making sure that procedural fairness is in place and that people are afforded the opportunity of getting their hearing—both sides, workers and employers. I mean, the impact on employers is equally as significant as it is to workers who are dealing with their benefit claims.

My mark would be to be able to come away and say, "I'm just like"—I won't name names, because then I'll be leaving others out, but the gurus, who are incredible people in terms of adjudicating and producing decisions that are beyond compare.

**Ms. Lisa M. Thompson:** Okay. All right. Thank you.

**Miss Monique Taylor:** Do I have—

**The Vice-Chair (Mr. Joe Dickson):** I'm still with their time.

**Mr. Jim McDonell:** In your role as vice-chair, generally the interaction with the chair is significant, just by the nature of the role. Do you have any insight into just how that role might play out with the chair? What do you see as your role as you move into this position?

**Ms. Joanna Smith:** Honestly, what I anticipate, and this could be wrong, is almost being back to my counselling days. The chair is, in effect, my supervisor, and in social work you have a supervisor; you meet regularly to talk about the cases, the processing of cases and the difficulties. I would see the chair as that role and my interaction with the chair being along that line: talking about the difficulties I am facing, the things I don't know how to deal with, the challenges that are coming up in hearings, that kind of thing, and certainly to bring to the table and to his attention anything that I see that may or may not be working, although at this point I have no idea what that might be—but in terms of procedure that's not playing out well or is creating obstacles. I guess I would see it as that, almost like a social work supervisor in terms of managing day-to-day hearing issues, issues with processing the appeals.

**Ms. Lisa M. Thompson:** Joe?

**The Vice-Chair (Mr. Joe Dickson):** Yes, Ms. Thompson.

**Ms. Lisa M. Thompson:** Mr. Chair—pardon me. Thank you.

I have a question, kind of a broader-based question for you. You're being entertained for vice-chair of a tribunal. When you're in that role, you look at what other tribunals are doing and facing and experiencing. What's your position on the province challenging a final decision of a tribunal?

What I'm specifically talking about is that the Ministry of the Environment is not agreeing to an environmental tribunal decision for Ostrander Point, and essentially, in a nutshell, you could sum it up by saying the province is taking the province to court to overturn a final decision.

How do you feel about that, when you're taking on a role within a tribunal and ultimately your decision may not be final if it's not what the government likes?

**Ms. Joanna Smith:** I don't know of what you're speaking. Again, here I am, you know—anyway. So I can't comment.

**Ms. Lisa M. Thompson:** But hypothetically?

**Ms. Joanna Smith:** But hypothetically, I can't see how that would happen at the tribunal. What happens is, you make a decision, one of the parties doesn't like it, and they apply for reconsideration or a judicial review, and it's up to a court to finally overturn.

I think that, as a vice-chair, you're always in the position of potentially writing a decision that may be reviewed, and that's a good thing. Accountability is a good thing. It's a nerve-racking thing as well, I'm sure, but as much as I say it's a near-perfect record and I want to be a part of that near-perfect record, I don't mind the

fact that there's a broader process available to make sure that I've written the proper decision and that I've found the correct—

**Ms. Lisa M. Thompson:** To your point, the best of the best, the gurus, are chosen to be on tribunals, given their experience and background that they bring to the table. Do you think it's right that a government should challenge the final decision of a tribunal?

**Ms. Joanna Smith:** I can't answer that. In my mind it's completely hypothetical, so I don't have an opinion on it.

**The Vice-Chair (Mr. Joe Dickson):** To the official opposition. You have one minute and 20 seconds left.

**Mr. Jim McDonell:** Okay, thank you.

In your own words, you talked about not being familiar with the internal workings of the board. How do you see your role and how do you see—I guess you're lacking experience in those operations. Working towards the role of vice-chair, it is an important role. It's basically bringing the individuals who are on the board together and trying to, I guess, lead them forward, trying to move through the backlog of cases.

**Ms. Joanna Smith:** Again, I would be deferring to the chair. I would see it as the chair's role and job to be working with those at the board to deal with the broader issue of the backlog and ways to manage that. As the vice-chair, my job would be to be hearing appeals, deciding appeals. In terms of the broader policy issues dealing with the backlog, I would be there to get my hands dirty and do the front-line job to the best of my ability—which is essentially what I see it as, as a front-line position—and to be identifying any areas where I think there are gaps. But other than that, I think it's up to the chair to be working on how to—

**The Vice-Chair (Mr. Joe Dickson):** Thank you. That will conclude the time that we have allocated for this interview. Thank you very much, and you may step down. Everyone certainly listened intently.

Did you have a question of the Chair?

**Miss Monique Taylor:** Did I have a few minutes left? Am I allowed to use them or no?

1040

**The Vice-Chair (Mr. Joe Dickson):** No, you've used them.

**Miss Monique Taylor:** I've used the full 10? And am I allowed to come back again?

**The Vice-Chair (Mr. Joe Dickson):** Once you've finished your time frame, that time frame is, according to the rules and regulations—I only do what I'm told.

**Miss Monique Taylor:** All right. I was just clarifying. It has been a long summer. Thank you, Chair.

**The Vice-Chair (Mr. Joe Dickson):** Thank you very much for appearing, Ms. Smith.

**Ms. Joanna Smith:** Thank you.

**The Vice-Chair (Mr. Joe Dickson):** Thank you, fellow members.

MRS. MARIA VAN BOMMEL

Review of intended appointment, selected by third party: Maria Van Bommel, intended appointee as member, Agricorp.

**The Vice-Chair (Mr. Joe Dickson):** Our next intended appointee for today is—and I don't know if I can pronounce this correctly—Maria Van Bommel, nominated as a member of Agricorp. Please come forward and take a seat at the table. Welcome, and thank you very much for being here.

You may begin with a brief statement if you wish. Members of each party will then have 10 minutes to ask you questions. Any time used for your statement will be deducted from the government's time for questions. Questioning will start on completion of your presentation, Ms. Van Bommel, with the government.

Thank you, and welcome.

**Mrs. Maria Van Bommel:** Thank you very much, Chair, and thank you for pronouncing the name properly; I do appreciate that a great deal.

Good morning to everyone. My name is Maria Van Bommel, and as many of you will already know, I am the former member of provincial Parliament for Lambton–Kent–Middlesex. But today, I appear before you as an applicant for a position on the board of Agricorp.

Having been a member of this committee in the past, and certainly from this perspective, it's quite different than having sat in your respective places. But I do know that, as the Chair has said, every party has an opportunity to ask questions and make comments. I will do my best to deal with those questions to the best of my ability and, I hope, to your satisfaction.

Sitting here, I clearly remember when other former MPPs would come before this committee. As politicians, we're naturally cynical about why people do the things they do, so I want to talk to you about my motivations for wanting to serve on this board and why I believe I am qualified to do so.

After the 2011 election, I spent my time reintegrating myself back into my family. Some of you will know that I have a fairly extensive family, including 13 grandchildren. I think for most MPPs, everyone is committed to their families, but when you go back in after being an MPP, you do need to find out how you fit back into that family situation because, as much as you want to be a part of their lives, you are not always there. So it took a while before I felt that I was ready to move on any further. But having said that, I feel that former MPPs still need and want to have some personal growth and so they desire to continue to contribute to their respective communities, especially in areas that they have an interest in or where they have something that they can contribute and bring something of value to that.

You have before you my application, which I submitted in November of last year, in response to an ad on the Public Appointments Secretariat website. My involvement in agriculture started long before I was married to a farmer. My father was a farm equipment dealer, and as a

child I was aware of the dependence of the rural economy on the financial success of its farmers.

Government programs, like those delivered by Agricorp, have always been a necessary part of food production. But I can also tell you that there is a great deal of benefit to the rest of the community that comes out of supporting our farmers. Agriculture is why I got into politics in the first place. Over the years of being a farmer, being a participant in agricultural organizations, being on a rural municipal council, as well as being involved and employed in the industry, I felt—as many farmers do—that farming is not well represented or well understood when decisions and practices are being developed that will impact not only the industry as a whole but the individual farmers.

My application has a list of my past experiences as a farmer and member of the agricultural community and now, with my husband and my son, in the next generation of our farm.

I can add to that list of qualifications the fact that I now have a new skill that I can offer to the farm community. I know from first-hand experience the workings of government, both at the political and bureaucratic levels, and I feel that has value that can be had for the clients of Agricorp.

I hope you will judge my proposed appointment in the light that my application is intended, as a contribution to the agricultural industry for its betterment and financial sustainability.

Thank you for your time, and I look forward to your questions and comments.

**The Vice-Chair (Mr. Joe Dickson):** Thank you very much, Ms. Van Bommel. There are five minute and 23 seconds left, and we will defer to the government, commencing with Ms. Albanese.

**Mrs. Laura Albanese:** Thank you, Chair, and welcome back, Maria, to the Standing Committee on Government Agencies, from a different perspective. It is nice to see you.

I do recall that you never failed to bring forward the farmer's perspective when you were an MPP, in your speeches in the House. I want to thank you for helping me, as an urban MPP, to gain insight many times into the issues faced by the farmers' sector.

I obviously know about your family and your background as a poultry farmer, as a pork producer, with your husband, René, and your family. But I wanted to ask you, what are the challenges that you see, the most important challenges that are being faced right now by Agricorp, which is the agency that you are applying to, that you're seeking a position with? In the future, what are the main challenges?

**Mrs. Maria Van Bommel:** Well, Agricorp delivers a number of programs.

**Mrs. Laura Albanese:** Right.

**Mrs. Maria Van Bommel:** Right now, they're particularly challenged with the issue of overpayments and recovery of overpayment.

When the Auditor General of the time, Jim McCarter, did a value-for-money audit of Agricorp, he found that they had no real process for recovering the dollars that were overpaid. That now has come to roost, so to speak, in the sense that Agricorp now has to go back and get these dollars, because these are essentially, in many cases—like, they are tax dollars. They're tax dollars; they're producer dollars. So they need to recover overpayments.

But some of these things have gone back a decade, so the question now is, we have farmers who traditionally, when they receive these dollars, put those dollars right back into their farms. They don't stash them away so that if they ever get asked to repay it, they can just sort of pull it out. When they reinvest into farms that way, to come back to them and say, "Ten years ago, we overpaid you, and we want you to pay those dollars back"—there's a situation where the farmers are feeling a little bit mistrustful of the system.

While it's appropriate to recover those dollars, the question right now is—and it has gone to the courts—is there a limitation as to how far back Agricorp can go on these overpayments? That is probably their most immediate challenge right now.

**Mrs. Laura Albanese:** Mike, do you have any questions?

**Mr. Mike Colle:** Thank you, Chair, and Maria. I know you're a chicken farmer. Did you ever do pork also?

**Mrs. Maria Van Bommel:** Yes, we did.

**Mr. Mike Colle:** Oh, yes. Are you and your husband still actively involved, or is it your son that's doing most of the farming now?

**Mrs. Maria Van Bommel:** In 2009, we incorporated so that our son could—it was part of our succession plan, and our son is now on the farm. René and I are retired into town, which farmers tend to do as they move out of the way of the next generation.

**1050**

We're still involved in the sense that, in incorporating, our system of succession was such that my husband and I held shares. The price of the shares was established; the number of shares was established. Our son was given some of those shares for the work that he had done as a young man on the farm with his dad, but still, it's set up so that he can buy those shares and eventually own the farm himself. In a sense, we're still involved, because our son's success is our pension, unfortunately sometimes, but it is true. Farmers know very well, and they say it very often, that farmers walk on their pensions. You don't see your money and your investment until you retire and sell the farm, and in our case we sold it to our son, so we're still invested.

**Mr. Mike Colle:** And just another question. I know I used to ask you questions about chickens all the time, how many days and so forth. But the question I have is, a lot of people now, when they go shopping, there's always these questions about free-range, organic chickens and then the price differential. Has anybody really done an

analysis to see if there's a real nutritional difference or any difference in terms of health impact on the various types of chicken products you can buy when you go to the grocery store?

**The Vice-Chair (Mr. Joe Dickson):** That is the balance of your time, Mr. Colle.

**Mr. Mike Colle:** This is an important question.

**The Vice-Chair (Mr. Joe Dickson):** I know you're not finished the question.

**Mrs. Maria Van Bommel:** Maybe somebody else will take it up.

**The Vice-Chair (Mr. Joe Dickson):** We'll move over to the official opposition. Mr. McDonnell.

**Mr. Jim McDonnell:** Thank you for coming today. I know one issue that we've heard a lot about is the amount of paperwork involved per year, and I think it's pegged at something over four weeks of paperwork for each farmer in a year. There's no question paperwork is money and it takes farmers away from, really, their prime operation, which is running the farm and being successful and producing the food that we need. Do you have any comment or any idea where you think that should go? Or does that not seem excessive?

