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(Hansard)**

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(Hansard)**

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**Standing Committee on
Government Agencies**

Intended appointments

1st Session
43rd Parliament

Thursday 18 May 2023

**Comité permanent des
organismes gouvernementaux**

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43^e législature

Jeudi 18 mai 2023

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LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON GOVERNMENT AGENCIES

COMITÉ PERMANENT DES ORGANISMES GOUVERNEMENTAUX

Thursday 18 May 2023

Jeudi 18 mai 2023

The committee met at 0900 in room 151.

INTENDED APPOINTMENTS

MR. SCOTT THOMPSON

Review of intended appointment, selected by official opposition party: Scott Thompson, intended appointee as vice-chair, Ontario Labour Relations Board.

The Chair (Mr. Will Bouma): Good morning, everyone. The Standing Committee on Government Agencies will now come to order. We are meeting to conduct a review of intended appointees. We are joined by staff from legislature research, Hansard and broadcast and recording.

To make sure that everyone can understand what is going on, it is important that all participants speak slowly and clearly. Please wait until I recognize you before starting to speak. As always, all comments by members and witnesses should go through the Chair.

We will now conduct our review of the intended appointees. Our first appointee today is Scott Thompson, nominated as vice-chair of the Ontario Labour Relations Board.

Mr. Thompson, I presume. Come right up to the front. You can have a seat there. Thank you very much for joining us this morning. I appreciate your willingness to serve the people of Ontario. You may make an initial statement at your discretion. Following this, there will be questions from members of the committee. With that questioning, we will start with the government, followed by the official opposition, with 15 minutes allocated to each recognized party. Any time that you take in your statement will be deducted from the time allotted to the government. Again, thank you very much for joining us. It's a pleasure to meet you today. You can start with your initial statement.

Mr. Scott Thompson: Thank you. Good morning, Mr. Chair and honourable members. My name is Scott Gordon Thompson. I grew up in Halifax, Nova Scotia, and graduated from Dalhousie law school in 1980. I have applied to be appointed as a part-time vice-chair of the Ontario Labour Relations Board. Thank you for providing me with the opportunity to come before you to address my relevant experience and answer any questions you may have.

Early in my career I was one of several in-house lawyers for the British Columbia Labour Relations Board. It was two-year non-renewable contract that exposed me to all aspects of mediation and adjudication of labour disputes.

The job was equivalent to a two-year master's program in labour relations.

Following my time at the BC Labor Relations Board, I moved to Ontario to practise labour and employment law. I practised at both full-service and boutique labour firms before joining Hicks Morley as a partner in May 2000. I recently retired as a partner of Hicks Morley and applied to be a part-time vice-chair of the OLRB.

Early in my career, I wrote Managing Under the Electrical Contractors' Collective Agreement, which led to a series of practical seminars advising contractors on how to manage their workers on the construction site under a construction industry collective agreement.

I was also involved on the ground floor with the historic no-strike, no-lockout program developed by the Electrical Contractors Association of Ontario and the IBEW, known as the joint proposal. Between the commencement of provincial bargaining, in 1978, and 1990, the IBEW went on strike four times, with the last strike in 1990 lasting eight weeks before being resolved. This pattern of bargaining was extremely detrimental to both electrical contractors and the IBEW members, since it contributed to a significant loss of market share for unionized electrical contractors, which hurts both electrical contractors and IBEW members. The joint proposal, which has to be renewed every three years, provides for interest arbitration through final offer selection on monetary issues in exchange for an agreement that there shall be no strike or lockout during the current round of negotiations.

The joint proposal has allowed the electrical contractors and the IBEW to renew their principal agreement through 11 rounds of bargaining since 1992, for 35 years, without a strike or lockout. The success of this program persuaded the Ontario government in 2002 to enact a similar program for the residential sector of the construction industry in the GTA, which restricts the strike/lockout period to six weeks before the parties have to proceed to interest arbitration on any outstanding issues.

I have extensive experience in the manufacturing and construction industries. Over my career, I have negotiated innumerable collective agreements and represented clients at innumerable arbitrations and hearings before the OLRB and other tribunals, as well as in the courts. I have received compliments from union counsel, union leaders and adjudicators about my approach to resolving labour relations disputes. I also have had extensive practice advising em-

ployers on their rights and obligations under the Occupational Health and Safety Act, which involved proactively working with employers to reduce the risk of accidents occurring in their workplaces.

The Ontario Labour Relations Board is one of Ontario's most well-respected adjudicative tribunals. I am confident that my experience as a labour relations practitioner qualifies me to adjudicate disputes at the OLRB in an even-handed and impartial manner. Thank you.

The Chair (Mr. Will Bouma): Thank you very much. We have 10 minutes and 50 seconds. We'll turn to government and go to member Coe first.

Mr. Lorne Coe: Chair, through you: Welcome, Mr. Thompson, to the Standing Committee on Government Agencies. I'd like you to expand a little bit further on your extensive experience in construction law and share with us its applicability to the position you've applied for with the Ontario Labour Relations Board, and in your response provide us with some concrete examples of the relationship, please. Thank you.

Mr. Scott Thompson: Well, I guess I've been heavily involved in construction labour relations since the late 1980s. It's a unique area of labour relations. Under the Labour Relations Act, there are special provisions governing the construction industry, and there are actually very few labour relations practitioners who are focused on this area, so a very small part of the labour bar does construction labour relations. My work over the years has involved resolving disputes between the parties, which I see has always been part of my function, helping parties find a solution that works for them.

At the labour board, I understand almost 60% of their workload is construction-related. They are always, in my understanding, eager to have someone with my type