**Mrs. Maria Van Bommel:** Actually, when we look at farming, farmers are very good at producing crops and growing livestock. Where they have the difficulty is management, and management is paperwork. There is a certain amount of paperwork. I think young farmers—to our son, paperwork is acceptable. He does it and it's just a way of life. His dad had more difficulty with it, because he didn't have to deal with HACCP regulations.

Just as Mr. Colle was saying, we produce chickens on our farm. The chickens are sold to McDonald's restaurants. McDonald's restaurants have very stringent regulations about what happens with the products that they sell to their consumers. They want traceability. Traceability means you need to be able to track exactly where that bird came from, so if someone complains at McDonald's that their chicken burger didn't taste right, they can trace that right back to Van Bommel Farms if they want to. There's a paper trail. That's just the paper that has to be there if you want to sell to McDonald's restaurants, and we do. It's a good market and the product coming from our farm has the quality that we feel that McDonald's wants, but in turn we have to deal with their regulations and their traceability requirements. So there is that.

The other side I think you're trying to get at is the red tape and some of the other issues that farmers have to deal with, and I think there is certainly a level of frustration when it comes to environmental types of regulations, building code types of regulations when you want to expand your operation. It depends on where you're standing, in the sense that if you're a hog producer and you want to build a big barn, your neighbours may be very glad that you have to deal with minimum distance separations and that the number of animals has to be accounted for and that sort of thing. If you're the hog producer, you're thinking, "Why am I going through all this paperwork? Because all I want to do is build a barn

on my farm, and I should be able to do that.” So it depends a lot on where you stand in that situation.

**The Vice-Chair (Mr. Joe Dickson):** Yes, Mr. Pettapiece.

**Mr. Randy Pettapiece:** Good morning. I agree with what you’ve just said. I think farmers want to produce safe food and be accountable for what they produce. I can understand that, and the example you gave about the chickens is a very, very good example. I think what my colleague was talking about, unnecessary paperwork, where I think it takes—a farmer has to deal with five different agencies, I think, to build a barn these days. A lot of the questions are the same, and that’s the type of thing that we would like to see change a little bit.

With Agricorp, would it be possible—what are your thoughts of OMAF taking on that responsibility, where you could just go to OMAF and get all this paperwork done instead of having to go here, there and everywhere? Do you think OMAF could handle something like that?

**Mrs. Maria Van Bommel:** I think certainly within the staff of OMAF we have experts who deal in certain commodities, and they have that expertise that would certainly assist in that kind of thing. It would be nice if it was all under one umbrella; I do agree with that. It’s not an Agricorp issue, though, okay? We’re talking now just about the general process of the regulations that all farmers have to deal with.

Again, it’s a very complex situation. We can say that farmers feel that they have too much red tape to deal with, but if you’re a consumer and, even as a farmer—I’m going to go back and deal with this as a farmer. Our farm is near Grand Bend, so we’re on the lake. If somebody says that the beach has been closed because of contamination and it’s coming from farms, I’d like to be able to defend myself and say, “It can’t be my farm, because I have this, this, this and this.” I can tell you where my manure is going; I can tell you exactly what happens with the water that we have on our farm. But you have to have the evidence, right? It’s nice to say, but you need the evidence.

A lot of times we talk about—and farmers feel that there is too much paperwork, and, like I said, I think we can certainly try to bring some of that underneath one umbrella. But, in some ways, as a farmer, especially if you are a young farmer like my son, and you want to grow your business, you need to be able to defend yourself in the case of somebody coming to you and saying, “You just did this or that, and that destroyed the environment.”

**Mr. Randy Pettapiece:** Oh, I can quite agree with that. Like I say, the example on the chickens is fine, but I just think that sometimes the amount of bureaucracy that farmers and businessmen—not just farmers, but other businessmen, too—have to deal with can be overwhelming sometimes.

I like your example of proving things. My son is a police officer, and he had to take some special training for a job he has moved into. He had to take psychological tests and psychiatry and all that. But there’s a good thing

about that: He has a paper trail, because he says he’s the only one in the family who has a paper saying he’s sane. So he has that paper trail.

Anyway, go ahead.

**Ms. Lisa M. Thompson:** Very good. Maria, welcome. It’s nice to see you.

**Mrs. Maria Van Bommel:** Hi. How are you?

**Ms. Lisa M. Thompson:** Very well. Thank you. I really appreciate the fact that you recognize that the biggest challenge right now in front of Agricorp is the issue that’s been generated through the recovery of overpayments. I appreciate that.

As you know, in western Ontario, the weather has been sketchy this year, at best. I’m wondering, given that risk management is also under Agricorp’s purview, if you will, what are you hearing, and, as a director, what will you do in terms of advocating on behalf of the farmers about the cap that was put in place on risk management after the 2011 election? Because you and I both know the cap is a joke, and I’d be interested in your opinion.

**Mrs. Maria Van Bommel:** I think certainly a cap is very difficult for especially a larger operator, and I did hear from farmers who simply withdrew from the program because they felt that the cap was a disadvantage to them. They, at some point—because they have to also pay premiums in—felt that just by taking those premiums, they could self-insure. So I did have farmers tell me that that’s what they had done, because they felt the cap was going to be a disadvantage to them.

**1100**

In terms of what’s happening in our area, yes, we’ve had a lot of rain in areas. We went through Mr. Pettapiece’s area of Perth just this past weekend on our way further north. The wheat is off in our area even though—there is fusarium, which is a mould that affects the quality, so farmers are not getting the yields; they’re not having the quality. In Mr. Pettapiece’s area, a lot of it is still standing; they can’t get on the ground at all. Water is standing in the fields. Nobody can put a combine in there, so that’s not even coming off.

**The Vice-Chair (Mr. Joe Dickson):** One minute.

**Mrs. Maria Van Bommel:** So there are issues there as well. Then, further north is fine. It’s really dicey this year.

I think one of the other things that’s going to have an impact is the crop report from the US, where they’re saying they’re going to have a bumper crop—the best crop of corn they’ve ever had. That will have a downward pressure on the price of corn, so there will be higher demand on the whole business risk management program. I think there will be farmers who will be making claims either because they didn’t get their crops off—they will be looking at crop insurance, and they will be looking at a way to support the price, because I think the prices are going down.

**Ms. Lisa M. Thompson:** Do you anticipate that you’ll be receiving a lot of lobbying, given your past involvement with OFA—

**Mrs. Maria Van Bommel:** Oh, yes, of course.

**Ms. Lisa M. Thompson:**—and being a member of the Legislature—

**Mrs. Maria Van Bommel:** Farmers do.

**Ms. Lisa M. Thompson:** Yes.

**Mrs. Maria Van Bommel:** Farmers are good lobbyists, and they're well-spoken. They know their commodities. This is a very diverse province—

**The Vice-Chair (Mr. Joe Dickson):** That concludes the time allocated for this interview. Mrs. Van Bommel, thank you very much.

**Mrs. Maria Van Bommel:** Thank you, Chair.

**The Vice-Chair (Mr. Joe Dickson):** You may step down—

**Miss Monique Taylor:** Third party, Chair. We're still here. We've actually grown, Chair. Sorry.

**Mr. Paul Miller:** We've grown, Joe.

**The Vice-Chair (Mr. Joe Dickson):** Funny; I was just thinking of a way I could help you.

**Mr. Paul Miller:** I'm sure you were. Thanks.

**The Vice-Chair (Mr. Joe Dickson):** I'm glad you brought that up. What we will do is we will continue with the third party, and we will keep Mrs. Van Bommel here. I wanted to make sure I not only could spell her name but could pronounce it correctly as well.

Please proceed, either Mr. Miller or Miss Taylor.

**Mr. Paul Miller:** Thank you, Maria, for coming.

**Mrs. Maria Van Bommel:** How are you, Mr. Miller?

**Mr. Paul Miller:** Good.

I have direction here—sometimes I wonder about the questions, but they make me do these things. One of them is, obviously you're still a member of the Liberal Party—that would be a given.

I must say that I'm obviously impressed with your background in agriculture and farming. Certainly, you bring a lot to the table in reference to—I'm a firm believer that you have to be in the trenches to know something and to know the direction that the farming community would like the government to take. That's a given; you certainly have an unbounded amount of experience, and I'm impressed with that.

However, we have to ask the difficult questions, of course—

**Mrs. Maria Van Bommel:** This is the "but."

**Mr. Paul Miller:** We saw that you went on the site and saw the job opening. Did you have any discussions with the Premier about this position at all?

**Mrs. Maria Van Bommel:** No.

**Mr. Paul Miller:** None?

**Mrs. Maria Van Bommel:** No.

**Mr. Paul Miller:** Okay. Being a former minister and in the Liberal government, do you feel that her being the minister will have any negative impact or any direction from her on your decision-making in that capacity?

**Mrs. Maria Van Bommel:** No. And I wasn't a minister. I was—

**Mr. Paul Miller:** A PA; sorry.

**Mrs. Maria Van Bommel:** Yes.

**Mr. Paul Miller:** Do you feel that will have any impact on the direction you take if, say, Premier Wynne

wanted you to go in a certain direction or wanted them to?

**Mrs. Maria Van Bommel:** No. What the Agricorp board does is oversee the administration of risk management programs and such. It's about the customer service. I talked about the auditor's report of 2008. All of us in rural ridings had the issue of farmers coming to us and complaining about Agricorp and saying that their customer service was terrible, that people couldn't get payments on time; that when the payments were made, there were bad calculations done; and that they were constantly appealing. Those are the kinds of things that the board of directors oversees: to make sure that the programs are delivered in a timely way and that the farmers get accurate payments so we don't get the overpayment issue that we're faced with right now.

**Mr. Paul Miller:** Over the years, I've dealt with some of the farming community myself, and certainly some of their problems were the red tape at government levels, plus the environmental challenges on the farm in reference to waste disposal and also runoffs from wells and things into the aqueducts and things.

You obviously have yours well managed, your own personal farm. Do you feel that the environment commission and the Ministry of the Environment should be stronger in those areas, or do you think they've gone too far and that it has—how would I put it?—tied the hands of some of the farming community in reference to their functioning?

**Mrs. Maria Van Bommel:** That's a very good question. I look at our own farm situation: My son and his family are there, so I have three grandchildren who drink from that farm well. Definitely, you want the environmental safeguards in place, and our son would do that—I mean, it's his children. I think every farmer is of the same mind. Environmentally, we want to protect our families. We're not out there trying to destroy the aquifers or destroy the soil. The soil is what gives us our income. We want to deliver a healthy animal. We deliver a healthy chicken, a bird—we call them birds.

**Mr. Paul Miller:** A happy bird.

**Mrs. Maria Van Bommel:** A healthy bird—because we eat them too. Our chicken comes from our barns.

**Mr. Paul Miller:** In reference to your comment on the Van Bommel chicken, I really don't have a problem with the chicken. It's when it gets there—some of the people may have problems with the additives that go into the chicken and the end result. I think some of the reports I've seen—

**Mrs. Maria Van Bommel:** I think that you need to go to the Ontario chicken farmers' website and learn about what really goes into the chicken. The regulations around what goes into chicken in Ontario and in Canada are quite different than what goes on in the United States. That is because we have supply management, and I'm going to bang that drum a bit. Under supply management, the farmers have the security of income that allows them to not have to force a bird to grow. There are no growth hormones going into birds in Canada. As commodities,

we have a lot of work ahead of us to make sure that people understand that our chicken is different from other chicken that comes into the system.

**Mr. Paul Miller:** My final question would be, obviously being a former MPP, do you think that had any influence on the appointment, to move it along or put you in a position of advantage on the appointment?

**Mrs. Maria Van Bommel:** No, actually. I applied, as I said, last fall. I took a year to kind of centre myself a bit. I applied last fall because I still want to do something and contribute. The appointment is for about 16 to 20 days a year. If I can't stand on my own two feet and qualify for that with my own background—I don't do that kind of thing, and you know that, Mr. Miller. I don't do those kinds of things. That's the farmer in me. We stand on our own feet.

**Mr. Paul Miller:** I like to hear that. That's good—something like a Hamiltonian. I like that. Okay, thank you.

**The Vice-Chair (Mr. Joe Dickson):** Miss Taylor.

**Miss Monique Taylor:** You had mentioned that you felt agriculture was not represented well in previous years. As we know, the Premier has decided that she's going to be the minister under that portfolio. How do you feel that it's being represented these days? Are you satisfied that she's the minister? Do you have an opinion on that? Coming back into a government role of sorts, under this agency, how do you feel?

**Mrs. Maria Van Bommel:** Before the Premier was Premier or Minister of Agriculture, she participated in a program that the Liberal caucus had, which was called Agriculture 101. That, essentially, was the rural members bringing the urban members out to the farms and introducing them, by tours, to the different kinds of commodities and showing them each year a different program of different commodities. The Premier participated in those every time. I always found—alphabetically, she and I sat in a room together when we were first elected in 2003. She's very inquisitive. She has a great curiosity about things and she has a quick mind.

1110

I'm not at all concerned. I know, from talking to farmers in my communities and my contacts with the different organizations, that they are quite happy with having the Premier as the Minister of Agriculture. They feel that that has given them an extra lift in terms of priority.

**Miss Monique Taylor:** So you feel confident enough that when there are issues within Agricorp, you will be able to be forthright with the Premier and telling her the things that are wrong, or the minister—

**Mrs. Maria Van Bommel:** I'm always forthright. Have five kids and see how that works if you're not. I've always been forthright. Actually, as a member of the board, I won't be talking to the Premier anyway. That's the chair's role. I may contribute in conversations to the chair, but I have no role in talking to the Premier or to the Minister of Agriculture as a part-time member of a board.

**Miss Monique Taylor:** All right. That's it.

**The Vice-Chair (Mr. Joe Dickson):** Thank you. We have one minute left if you would like to—

**Mr. Mike Colle:** Can I ask my question?

**Mr. Paul Miller:** You can have my minute.

**Miss Monique Taylor:** No, no, no, we can't, because I wasn't able to last time.

**The Vice-Chair (Mr. Joe Dickson):** What I would like to do in the one minute is just clarify a couple of things. You were given a one-minute notice on the question. You ran out of time in asking the question so I had to end it there, unfortunately.

*Interjection.*

**The Vice-Chair (Mr. Joe Dickson):** No; I have the floor. Thank you.

The other thing is, perhaps in the future, even though you turned down the time, an option may be to make an exception by unanimous consent. We could entertain that even though the rule says, "No; it's over. It's over." But I think there's an option there that we could look at if we do run into that situation again.

**Mr. Paul Miller:** I vote for one minute for Mr. Colle.

**The Vice-Chair (Mr. Joe Dickson):** That's, unfortunately, not qualified.

I'd like to thank you very much, Ms. Van Bommel. I hope I pronounced it right.

**Mrs. Maria Van Bommel:** You did; thank you.

**The Vice-Chair (Mr. Joe Dickson):** This concludes your time. We'd like to thank you very, very much for your presentation this morning. I think if I said anything else I might get into trouble, so I'll just say I hope you have a wonderful day.

**Mrs. Maria Van Bommel:** Thank you very much, and I want to thank all of you. It may seem strange, but I had fun.

**The Vice-Chair (Mr. Joe Dickson):** Thank you.

#### MR. PHILIP OLSSON

Review of intended appointment, selected by official opposition and third party: Philip Olsson, intended appointee as member and chair, Ontario Lottery and Gaming Corp.

**The Vice-Chair (Mr. Joe Dickson):** Fellow members, our next intended appointee today is Philip Olsson, nominated as member and chair of the Ontario Lottery and Gaming Corp. Please come forward and take a seat—you're already two steps ahead of me—at the table. Welcome. Thank you very much for being here. You may begin with a brief statement if you wish. Members of each party will then have 10 minutes to ask questions. Any time used by your statement will be deducted from the government's time for questions. On completion of your statement, sir, we will commence questioning with the official opposition. Thank you very much, good morning, and welcome.

**Mr. Philip Olsson:** Thank you, Mr. Chair. I have copies of my remarks, if you wish. Should I proceed?

**The Vice-Chair (Mr. Joe Dickson):** Thank you. You may commence.

**Mr. Philip Olsson:** Okay; thank you very much. I have a fairly brief statement. I have appeared before the committee on four previous occasions in connection with the LCBO, which I presently chair. Two of those appearances were in connection with proposed appointments and two were in connection with agency reviews. These experiences have led me to respect the work of this committee and its members, and I was struck again this morning by how much interesting information you can learn just by attending these meetings. I would also like to thank the committee for scheduling this interview at your first meeting after my appointment was proposed.

I'll do this in two parts. First, I'll review the qualifications I bring from the private sector.

I've worked in the financial industry for over 35 years as a commercial banker, an investment banker, a merchant banker, a venture capitalist and a private client portfolio manager. For 11 years, I've been a partner in a firm which manages over \$600 million for individual clients. I see the world as an investor, as a shareholder or as a potential shareholder. I evaluate managements on their ability to generate returns on capital, and I often actively work with managements to improve those returns.

I have learned how important it is to diligently oversee any enterprise which employs the capital of shareholders, whether those shareholders are individuals, institutions or government. This oversight, or corporate governance, is the responsibility of an organization's board members. I bring considerable experience in this area. Over the past 20 years, I've served as a director of 10 significant for-profit enterprises. I've served as chair of boards, audit committees and compensation committees. In my career, I have often been responsible for many relationships with chairs, CEOs and boards of directors.

That's a quick overview of my business experience, but it's probably more important to review my performance as chair of a large government agency in Ontario. As you know, I've served as the LCBO's first non-executive chair since March 2007. In the three years before that, I was vice-chair and then acting chair and CEO. Here's a summary of my record.

We're well aware that the LCBO is a highly profitable government enterprise. In the fiscal year ended March 2007, the LCBO dividend to the province was \$1.279 billion. Six years later, the dividend transferred this past spring was \$1.7 billion, an increase of \$423 million, or 33%. I do not take credit for the LCBO's record-breaking financial performance. That credit belongs to an innovative management team led by CEO Bob Peter and the 7,000-plus dedicated LCBO employees.

In addition to careful oversight over those years, some of the accomplishments that I and an outstanding LCBO board can take credit for are, most importantly, we have ensured that the LCBO's financial results are never achieved at the cost of social responsibility. I've worked hard to see that the board and employees never lose sight of this core value while pursuing continuous improvement. This commitment to social responsibility is certainly no less important in gaming than in beverage alcohol.

As evidence of our commitment to social responsibility, during 2012-13, LCBO retail staff challenged 7.8 million people who appeared under age, intoxicated or were suspected of purchasing for a minor or an intoxicated person. More than 322,000 were refused service; 84% of those refusals were for reasons of age.

Second, after recruiting a highly qualified board, we spent over a year modernizing the governance structure of the LCBO in 2005. This led to the passage of a new Liquor Control Act on December 6, 2006. The LCBO is now considered by many as a leader in governance among Canada's government-owned agencies.

Notwithstanding our growing dividend to the province, I worked with the LCBO's management and government to significantly increase the capital delegated to our store development program. We opened 30 new and enlarged stores last year and will open some 30 more this fiscal year, the most in its 86-year history. These have made a significant contribution to our profitability as well as enhanced customer service and our efforts to promote domestic suppliers, most notably VQA wines and Ontario craft beers.

These are some accomplishments which I believe illustrate my ability to improve the performance of a large, high-profile crown corporation. Underlying the successes we've had at the LCBO is a willingness to work with, consult with and consider the needs of many constituencies: customers, employees, vendors, social responsibility advocates, organized labour, management, the media and, of course, government.

The OLG has mapped out a thoughtful and comprehensive renewal program which the Premier has re-emphasized her commitment to. It will affect many parties, not all of whom will share the same objectives. I believe that an OLG chair with an open and consultative approach is absolutely essential to succeeding in this ambitious undertaking. I respect the committee's ability to consider whether I bring the necessary mix of public sector leadership, sound governance and experience in generating provincial revenues in a socially responsible manner. I hope you will find in my favour, and would consider it a great honour to serve the province as chair of the OLG. Thank you.

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**The Vice-Chair (Mr. Joe Dickson):** Thank you very much, Mr. Olsson. We will now go to the official opposition for 10 minutes, commencing with Mr. McDonell. Thank you.

**Mr. Jim McDonell:** Yes, thank you.

Thank you for appearing today. Certainly there's been a lot in the news over the last number of months about the OLG's plan in Toronto and the modernization plan. Do you have any comment on that, or could you talk about the possibility of bringing some of the private expertise into the field that, of course, has been very successful around the world?

**Mr. Philip Olsson:** Well, the basis for the modernization program, in fact, is to improve the customer experience and returns to the province through bringing

in the private sector to be operator and moving the OLG into the role of supervisor and responsible for what's called conduct in management, which is what the Criminal Code requires us to do.

As far as Toronto goes, it has been a principle of the modernization program that a community must welcome new gaming sites in their area if they are to be proposed. Toronto city council has decided that they don't want to see new gaming sites and that the slot facility at Woodbine, which is in the city of Toronto, would not be expanded, so we respect that, and unless council were to change its view, that's where it will have to stand.

Does that answer the question?

**Mr. Jim McDonell:** Sure.

Do you have any questions?

**Mr. Randy Pettapiece:** Yes. Thank you for appearing here today. I'm from the country, rural Ontario, and the devastating news that came down in a previous budget was when they got rid of the Slots at Racetracks Program. You can look at the figures: 30,000 to 50,000 people were affected by this decision. It put horse racing virtually out of business. In fact, even with the report that just came out by the new panel, it's pretty well put the death nail into the coffin of the horse racing business.

I'm speaking from owners of horses; I'm speaking from the people that work there. Nothing is going to fix this thing or help the horse racing industry unless we go back to a system similar to what we had before. Can I get your thoughts on that?

**Mr. Philip Olsson:** Well, my knowledge, of course, is limited to public information, but I have, not surprisingly, received a number of phone calls from people who wish to point out things to me. I haven't engaged anyone in discussions.

I think the former program was flawed in the sense that the 20% which was allocated—10% to purses and 10% to improvement of the breeding program—was not being well spent in every case, but it had created a lot of employment, and I take your point as very relevant.

The termination of the program was abrupt. The Premier recognized that and put in place the transition panel, composed of three former ministers.

Now, I haven't heard from everyone, but I have reviewed the press, and I'd like to learn more from you or others you might recommend, because my impression has been that it has received considerable favour, at least among some sectors of the—

**Interjection:** Horses are being shipped to the United States.

**Mr. Philip Olsson:** Sorry?

**Mr. Randy Pettapiece:** Go ahead. Finish your comments, please.

**Mr. Philip Olsson:** So I guess I need to learn more about that.

**Mr. Randy Pettapiece:** Yes. I don't want to get into an argument about the panel, what they've done and whatever else, but one of the comments was that the whole thing did not address the owners of the horses themselves. That's a comment I got from a horse owner:

There's nothing in there about ownership of a horse or the owners of a horse. However, I think I have to agree with you: There were some flaws in the way it was set up before.

Any of the horse people I've talked to—I've talked to racehorse drivers; we have them in my community, in my riding—had wished somebody had come to them and said, "We want to change the system. Would you please come and consult with us?" We would have done that. They didn't. They just said, "Bang-o, you're gone." Unfortunately, it just devastated—devastated—the horse racing business in Ontario.

I would hope, sir, that if your application is successful, we don't have to go through something like this again. I believe that any policy that a government wants to pursue should be thought out a little bit clearly before it's done. I would hope, sir—I hope I'm phrasing this right—you would have some influence on that if you are appointed to this position: that if you see any government that happens to be going off a little left or right or centre or wherever they're going, that you might be able to advise them a little bit, "Just think about what you're doing." This was just a terrible, terrible thing that happened in rural Ontario.

**Mr. Philip Olsson:** I can't defend the lack of consultation. Obviously, it's recognized that it was done precipitously because the transition panel and other steps were taken.

I'm not sure I would agree with the statement that there's nothing there for the owners, because, in fact, the whole basis of the program is to provide matching market purses to what the public is willing to wager. If it's not addressing the needs of the owners, it's certainly missing the mark, because it's certainly intended to do that. I can't defend it because I wasn't part of it.

I do take your point that it has to be done—it's a very important constituency. I actually live in a rural area myself, and I'm aware of what it has done. In fact, my local farmer was telling me about what has happened to his hay orders since the program, so I'm personally aware of it. I can only give you a commitment that I will be as consultative as I can possibly be and in trying to influence it.

**Mr. Randy Pettapiece:** Okay, I appreciate that. I just got this comment from a horse owner that he was a little bit disappointed with that.

Anyway, go ahead.

**The Vice-Chair (Mr. Joe Dickson):** Ms. Thompson.

**Ms. Lisa M. Thompson:** Thank you, Chair. We all know that OLG has had a wholesale change at the board level. Given your involvement at LCBO and now the appointment that we're considering in front of us today, do you think that this is a partisan appointment and you'll be expected to do the bidding of the Premier?

**Mr. Philip Olsson:** One of the reasons I think I was successful at the LCBO was that I never forgot that our shareholder is the government and public policy enters into it as well as financial returns and other things. But when you're a director of a company, whether it's public-

ly or privately owned, your duty is to the corporation. Over the years, initiatives would come forward, political or otherwise, that I felt were unwise, and in almost every case, I was able to persuade the government that this was not in the public's interest.

Ultimately, anybody in this job serves at the pleasure of the Premier, because it's a Premier's appointment, but I haven't experienced the operation of a government agency, in the case of the LCBO—and I don't think the OLG would be any different—as simply doing what the Premier tells you to do. She supports the modernization program, and that was submitted to cabinet and approved. I don't expect, nor would I willingly accept, micromanagement of what we do.

**Ms. Lisa M. Thompson:** Okay, very good. One last question—

**The Vice-Chair (Mr. Joe Dickson):** You have one minute.

**Ms. Lisa M. Thompson:** Okay. You mentioned in your comments, “OLG has mapped out a thoughtful and comprehensive renewal program...” Just this past week, a performer by the name of Ke\$ha performed at the Windsor Casino. The reviews were absolutely horrible. It was an all-ages show. Parents were saying how they were absolutely disturbed by the content of the songs and her behaviour. Is this a type of investment and offering the province should be giving through our casinos?

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**Mr. Philip Olsson:** I don't think the province or OLG has been or will be setting the performance agenda for casinos any more than we would for the Air Canada Centre or anything else.

I heard the story. In fact, I know Ke\$ha, as a recording artist, and it's a pretty risky proposition to put her on stage. What kids were doing in that show I can't possibly imagine, and it certainly wasn't ever suitable for them. I don't see that as an OLG policy matter.

**The Vice-Chair (Mr. Joe Dickson):** We will now move to the third party for 10 minutes. Mr. Miller or Miss Taylor.

**Mr. Paul Miller:** Good morning, Mr. Olsson. I'm the guy who gets to ask the tough questions.

**Mr. Philip Olsson:** But you're asking them this time, right?

**Mr. Paul Miller:** Have you ever donated to the Liberal Party and are you a card-carrying Liberal member?

**Mr. Philip Olsson:** I am a card-carrying Liberal member. I've been a member of the Liberal Party of Ontario since I moved back from Alberta in 1992. I was, prior to my appointment to the LCBO, a fundraiser for the party, as you probably know. I have not raised any money for the party since. In designing the ethics rules, the Legislature thoughtfully allowed people to continue to give to parties, so I have been donating to the party.

**Mr. Paul Miller:** Okay, that's all. We touched on the slots program. I think you were a little off when you said that it's 20%. It was actually 25%, and 10% went to the

racetrack, 10% went to the race owners and 5% went to the community.

**Mr. Philip Olsson:** Yes, that's correct.

**Mr. Paul Miller:** Anyways, just to correct that. No tracks were losing money. They just weren't making as much as the government would have liked to have made.

What's your opinion on the cancellation of the program? Do you think that was the right thing to do at the time? How's your opinion on the meagre amount of \$50 million they've put in the transition costs for changing the industry?

**Mr. Philip Olsson:** I haven't had access to the numbers, to the analysis that was used to arrive at that. I think I've already said to the official opposition question that I thought the change in the program was abrupt. I think I agreed with the statement that it could have been better analyzed; it could have been consultative. But I will also point out that this Premier has said it's time to reboot here, and put in the transition panel to figure it out.

I thought it was overly generous before. It was clear that a lot of purses were being awarded without really improving the breeding, and that a lot of money was being retained by racetracks and their management or their owners and not necessarily improving the racing program. I think we want to move away from that. Whether this program will be accepted in its present form, I can't say. I certainly would expect to be influential in that.

**Mr. Paul Miller:** Okay. As you know, the slots are still there and there are going to be more of them. Certainly, it moves the people away from the betting scenario on the horses. A lot of them end up downstairs at the slot machines as opposed to where they used to be.

Originally, this was a signed agreement between the race industry and the government. It was an agreement, a contract that was signed. The government of the day—and it continues to say it wasn't a contract. They're saying it was their deal. I really have a problem with that.

How will you handle any future negotiations with the racetrack industry, and will you, as the head of the OLG, renege on any decisions that are made with the racetrack industry and the owners?

**Mr. Philip Olsson:** I guess this wouldn't be a surprise to you. It's news to me that there was a formal agreement.

**Mr. Paul Miller:** There was.

**Mr. Philip Olsson:** The program was changed; it needed to be changed. It could have been changed a different way; I think I've said that. There are now agreements in principle in place with every track—

**Mr. Paul Miller:** Not to their liking, I might add.

**Mr. Philip Olsson:** Well, contracts are a matter of negotiation, so I wouldn't be surprised if anyone is happy about having somewhat less income than they had before, but I don't believe the former program was working properly.

**Mr. Paul Miller:** Well, it's very expensive to have horses. It's very expensive for feed. It's very expensive

for training. It's very expensive for all the staff you require to run a breeding farm. Also, a lot of our top breeders have now left the province and have gone to New York state, and they are continuing to exit on a regular basis. How are you going to stop that?

**Mr. Philip Olsson:** I can't specifically answer that question. I can say this, though: While we may have lost some breeders to other places, we were getting—because the purses were so rich before—horses and not the best horses from Europe to access the rich purses in Ontario. So I still would stand by the statement that the program was unduly generous and needed to be changed.

**Mr. Paul Miller:** My next question would be in reference to—you have quite a resumé on banking and financial handling, which is impressive. At the Liquor Control Board, you would have dealt with unions, and now you're going to have to deal with unions at OLG. They're unionized, some of their area and staff. What has been your personal relationship with unions? How do you feel about unions? Do you feel that you're going to be able to work with them in the future in a good manner?

**Mr. Philip Olsson:** I'm a supporter of organized labour, and I always have been. I've always said that managements get the unions they deserve. Our relationship with OPSEU—and before that with the local union, which merged into OPSEU—has been constructive, although the contracts have been very vigorously negotiated. I have no problems with dealing with organized labour.

**Mr. Paul Miller:** Thank you.

Do you have any questions?

**Miss Monique Taylor:** Yes, I do. What motivated you to take this position? Were you asked specifically to take this position?

**Mr. Philip Olsson:** Yes. I was asked more than once to take this position.

**Miss Monique Taylor:** By whom?

**Mr. Philip Olsson:** Well, finally, by the Premier.

**Miss Monique Taylor:** Okay. And the reasoning behind that? I mean, you were doing a job already with one of our largest corporations within this province, and to take you away from that corporation and put you into a corporation that is at risk and there is a lot of trouble going on—what would motivate you to want this position?

**Mr. Philip Olsson:** As I said, I originally said no. I was quite happy at the LCBO. Finally, I was prevailed on to do this as I guess it appeals to my sense of public service, and I enjoy dealing with constituencies and trying to find a route that can deal with everyone's concerns to the extent it's possible.

**Miss Monique Taylor:** So you're willing to work better with municipalities than the previous corporations about their wants and their choices of having the casinos and racetracks?

**Mr. Philip Olsson:** I think it varies a lot by municipality, but there are some frictions there that I need to understand better.

**Miss Monique Taylor:** And what are your thoughts on the privatization of a lot of these casinos and the US trying to break into our system and taking a lot of our customers and taking our money out of the country, out of the province?

**Mr. Philip Olsson:** The majority of the money would stay here with the government, and we would be incenting people to operate the casinos.

**Miss Monique Taylor:** Sorry. So you're in favour of privatization if the money stays in the province?

**Mr. Philip Olsson:** I'm in favour of the modernization plan, which proposes that facilities will be managed by third parties. By the way, we have some very large Canadian operators, which would presumably be successful in many cases as well. But the majority of the money stays with the province as the owner of the rights.

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**Mr. Paul Miller:** Okay, I guess one quick question. In the transition period, if things move and are moving—they have been moving—in the privatization direction, you realize that that certainly would be an attack on unions and these new owners could certainly try to deregulate the unions or suspend their agreement. Are you going to support the union position for the new owners in the transition period? Are you going to be in their corner or are you going to be in the private sector's corner?

**Mr. Philip Olsson:** I don't have to be in either corner. I think unions can organize wherever they wish, irrespective of who owns the facility.

**Mr. Paul Miller:** With 51% of the vote, and there has been interference with that.

**The Vice-Chair (Mr. Joe Dickson):** Now we'll go to the government, who will have four minutes and 30 seconds.

**Mr. Mike Colle:** Mr. Olsson, in Toronto we had quite a council meeting whereby they decided that they didn't want a casino in Toronto in the downtown, but in the activities that day the council also, in a very hurried fashion, defeated the proposal to expand the casino at Woodbine. I just want to know, if you are appointed chair, whether you would entertain a new resolution from city of Toronto council that supported the expansion of the casino at Woodbine.

**Mr. Philip Olsson:** If that was the wish of city council, we would consider that. Woodbine is a designated gaming zone and could have been considered for a casino or other gaming facilities prior to the vote of council.

**Mr. Mike Colle:** So you are open to listening to the will of council if they do choose to reopen the issue.

**Mr. Philip Olsson:** Absolutely. It wasn't our decision; it was council's.

**Mr. Mike Colle:** Okay.

The second question I have: In terms of the Ontario Lottery and Gaming Corp., one of the things that I see as a gap is that the public sometimes doesn't have enough information in terms of where those dollars that the alcohol and gaming commission receives through the activities and that are returned to the government go once

they are received through lotteries, through casinos, through horseracing, whatever it is.

Can you think of better ways, or will you look into better ways, of ensuring the public has better information in terms of where those revenues go?

**Mr. Philip Olsson:** It's fully disclosed, but I admit that it's hard to follow because some goes to responsible gambling, some goes to the OFNLP, some goes to the Trillium Foundation, and the rest goes into the general fund. I take your point that we could do a much better job at that.

I also will continue the campaign that I exercised throughout my time at the LCBO to convince the minister to table our annual report in the Legislature in a timely way. I was never successful at the LCBO. We'll see if I can be successful at OLG.

**Mr. Mike Colle:** And what about more specific arrangements in terms of dedicated sources for revenues from gaming; in other words, project-specific revenues? Let's say there's a proposal at one point to help pay for some of the transit investment in Toronto, or let's say a community wanted to build a hospital or some other public institution where there would be a direct correlation with the revenues received from that community, from their gaming venues or activities, that would be dedicated towards specific projects. Don't you think that might be one thing that's worth looking into so the public sees a direct correlation between the gaming revenues and where those dollars end up?

**Mr. Philip Olsson:** Well, that's what the Trillium Foundation was originally intended to do.

I won't be taking a position on how the government should spend the money. That's outside my mandate and the mandate of the board.

**Mr. Mike Colle:** Okay. A question from my colleague.

**Mrs. Laura Albanese:** It's Phil McNeely who had a question.

**The Vice-Chair (Mr. Joe Dickson):** Thank you. That will conclude the time allocated for this interview.

**Mr. Phil McNeely:** Thank you, Chair.

**The Vice-Chair (Mr. Joe Dickson):** No favouritism.

**Mr. Philip Olsson:** I'll answer it privately, Phil.

**The Vice-Chair (Mr. Joe Dickson):** Thank you very much, Mr. Olsson. You may step down. We appreciate you appearing before us, sir.

**Mr. Philip Olsson:** Thank you.

#### MR. EDWARD WAITZER

Review of intended appointment, selected by official opposition party and third party: Edward Waitzer, intended appointee as member and chair, Liquor Control Board of Ontario.

**The Vice-Chair (Mr. Joe Dickson):** Our next intended appointee today is Edward Waitzer, nominated as member and chair of the Liquor Control Board of Ontario. Please come forward and take a seat at the table. Welcome. Thank you very much for being here.

You may begin with a brief statement, if you wish. Members of each party will then have 10 minutes to ask you questions. Any time used for your statement will be deducted from the government's time for questions. When we do commence the questions, they will commence with the third party.

The floor is yours, sir. Welcome.

**Mr. Edward Waitzer:** Thank you, Mr. Vice-Chair, and thank you, all of you, for giving me this opportunity to be here today. The last time I appeared before this committee was almost exactly 20 years ago. At the time, I considered the opportunity for public service to be an important one and, indeed, one that I couldn't really say no to. That belief has only been reinforced over the last 20 years.

I don't propose to spend a lot of time on my credentials. I'd rather respond to any questions that committee members have. I have brought along a copy of my resumé or whatever it is, so if you want it, you're welcome to it.

As a lawyer and more recently as an academic, my practice, my research, my teaching has focused on complex business transactions, public policy and governance issues. My experience as a manager has spanned the Toronto Stock Exchange; the Ontario Securities Commission, where I was appointed by Premier Rae and continued to serve under Premier Harris; and my law firm. In addition to advising on teaching and studying issues relating to institutional governance and accountability, I've served on many for-profit and not-for-profit boards over the years.

Unlike my predecessor, I'm not graduating from a board position to the role of chair, so my knowledge of the LCBO is based on time spent with Phil and with Bob Peter, the excellent briefing materials prepared by LCBO staff that I'm working through, and my own research.

As all of you know, a little bit of knowledge can be dangerous, so you'll excuse me if I don't volunteer opinions on issues in respect of which I simply don't have sufficient expertise to provide an informed answer or view. I'm certainly happy to get back to you on any of those issues.

I will, however, say that based on my own limited interaction with the LCBO leadership as well as my experience as a customer, I've been left singularly impressed with the organization and its core values: social responsibility, good governance and management, continuous improvement, and a commitment to serve its customers and the interests of this province both as a generator of revenues and an instrument to advance public policy objectives. I hope I'll be able to continue to contribute in some small way to an already strong enterprise and culture and, in doing so, serve the public interest.

I'd welcome any questions on my suitability for this appointment.

**The Vice-Chair (Mr. Joe Dickson):** Thank you very much. We will go to questioning from the third party. Mr. Miller or Miss Taylor?

**Miss Monique Taylor:** Thank you, Chair. Good morning, Edward. Thank you for being here with us today.

I'm going to play bad guy today. Are you a card-carrying Liberal member, or have you made any donations to the Liberal Party?

**Mr. Edward Waitzer:** I'm not a member of any political party. I've made small donations, I think, to each of the parties at various times, with respect to individual candidates.

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**Miss Monique Taylor:** And what led you to this role of—the appointment for the chair today?

**Mr. Edward Waitzer:** I'm sorry?

**Miss Monique Taylor:** And what led you to this appointment today?

**Mr. Edward Waitzer:** I was asked.

**Miss Monique Taylor:** By whom? It can't be that hard of a question.

**Mr. Edward Waitzer:** No, I'm trying to think of the sequence of events, but I think the ask came from Monique Smith. It was either Peter Wallace or Monique Smith.

**Miss Monique Taylor:** So it was from a former cabinet minister.

**Mr. Edward Waitzer:** I know Peter Wallace because he and I have interacted over the years and he's asked me at various times about public service, and I can't recall whether the specific request to consider this appointment came from Peter or from Monique, but I'm pretty sure it was from Monique Smith.

**Miss Monique Taylor:** Okay. What do you believe that your working relationship will be within a unionized workforce?

**Mr. Edward Waitzer:** The unionized workforce is obviously a very important part of the LCBO. We could have a long discussion about this. I guess the short answer would be for a whole variety of reasons, I think collective action is increasingly important in our society and in our governing structures today. So I have a very high regard for the role of collective labour.

**Miss Monique Taylor:** Okay. As you know, we just came through a contract not that long ago where we were pretty much at the 11th hour of a striking position from the union, and I believe a lot of that had to do with the large portion of part-time workers within the LCBO. What are your thoughts on that? I believe some were moved, a very small portion were moved, but what do you feel about the future of that, and do you think that a part-time workforce is the way to continue? Or is that something that you believe that you would be working towards fulfilling into full-time positions?

**Mr. Edward Waitzer:** We're now getting into the range of a little bit of knowledge being dangerous. I simply don't have enough knowledge about the LCBO to give you an informed response to that question.

**Miss Monique Taylor:** You're taking on a chair position, are you not?

**Mr. Edward Waitzer:** Yes, I am.

**Miss Monique Taylor:** That's a big position. These are serious questions about what's going to happen with the workforce within the LCBO, so I hope that you do take the time to make sure that you do become familiarized with the issues that are in front of that board. When it comes to the workforce, they're the ones on the ground every day making sure that the customers are served, and I know they're served very well and very pleasantly by the public of this province. Making sure that they have a fair deal and are able to gain full-time employment in this province is an important issue.

The next question I have is, what is your opinion on allowing convenience stores into the sale of alcohol?

**Mr. Edward Waitzer:** Again, I'm not trying to a duck question. I know the LCBO's view; I'm not sure I have enough information to offer you an informed view yet.

**Miss Monique Taylor:** I'm just curious as to what led Monique Smith or—I'm sorry, the other person; I don't remember who that was. But what led them to ask you to be the chair of this board? I mean, you don't seem to have much knowledge of what's happening with the LCBO, so I'm just curious as to what was the motivation of them asking you. Do you know?

**Mr. Edward Waitzer:** Again, I think you'd have to ask the government, presumably. I can speak to my experience, which relates to managing, to governance, to public policy issues, but I am inexperienced in issues specifically relating to the LCBO. I agree with you that they're important issues, and they are issues that I will get up to speed on as quickly as I can.

**Mr. Paul Miller:** I have two more questions for you. What is your position on privatizing the sale of alcohol in Ontario?

**Mr. Edward Waitzer:** I think that's a decision for the government of Ontario.

**Mr. Paul Miller:** Really? You don't think you'd have any impact on that?

**Mr. Edward Waitzer:** Again, I think it's ultimately a public policy issue to be determined by the government.

**Mr. Paul Miller:** And what's your position on repatriating large agency stores?

**Mr. Edward Waitzer:** Sorry, repatriating large agency stores? Again, I'm happy to come back to you on any of these issues when I can do so in a more informed way.

**Mr. Paul Miller:** Well, I'm a little surprised. These are major issues for a major money position in our government—for the public's money—and you seem to be a little light on the direction that this organization is going to take, which is going to be critical in the next five to 10 years. I'm a little concerned.

**Mr. Edward Waitzer:** Let me reframe your view, because I can easily provide you with the position of the LCBO.

**Mr. Paul Miller:** No, I want your position.

**Mr. Edward Waitzer:** And I'm saying that I'm uncomfortable giving you my position until I've had a

chance to get better informed, and that doesn't happen until I really understand the institution—

**Mr. Paul Miller:** Do you have any vision whatsoever?

**Mr. Edward Waitzer:** —and that doesn't happen from reading newspapers, reading clippings, or—

**Mr. Paul Miller:** Right, but do you have any personal vision to taking over an agency that large? Do you have any personal goals, any vision that you would have, toward the changes that might be implemented?

**Mr. Edward Waitzer:** There's always room for improving in an institution. I don't have a specific policy agenda.

**Mr. Paul Miller:** Okay. Thank you.

**The Vice-Chair (Mr. Joe Dickson):** No further questions? We have two minutes and 39 seconds left. Thank you.

**Mr. Paul Miller:** We're done.

**The Vice-Chair (Mr. Joe Dickson):** We will now go to the government side, which will give you six—

**Mrs. Laura Albanese:** Thank you, Mr. Chair. Welcome to our committee. Thank you for coming today. You have an extensive background in corporate governance, and you come from a very different experience in the securities stock market. What do you think you could bring, with your experience, to the new board?

**Mr. Edward Waitzer:** Well, my experience in governance extends across the public sector, the private sector, the for-profit sector and the not-for-profit sector. The LCBO is a large, complex and very important institution to this province, and hopefully I can work with the management team and the board to improve the quality and performance of that institution.

**Mrs. Laura Albanese:** You did mention you didn't have a specific vision. I know you were asked that question just a few minutes ago, but at the same time, from, let's say, the briefings you've had from the LCBO, where would you see this agency going? Have you formed any opinions yet as to where you could see it going in the future and what you could bring to it?

**Mr. Edward Waitzer:** I'm really not being disingenuous when I say that sometimes it's better to listen before offering answers. The opinion that I've formed is that I've been very impressed by the quality of the management team that I've been interacting with. Phil is someone I've known for many years in a variety of other contexts, but I'm still getting up the learning curve in terms of this institution and its stakeholders.

**Mrs. Laura Albanese:** Okay, so I guess I'll pose the question in another way: What challenges are you looking forward to? You have extensive experience. You're impressed by the management. I know you still haven't taken the position, so you don't know the specific details, but what do you find challenging? What challenges do you hope to take on in your new position?

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**Mr. Edward Waitzer:** The challenge in governance—and in management, for that matter—is like camping: trying to leave the campsite better than you

found it. The LCBO is so important to the fabric of our society in this province—that's a challenge that attracts me.

**Mrs. Laura Albanese:** Okay. Mr. Colle.

**Mr. Mike Colle:** I just want to know, Mr. Waitzer: You practised law with Stikeman Elliott from 1981 to 1993. In what field did you practise? What aspect of law did you practice or specialize in?

**Mr. Edward Waitzer:** I practised from 1981 to today; I'm still a partner at Stikeman Elliott. I've taken a couple of interruptions to do public service and a couple of other things. My practice is primarily large business transactions. I've done a lot of work on public policy issues. I do some work on governance, but the primary—

**Mr. Mike Colle:** What areas of public policy have you worked in? Give me an example.

**Mr. Edward Waitzer:** I advised the energy board in the province on energy sector deregulation. I've done a lot of work with the federal government on financial sector policy, including the never-ending discussion about whether we should have a national securities regulator. Those are two examples.

**Mr. Mike Colle:** You served as chair of the Ontario Securities Commission for a few years?

**Mr. Edward Waitzer:** Correct.

**Mr. Mike Colle:** And how did that experience make you, you might say, more aware of how a public institution operates differently than the private sector works?

**Mr. Edward Waitzer:** It's a good question. It was a very humbling experience. I came to the securities commission having been a practitioner and thinking that I knew a fair bit about securities regulation. What I didn't know about was managing in the public sector and how challenging that is. Part of my reticence to offer uninformed opinions is really a response to, in part, that experience: that decision-making and managing in the public sector is far more challenging in many ways and far more nuanced than in the private sector.

**Mr. Mike Colle:** It seems much easier to make, let's say, decisions or assumptions in terms of determining certain directions or policy when you're in the private sector as opposed to when you're interfacing with the public sector. Has that been your experience?

**Mr. Edward Waitzer:** Yes. The levels of accountability are higher. The complexity of relationships with stakeholders—internal and external—is higher. The path to decision-making tends to be more oblique, if I can put it that way, less of a straight line, which isn't a criticism; it's different. It's actually quite fascinating.

**The Vice-Chair (Mr. Joe Dickson):** That concludes the time allocated for this interview. Thank you very much.

**Mr. Edward Waitzer:** Thank you.

**The Vice-Chair (Mr. Joe Dickson):** We appreciate you being here.

*Interjections.*

**The Vice-Chair (Mr. Joe Dickson):** It was a test. I just want to make sure you're alert.

**Miss Monique Taylor:** Well, we're all hungry for lunch, too, Chair.

**The Vice-Chair (Mr. Joe Dickson):** I'm sure we all are. We now go to—stay right there, sir—the official opposition. Mr. McDonnell, if you have questions, you have 10 minutes, sir.

**Mr. Jim McDonnell:** Okay, thank you. Thank you for appearing today. We've had the opportunity, I guess, to do some work with the LCBO over the last year. A couple of the questions we had, really, were around a study done by this government, I believe, back in 2005, that showed that opening up the system to private outlets is a benefit financially to the unit. But also, being from rural Ontario, where the population is a little bit smaller, we're seeing a lot of our rural towns shutting down because of a lack of business. The previous government, the Harris government, gave some opportunities for agency stores to allow private operators to operate. I look back at the two areas in my riding where there are grocery stores there that probably wouldn't exist without that help.

Any comment on that in light of the fact that actually it's an opportunity for increased profits for the LCBO and an opportunity for economic development in rural Ontario and northern Ontario as well as meeting some of the social challenges of making people not have to drive so far to get the product?

**Mr. Edward Waitzer:** The question is opening more agency stores in rural areas?

**Mr. Jim McDonnell:** Yes, and your thoughts towards that from those points of view—economic development for the rural areas as well as increased profit opportunity for the LCBO.

**Mr. Edward Waitzer:** Again, my sense is that the LCBO has been pretty aggressive in opening new facilities, both their own facilities and agency stores, to make sure that customers are serviced and because it generates increased revenues for the agency and the province.

**Mr. Jim McDonnell:** I think, though, the numbers speak to—they haven't approved a new agency store in the last 10 years in rural Ontario. Although we saw the numbers where they're saying they are aggressive, they tend to be in large urban centres, where basically there is a service there, and I don't disagree with that strategy. But in rural Ontario, we're really looking at some of these small villages keeping not only an LCBO, but through some type of franchising arrangement, keeping the local grocery store. Generally, in villages of 200 or 300 people, it makes no sense to have a full-blown LCBO. I think, actually, the numbers show that they haven't opened any new stores.

**Mr. Edward Waitzer:** I'd like to take that comment on board and get back to you, if I may.

**Mr. Jim McDonnell:** Sure. Do you have any questions?

**Mr. Randy Pettapiece:** Yes.

**The Vice-Chair (Mr. Joe Dickson):** Mr. Pettapiece.

**Mr. Randy Pettapiece:** Thank you, Chair. I recently went on a tour of the east coast. It's great country down there and great people, lobster and whatever else you've

got to do. I actually took a break and had a hamburger halfway through the thing, but anyway.

We went through the northern United States, and when we crossed into New Brunswick, one of the first signs I saw was "Wine this way." So I followed the trail, and it went on to a county road. Here was a vegetable and fruit stand. They had their onions and their carrots and whatever else they were selling in there, and in the corner was a little booth selling their wine, blueberry wine. I thought that was kind of neat.

Where I'm going through here is, yes, it's local food and whatever else, which we should be promoting in Ontario. We seem to have an issue with doing that in this province. I didn't see a lot of drunk people lying around this fruit stand; they seemed to be quite orderly. But here was somebody—

*Interjection.*

**Mr. Randy Pettapiece:** Yes.

I guess my point is this: There are small wineries, vineyards in this province that are having a difficult time getting into the LCBO because of volume issues. I think that we need to look at programs to open this market up for these small producers. Different people have come here and asked us to look at these types of things. The craft brewery industry is growing in leaps and bounds in this province. However, it is difficult sometimes to even get them going.

I just wonder—this went all through the province of New Brunswick; they had these small stands selling their beets and carrots, and a little place over here for the wine. That was kind of neat. What are your thoughts on that type of thing? It's more of a market access problem that these small wineries have, because they don't produce the volume required by the LCBO.

**Mr. Edward Waitzer:** Although as I understand it, they are each allowed to retail directly from their premises, which would be the equivalent of the stand you're describing.

Again, there's no argument as to the objective to promote Ontario wineries, and we can discuss whether the LCBO has performed adequately, but it is certainly committed to that objective. Whether there are other strategies that might be more effective in achieving that objective, I'm happy to take your comments on board and—

**Mr. Randy Pettapiece:** There's also the issue of farmers' markets too, where you can take your product to a farmers' market and sell, that type of thing.

Cross-province trading of wine is an issue. I don't know what the problem is there; I'm not educated enough there to offer an opinion on that, but it just hit the papers here a while ago, the issue we have with trading wines across this country. Unfortunately, it gets right down to the producer, the manufacturer. It's hurting business in the provinces. I think we need to get over some of that type of thing. I just wonder, sir, if you were to get this position, would you have an influence on that type of decision? Do you think you could have an influence on

that type of decision, as to the issues we have between provinces and that type of thing?

**Mr. Edward Waitzer:** My sense is that the relationship between the LCBO and the Minister of Finance is a good one. I'm spending most of tomorrow touring facilities with the minister's chief of staff. It will be the second time I've met him, and I've met the minister once. Hopefully, the relationship between myself as chair or whoever as chair and the minister is one where—and certainly I think this was the case with Phil—the LCBO's views are taken seriously into account in formulating policy around the operation of the institution and the public policy issues that it impacts on.

**Mr. Randy Pettapiece:** Okay. Thanks.

**The Vice-Chair (Mr. Joe Dickson):** Ms. Thompson.

**Ms. Lisa M. Thompson:** The role of our positions here today is to assess the capacity of all the nominees for the various positions. I was wondering if you could share with us how you influenced or the impact or your involvement in the energy policy that you mentioned earlier today.

**Mr. Edward Waitzer:** How did I impact?

**Ms. Lisa M. Thompson:** Yes.

**Mr. Edward Waitzer:** I was involved in two ways. This goes back I can't remember how long. One was the deregulation of the retail gas market, where I was asked by the OEB to chair a task force and author a report that led to the deregulation of that market. Like all things, you learn as you go along. Deregulation has kind of gone through many evolutions since then. I can't remember how long ago it was.

On the electricity deregulation, I was involved with a group of others in formulating policy positions that ultimately weren't accepted by the government at the time, but that's the government's prerogative. I had less impact in that case.

**Ms. Lisa M. Thompson:** Okay. And just my last question: What leadership qualities do you bring to the table for the role of chair of the LCBO?

**Mr. Edward Waitzer:** What other—

**Ms. Lisa M. Thompson:** Leadership qualities, soft skills.

**Mr. Edward Waitzer:** I've led a law firm. I've led a government agency. I led a stock exchange. I've chaired other organizations.

**The Vice-Chair (Mr. Joe Dickson):** That will conclude the time for this interview. I'd like to thank you very much, sir, for being here.

**Mr. Edward Waitzer:** Thank you.

**The Vice-Chair (Mr. Joe Dickson):** It now being, depending on which part of Canada you're in, 12 hours and 13 minutes, we will break for lunch. We will be recessing, still at 1 o'clock this afternoon back here in committee room 151. Thank you, members.

**Mr. Mike Colle:** What time are we back?

**The Vice-Chair (Mr. Joe Dickson):** Same time as allocated—

**Mr. Paul Miller:** Reconvening at 1. You said "recessing."

**The Vice-Chair (Mr. Joe Dickson):** We are recessed until 1 p.m., and you're welcome back early if you wish.

**Mr. Paul Miller:** We'll have to get here early in case you forget us again.

**The Vice-Chair (Mr. Joe Dickson):** I would never forget you, Paul.

*The committee recessed from 1213 to 1308.*

**The Vice-Chair (Mr. Joe Dickson):** Good afternoon, everyone. Just prior to starting, MPP Lisa Thompson has a query in reference to her particular constituency, directly in reference to the Wingham police services board. It's a question that we're going to refer to the table. She's calling for clarification of a protocol and has listed a lot of information that the table will look after appropriately and set a future date for it to be considered at whatever level it is to be considered. Am I right, Madam Clerk? Just say yes.

**The Clerk of the Committee (Ms. Sylwia Przewdziecki):** If you'd like to outline the nature of the query, the request can be made to the committee's research officer, and the research officer will get back to the committee.

**Mr. Joe Dickson:** Would you like to do that?

**Ms. Lisa M. Thompson:** Very quickly, the municipality nominated three people they had vetted to fill two vacancies on the police services board, and only one of the three was actually approved. So they're just wondering if they could get clarification on the overall protocol and why the other two had been declined, because they felt they had vetted them and felt good about their nominations. They're still left with one vacancy now.

**The Vice-Chair (Mr. Joe Dickson):** Excellent. Thank you very much, MPP Thompson.

#### MR. RANDOLPH REID

Review of intended appointment, selected by official opposition party: Randolph Reid, intended appointee as member, Champlain Local Health Integration Network.

**The Vice-Chair (Mr. Joe Dickson):** Welcome back. We are now resuming our consideration of intended appointees. Our next intended appointee today is Randolph Reid, nominated as a member, Champlain Local Health Integration Network. Please come forward and take a seat at the table, sir. Welcome and thank you for being here.

You may begin with a brief statement if you wish. Members of each party will then have 10 minutes to ask you questions. Any time used for your statement will be deducted from the government's time for questions.

With that, I would ask you to commence, sir.

**Mr. Randolph Reid:** Good afternoon, Mr. Chairman, ladies and gentlemen. You've had a long day, so I'll make my introduction as short as I possibly can.

I want to thank you for the opportunity to meet with you to answer any questions about my application to become a board member of the Champlain LHIN. I'm not going to tell you about my life story from the time I was born to today. Rather, I'll just hit some of the highlights.

I've had a long and, I think, interesting career in finance and administration and government work, almost all of it related to health care. I spent 19 years working for the Ontario Ministry of Health. I started as an auditor and ended up, in the last three to four years, as assistant deputy minister. I left the ministry, as all good civil servants do, and became a management consultant for five years, mostly with universities and teaching hospitals as clients. Then I returned to Ottawa as the chief financial officer, senior vice-president, at the Children's Hospital of Eastern Ontario for 14 years.

My experience is in both the public and private sectors. I've worked for the Ontario government, did a little bit of work for the Alberta government, and have been a senior administrator in a teaching hospital.

After I retired in 2006, I resumed my consulting practice for a couple of years, did some small consulting projects, and did a six-month stint as the interim chief financial officer at the Royal Ottawa Hospital. I taught for one semester at Ottawa university in the master's of health administration program. I have done some volunteer work, most of it with the Royal Canadian Legion.

About 18 months ago, I was invited to volunteer on the finance committee of the Champlain LHIN. I'm not a board member, obviously, but they needed to fill out a skill set and so they asked me to volunteer, which I did. I became interested in the work of the LHIN, and about a year ago, two vacancies occurred. I put in an application to fill one of the vacancies, and here we are today.

**The Vice-Chair (Mr. Joe Dickson):** Very good, sir. Thank you. We will commence with questioning by the government, and that will leave you seven minutes and 32 seconds.

**Mrs. Laura Albanese:** Thank you, Chair. Good afternoon and thank you for appearing in front of our committee today. I wanted to ask you, what have you learned about the LHINs from sitting on the finance and audit committee?

**Mr. Randolph Reid:** My exposure to the LHIN is a little bit limited because I only sit on the finance and audit committee—I don't attend board meetings—and we only meet every three months. But what I've learned from my short time already on the committee is that the LHIN has a significant amount of activities that are related to improving how health services are provided within the community. There's no secret that we have a huge wait-list issue, and the LHIN in our area has made some improvements. Probably the one we're happiest about right this moment is MRI: We've cut the wait time in half. But we have a number of other areas where the wait-list is not improving, and we're now starting to put some resources to trying to resolve that. Hopefully, we'll make inroads.

**Mrs. Laura Albanese:** Well, hopefully so. You've given your background as an ADM and a senior vice-president of the Children's Hospital of Eastern Ontario. You have seen the health care system evolve over time. Would you like to comment on that?

**Mr. Randolph Reid:** My tenure in the ministry goes back to 1969, which is a few years ago, and right up until 1988. What I've seen over the course of 40 years is a health care system with 250 islands that now have bridges. I know that sounds trite. I'll use Ottawa as the example. The hospitals in Ottawa never co-operated with one another in the 1960s, the 1970s, the 1980s. We had famous baby wars within the city for years and years. The boards and administrations didn't even talk to one another. Now we have an agency that is forcing the systems to talk to one another, to work to resolve issues. I'll go back to what we did with the MRI in Ottawa. What we did, ultimately, was force the hospitals to have a single intake system and manage the wait-lists and balance it between the institutions. That would never have occurred 30 years ago.

**Mrs. Laura Albanese:** Phil, I know you have some questions.

**Mr. Phil McNeely:** Sure.

**Mrs. Laura Albanese:** Thank you.

**Mr. Phil McNeely:** Mr. Reid, that's my local health integration network, and it has certainly come a long way in the years that it has been in place.

Just a second, here. You were senior vice-president and chief financial officer of the Children's Hospital of Eastern Ontario, which is again in the eastern end of the city. With the LHINs taking on more every year, that has to be a primary concern, to have the financial people in place. I'd just like to expand on what you gained from the Children's in that position and what you'll bring to the board of the LHIN.

**Mr. Randolph Reid:** Well, the board of the LHIN currently does not have anyone with an accounting or finance skill set. We have some business people but no one with sort of a pure financial background. I suspect that's why my appointment has been brought forward, trying to add that dimension to the board, because I believe every public board should have a variety of perspectives on it, whether it's law or accounting, banking etc.

I would like to think I bring two dimensions to the board. One is, I am an accountant by background—and it's not meant as an apology. I see the world differently than people who aren't accountants.

The second thing that I think I bring to the board is over 40 years of varying experiences within the health care system. I've done a lot of different things. I was an auditor for the Ministry of Health. I was assistant deputy minister of health. I worked for the largest privately owned chain of hospitals in the world, the Hospital Corporation of America. I spent two and a half years in the private delivery of health care. I've seen different things work.

I've also been an administrator of a teaching hospital where, as part of the management team, we had to make decisions on how to manage with less resources than we wanted. I won't say "less than we needed," but certainly less than we wanted to have. So I know that the LHIN is

going to do, and already has done, many things within our region—

**The Vice-Chair (Mr. Joe Dickson):** One minute.

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**Mr. Randolph Reid:** —but I'm hoping that my background and experience will help as we move forward.

**Mr. Phil McNeely:** I welcome your expertise and background in health care as well as in finance and look forward to seeing you with the LHIN board in Ottawa if you are approved, which I hope you are.

Is that all the time, or does someone else—

*Interjection.*

**Mr. Phil McNeely:** Okay. Thank you, Chair.

**The Vice-Chair (Mr. Joe Dickson):** You have 34 seconds. Go ahead.

**Mrs. Laura Albanese:** Thank you, Chair. We will give up that time.

**The Vice-Chair (Mr. Joe Dickson):** Thank you. We will now go to the official opposition. Mr. McDonell?

**Mr. Jim McDonell:** Thank you for attending today. I've had the opportunity, of course—my LHIN as well has had some correspondence with them on a couple of them, but the last one was over long-term-care beds. The Auditor General had the Champlain region as being the worst in the province for wait times. We just recently went through where we closed a number of beds in Cornwall that were put there on a temporary basis because of the extreme case, and, of course, some issues with the general hospital. Although they haven't built any beds or added any new beds to the system since 2003, the message is, "There's no shortage." When asked to look at it again, not only is there no shortage, but they say that there's a significant number of beds till 2030. The number doubles over—especially since 2003. So the number adds some questions as far as credibility, but that's the message.

Is there any thought, I guess, in being a board member, to ensure that the messaging coming from the LHIN is a little less partisan but a little more factual? Where do you see that goal, as far as you're concerned as a board member?

**Mr. Randolph Reid:** First of all, I guess I have to remind you that I'm not a board member—

**Mr. Jim McDonell:** Sure, but as a future board member.

**Mr. Randolph Reid:** —and have never attended a board meeting. But as far as I know, the messaging from the Champlain LHIN board to the communities within Champlain is to be factual; it's not to be partisan. I don't know how else to answer that question.

**Mr. Jim McDonell:** I guess I just wonder where the message is—that even though the population has doubled, even though we have the worst record in Ontario, we don't need any additional beds for another 20 years. It just doesn't seem to be reasonable. In that time frame, the seniors population will grow, I think, from the Auditor General's report, another 50%.

**Mr. Randolph Reid:** And unfortunately, I'm going to be one of those seniors looking for a bed within 20 years.

I think the issue that we face in Champlain, and I think in some of the other LHINs as well, is that in the good old days we used to refer to them as bed-blockers. Now we're a little more charitable; we call them alternate-level-of-care patients. We have a higher proportion of people in the wrong place. They've been admitted to an acute care hospital, and their acute episode is complete. They should be now moved to a rehabilitation or convalescent or long-term-care home with support, and they aren't being, because the whole system has people in the wrong place. It's one of the initiatives that I know our board in Champlain is looking at this year very intently, because it's an issue where the whole system backs up, and you begin to see symptoms of the backup in wait times for surgical procedures because there are no beds. People are waiting a longer time in the emergency department for admission into the hospitals because there are no beds. So it is an issue.

I cannot comment on whether we're ever going to need more long-term-care beds in the next 20 years.

**Mr. Jim McDonell:** I guess I can agree that obviously they're not doing a great job in getting beds. I have a hard time believing, when the population is going to continue to increase, like the numbers show, even if we were doing a bad job today and we hope to do a better job tomorrow, that we could handle that extra population. Some admission of the fact that that is an issue—I guess I would like to see some conversation, other than coming back and saying, "Yes, we worked on the numbers and we have enough beds beyond the next 20 years, so even though we haven't built any in 10 years, and even though we have the worst record, in Ontario, we still don't need anything." You know, this carries to different fields: joint replacement, long backups, now the shortage of doctors. Funding has been cut back for our surgeons, or they're working elsewhere. That's not the message the public's getting, but that's the message the doctors are getting, as they've been cut back to a three-day week as far as surgeries go.

It's a concern because that message comes through the LHIN. I find the LHIN is basically a delivery service for a message. It's not something that looks through and looks at the needs, even as far as—I go back to our Cornwall hospital where we've been working at delivering chemotherapy for some time now.

Our region, for some reason, has a higher than average occurrence of cancer. We've been talking about this for some time, and just last week I saw more and more people coming in who are going to Ottawa because they can't get it locally. It's a sizable hospital. I know there's an issue there, but I have a hard time when we force our residents to travel to some of the larger hospitals at a great distance. It's an issue, looking at and maybe improving health care. I think the LHIN has to speak out sometimes when they see needs. I just can't believe some of the information that's coming from our local doctors and nurses who are afraid to speak publicly because

they're being warned that if they speak out, it may affect funding. That seems to be very much the message that comes out there.

**Mr. Randolph Reid:** Well, certainly, in my experience working in health care, physicians have rarely bitten their tongue when there's an issue. They certainly didn't when I worked at CHEO; I heard from them on a regular basis when things weren't going well.

I'd like to address at least one of the things that you've said. One of the things that has happened in the Champlain LHIN is that hips and knees are one of the issues, and we have a huge wait time issue on hips and knees. We're now coordinating with smaller community hospitals to pick up the slack. We have people in Ottawa who are travelling to Carleton Place or Winchester for surgical procedures. Again, if you take a step back and say, "Well, we have one of the biggest hospitals in the country, and yet they're offloading patients to small community hospitals" —that's how the system is going to work. We're going to maximize the use of capacity wherever we can.

**Mr. Jim McDonell:** But I know of two surgeons in Cornwall, replacement surgeons, who have been cut back to three days a week and are working, actually in one case in the States, because their operating room has been cut back. This doctor says he won't take any further patients because there's a year-and-a-half wait. He says, what's the sense? That's contrary to the message they gave out. These patients now are forced to go on a waiting list in Ottawa whereas they could very well have it done locally.

I guess it all speaks to the message we hear. It doesn't seem to ring true. I've heard the local health clinics tell us that they're warned not to say anything or else it could affect funding. Very much, that seems to be a message.

**The Vice-Chair (Mr. Joe Dickson):** Mr. Pettapiece.

**Mr. Randy Pettapiece:** Thank you, sir. I come from midwestern Ontario, and we have a very big LHIN in that area. I'm not familiar with the geography from Renfrew to Glengarry; I guess that's what my notes say is the Champlain LHIN. How big of an area is that?

**Mr. Randolph Reid:** It extends from Hawkesbury in the east to Deep River, Barry's Bay—

**Mr. Randy Pettapiece:** Would it be 200 or 300 kilometres long?

**Mr. Randolph Reid:** Yes. It follows the Ottawa River, essentially.

**Mr. Randy Pettapiece:** Okay, so it's a very big area.

**Mr. Randolph Reid:** It is a large geographic area.

**Mr. Randy Pettapiece:** I have issues with that with our LHIN the same way—it's huge—and how they can handle that area. I think the problems arise because of the size of these LHINs sometimes. I can tell you right now, I was told by a lady who recruits doctors in our area that she knows of 20-some orthopaedic surgeons who haven't got work even though the waiting list for hips and knees has grown. These guys can't find work, and she said, "That's not right, and it shouldn't be there."

**1330**

So I just have an issue with the way the LHINs are managing this system, because there's a hospital in our area that has empty operating rooms that could fulfill this type of thing, and yet it's not being done. Because of the size of these things—

**The Vice-Chair (Mr. Joe Dickson):** We will now have to go to the third party for 10 minutes. Miss Taylor, how are you?

**Miss Monique Taylor:** Thank you, Chair. Thank you for being here with us today, Mr. Reid. I'm curious about what you see the priorities of the LHINs to be.

**Mr. Randolph Reid:** I'm not sure I can answer that question for all LHINs—

**Miss Monique Taylor:** What are your priorities going to be?

**Mr. Randolph Reid:** The priority, I believe, for the Champlain LHIN is to make significant inroads on wait times.

**Miss Monique Taylor:** Bringing your financial perspective, you feel that you can enhance the health care system, possibly eliminating waste? How do you feel that you're going to juggle that?

**Mr. Randolph Reid:** I don't know. I'm not prepared to say that for everything in the health care system, we have exactly enough money; it just needs to be redistributed. I'm not going to say that. But I know from the experience we had with MRIs, which we're now applying to CT scans and to hips and knees, we are talking about simply organizing the system better and trying to balance workload and shift patients to the most appropriate setting without additional costs.

**Miss Monique Taylor:** As you, I'm sure, know, the Champlain LHIN has recently had to deal with issues of service cuts in terms of the Ottawa Hospital, where 290 positions were cut in January 2013; 90 of them were nurses. In April, 25 additional RN cuts were announced. Do you think that was dealt with appropriately?

**Mr. Randolph Reid:** I actually can't comment on that. I'm not on the board. That was dealt with at the board, not at the finance committee.

**Miss Monique Taylor:** That represents 200,000 hours per year of nursing care.

**Mr. Randolph Reid:** I understand that.

**Miss Monique Taylor:** That's a lot of hours.

**Mr. Randolph Reid:** That's a lot of hours.

**Miss Monique Taylor:** That's a lot of service to patients.

Would that be something that you will be looking into once you get there? Are you interested in those kinds of things? You're going to be the bean-counter, right? So does that mean that you'll think that more service cuts are necessary, or do you think that shifting things around might be a better way of dealing things, and maybe taking off some of the heavy top layer of bureaucracy and costs in that direction instead of service cuts on the front line? What are your thoughts?

**Mr. Randolph Reid:** What I will bring is the same message and attitude I had at CHEO. When we cut costs,

we tried to cut costs away from the bedside. Essentially, we're a hospital, so reducing the quantity of service you provide is not the first line of cost-cutting. What you do is, you look at overhead costs and struggle your way through that, rather than cutting service. I guess there are some hospitals where that's not a full option, and some service cuts may happen.

**Miss Monique Taylor:** Do you think that the community was properly consulted prior to all of these cuts being made?

**Mr. Randolph Reid:** I actually don't know the answer to that.

**Miss Monique Taylor:** As a board member, how do you think that you're going to be able to balance the needs of the community with the budget constraints?

**Mr. Randolph Reid:** It's a fine-line issue. We know that the amount of money that we have is fixed, and so the service providers have to develop plans on how to live within that. As a board member, what I will be looking for is a cogent statement from each of the providers that this is what they did to reduce our costs to live inside the envelope and it did or did not have any impact on patient programs.

**Miss Monique Taylor:** The million-dollar question today: Do you belong to the Liberal Party? Are you a card-carrying member? Have you ever donated to the Liberal Party?

**Mr. Randolph Reid:** I am not now, nor never have been, a member of the Ontario Liberal Party, and I have not ever given a donation to any candidate for the Ontario Liberal Party.

**Miss Monique Taylor:** So you weren't asked by any Liberal members whatsoever to run for this position? This was something that you chose to do on your own?

**Mr. Randolph Reid:** Yes. I actually applied for membership on the board three years ago and was not selected as a candidate. The committee doing the selection wisely chose Dr. Wilbert Keon instead. So when the vacancy came up, I threw my hat in the ring again this time.

**Miss Monique Taylor:** I just have one more quick question, and then I'm going to put it over. Do you feel that when you know that there are further constraints coming before the LHIN, you will be willing and fight hard for the members of your community to be lobbying the government for more money for your LHIN?

**Mr. Randolph Reid:** I'm not sure how to answer that question. I know, as a board member, I will be advocating on behalf of our community. I'm not going to organize protests—

**Miss Monique Taylor:** Well, no, but there are appropriate ways of doing things to making sure that your LHIN has enough financial beans to take care of the system, right?

**Mr. Randolph Reid:** Yes.

**Miss Monique Taylor:** Thank you very much.

**Mr. Paul Miller:** How are you doing today?

One of the things I've noticed—a glaring omission in the LHIN process is the dispute resolution system. Some of these LHINs govern over 200 different agencies,

especially in my area, Hamilton-Halton area. People, formerly, would take their complaints about service or dispute resolution to the local board of each—whether it's the Ontario Nurses' Association, whoever was dealing with that particular person. What I feel—and it hasn't happened, and I want to know what you feel about it—is that each LHIN should have a grievance person who can deal with some of the things, because sometimes they don't get satisfaction at the board, and it being the overseeing body of all these different agencies, they don't get results at the local agency; they may pass the buck. Would you be in favour of having a resolution person, or a grievance person, who would deal directly with those agencies, if the individual service person did not get the answer they wanted?

**Mr. Randolph Reid:** It would be almost the creation of sort of a mini-ombudsman function—

**Mr. Paul Miller:** Oh, you could call it that.

**Miss Monique Taylor:** The Ombudsman is always—

**Mr. Paul Miller:** The Ombudsman is there, too, but I don't think we would want—if we could do it in-house, in each LHIN, as opposed to going to the Ombudsman with something that may not require that level of expertise, would you be against having someone on every LHIN who deals with an agency within the LHIN's guidance, under their umbrella, if they couldn't handle the dispute within that particular agency?

**Mr. Randolph Reid:** I guess I wouldn't be opposed to it, although I'm not sure that that's a good starting point.

**Mr. Paul Miller:** What do you mean by that?

**Mr. Randolph Reid:** Well, if a patient has a complaint about a hospital, there is a process.

**Mr. Paul Miller:** But that's what I'm trying to say: A lot of times the process doesn't work for that individual, and they have nowhere else to go, and the LHIN is the umbrella over it.

**Mr. Randolph Reid:** The ministry and the minister is also a place to go.

**Mr. Paul Miller:** That's a scary thought. Okay. Thanks.

**Mr. Randolph Reid:** I didn't mean to frighten you.

**Mr. Paul Miller:** Okay.

**The Vice-Chair (Mr. Joe Dickson):** One minute.

**Miss Monique Taylor:** I don't think I have any further questions for you, Mr. Reid.

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**Mr. Paul Miller:** Well, Mr. Reid, in conclusion, I feel that you certainly have the expertise and certainly have had the experience. You were a little light on my question, but that's okay. That's a noncommittal question, and I really hate those kinds of answers. But other than that, I think I have no problem with your appointment.

**Mr. Randolph Reid:** In my defence, you have to recognize that I'm not a board member.

**Mr. Paul Miller:** You will be, sir.

**Mr. Randolph Reid:** Well—

**Mr. Paul Miller:** You have to make decisions.

**Mr. Randolph Reid:** I understand that.

**The Vice-Chair (Mr. Joe Dickson):** End of questioning?

**Mr. Paul Miller:** Yes.

**The Vice-Chair (Mr. Joe Dickson):** Thank you very much. That concludes the time allocated for this interview. Mr. Reid, thank you very much, and you may step down.

At this point in time, we have heard from Lionel Kevin Joyner that he is unavailable today for—was there a reason?

**The Clerk of the Committee (Ms. Sylwia Przewdziecki):** For reasons of health.

**The Vice-Chair (Mr. Joe Dickson):** Because of a serious health issue. What I would like to do is move this forward for the future. I will give you the question for the committee, and that is: Do we have unanimous agreement to extend the deadline to consider the intended appointment of Lionel Kevin Joyner as a member of the Hamilton grant review team to September 30, 2013, which is what we did on one prior resolution?

**Mr. Paul Miller:** He is going to appear before this committee.

**The Vice-Chair (Mr. Joe Dickson):** He would.

**Mr. Paul Miller:** He will then?

**The Vice-Chair (Mr. Joe Dickson):** I can't guarantee his health on that particular—

**Mr. Paul Miller:** So all we're doing is allowing him another chance at it, to come before this committee?

**The Vice-Chair (Mr. Joe Dickson):** That's what we're voting to do, yes, sir.

**Mr. Paul Miller:** Fine.

**The Vice-Chair (Mr. Joe Dickson):** All in favour? Thank you very much.

We would then go to concurrences and commence the process from the delegations this morning.

We will now consider the concurrence for Joanna Smith, nominated as vice-chair, Workplace Safety and Insurance Appeals Tribunal. Do we have a mover for the concurrence? Mover is Ms. Albanese.

Any discussion? Seeing none, all in favour? Thank you. Opposed? Seeing none, the motion is carried.

We will now consider the concurrence for Maria Van Bommel, nominated as member for Agricorp. Would someone please move the concurrence? Ms. Albanese, thank you.

Any discussion?

**Mr. Paul Miller:** Mr. Chair, just a point of information: You might want to look around the room a little better. One person had their hand up, opposed.

**The Vice-Chair (Mr. Joe Dickson):** Did I miss somebody who voted against?

**Mr. Paul Miller:** Yes, you did.

**The Vice-Chair (Mr. Joe Dickson):** Can I take a guess who it was?

**Mr. Paul Miller:** It wasn't us.

**The Vice-Chair (Mr. Joe Dickson):** Jim? Okay. All in favour, with the exception of one—two—three. I'm sorry. All in favour, with the exception of—

**Mr. Paul Miller:** Which one are you moving now, Mr. Chairman?

**The Vice-Chair (Mr. Joe Dickson):** We're on the one that you just—

*Interjections.*

**Mr. Paul Miller:** Are we still on Joanna Smith or are we on—

*Interjection.*

**The Vice-Chair (Mr. Joe Dickson):** Just for clarification, would you be good enough to read out that motion, please, Ms. Albanese?

**Mrs. Laura Albanese:** Sure. I move concurrence in the intended appointment of Maria Van Bommel, nominated as member of Agricorp.

**The Vice-Chair (Mr. Joe Dickson):** Which is what I read, so it has been read twice now. Okay.

Any discussion? Seeing none, all in favour? Opposed? Thank you. The motion is carried.

We will now consider the concurrence of Philip Olsson, nominated as member and chair, Ontario Lottery and Gaming Corp. Would you like her to read it in addition to me, Madam Clerk? She's going to read the same thing that I read.

**Mrs. Laura Albanese:** Sure.

**The Vice-Chair (Mr. Joe Dickson):** You go ahead and read it.

**Mrs. Laura Albanese:** Thank you.

**The Vice-Chair (Mr. Joe Dickson):** Let's make doubly sure.

**Mrs. Laura Albanese:** I move concurrence in the intended appointment of Philip Olsson, nominated as member and chair of the Ontario Lottery and Gaming Corp.

**The Vice-Chair (Mr. Joe Dickson):** Thank you. Any discussion? Seeing none, all in favour? All opposed? The motion is carried. Thank you.

We will now consider the concurrence for Edward Waitzer, nominated as member and chair, Liquor Control Board of Ontario.

Would you like to repeat that, please, Ms. Albanese?

**Mrs. Laura Albanese:** I move concurrence in the intended appointment of Edward Waitzer, nominated as member and chair of the Liquor Control Board of Ontario.

**The Vice-Chair (Mr. Joe Dickson):** Thank you very much. Comment? Proceed.

**Miss Monique Taylor:** Committee members, I have serious concerns about the knowledge that this member has regarding this agency, which is a very large agency in our province. His commitment to even do the homework before he came to see us today was lacking, to say the least. I'm sure that we all heard that. So I know that we will be voting against this member, and I hope that you take that into serious consideration before we do appoint this member to this agency. Thank you.

**The Vice-Chair (Mr. Joe Dickson):** Thank you. All of those in favour of the member? All of those—

**Ms. Lisa M. Thompson:** No, just a sec. Just a sec.

**The Vice-Chair (Mr. Joe Dickson):** I called for the vote, so I can't rescind that.

Opposed? The motion is carried.

**Miss Monique Taylor:** Can we have a recorded vote please, Chair?

**The Vice-Chair (Mr. Joe Dickson):** Certainly.

*Interjection.*

**The Vice-Chair (Mr. Joe Dickson):** I'm not sure of this, but the table is telling me the vote has already been taken. I know at other levels of government, such as councils, municipal, regional, you can request a recorded vote, but at this level, it's taken.

**Miss Monique Taylor:** Sorry, I didn't realize the process.

**Mr. Paul Miller:** Actually, Chairman—

**The Vice-Chair (Mr. Joe Dickson):** No, just a minute. Excuse me. You're not in the chair, Paul.

What the Clerk has told me, Mr. Miller, is that anyone can request a recorded vote prior to the vote, but once a vote is taken, you can't request it.

Do you have another question, Mr. Miller?

**Mr. Paul Miller:** Well, I tried to get one in, but you didn't want me to ask it. That was what I was going to ask.

**The Vice-Chair (Mr. Joe Dickson):** I had already asked her in advance of you raising your hand—

**Mr. Paul Miller:** Mr. Chairman, with all due respect, I realize I'm not the Chair, but when I put my hand up, I have the ability to ask a question.

**The Vice-Chair (Mr. Joe Dickson):** Excuse me, Mr. Miller, I have the floor.

**Mr. Paul Miller:** Don't override me because I'm asking you a question.

**The Vice-Chair (Mr. Joe Dickson):** I just did.

**Mr. Paul Miller:** Well, I'm sorry, I don't agree with you.

**The Vice-Chair (Mr. Joe Dickson):** You should be sorry.

**Mr. Paul Miller:** I'm challenging the Chair.

**The Vice-Chair (Mr. Joe Dickson):** You should be sorry.

**Mr. Paul Miller:** I'm challenging the Chair.

**The Vice-Chair (Mr. Joe Dickson):** You go ahead.

**Mr. Paul Miller:** Because what I had done was—

**The Vice-Chair (Mr. Joe Dickson):** You go ahead.

**Mr. Paul Miller:** —I put up my hand.

**The Vice-Chair (Mr. Joe Dickson):** Would you like to challenge the Chair?

**Mr. Paul Miller:** I'm challenging the Chair on that comment.

**The Vice-Chair (Mr. Joe Dickson):** Okay, Mr. Miller would like to challenge the Chair. Explain on what comment—

**Mr. Paul Miller:** On the comment that I simply did what was protocol. I raised my hand, wanted to ask a question. You cut me off. The Clerk explained exactly what I was going to ask, but the decision before was that you had said, Mr. Chairman, with all due respect—you said, "You can't ask for a recorded vote." Then you changed your mind when you had a conversation with the Clerk. In between that—

**The Vice-Chair (Mr. Joe Dickson):** No, that's not true, Mr. Miller.

**Mr. Paul Miller:** I asked that.

*Interjections.*

**Mr. Paul Miller:** Yes, that's what happened.

**The Vice-Chair (Mr. Joe Dickson):** Mr. Miller, I feel fairly strong in saying that is an untruth.

**Mr. Paul Miller:** Well, I disagree.

**The Vice-Chair (Mr. Joe Dickson):** Okay. Did you want me to read the subsection on voting, Mr. Miller?

**Mr. Paul Miller:** I already know it. That's what I was trying to ask you. You wouldn't let me.

**The Vice-Chair (Mr. Joe Dickson):** No. We'll certainly straighten this out after, because that's not so.

**Mr. Paul Miller:** Well, that's your opinion.

**The Vice-Chair (Mr. Joe Dickson):** That motion is carried. Now we are finished.

We will now consider the concurrence for Randolph Reid, nominated as member, Champlain Local Health Integration Network. Ms. Albanese, I wonder if you would be good enough to read that.

**Mrs. Laura Albanese:** I move concurrence in the intended appointment of Randolph Reid, nominated as member of the Champlain Local Health Integration Network.

**The Vice-Chair (Mr. Joe Dickson):** Thank you very much. Is there any discussion? Seeing none, those in favour? Those opposed? The motion is carried.

We have dealt with Mr. Joyner. I'll entertain a movement for adjournment.

**Mr. Mike Colle:** I move adjournment.

**The Vice-Chair (Mr. Joe Dickson):** The meeting is adjourned. Thank you very much, ladies and gentlemen, for your time.

*The committee adjourned at 1351.*







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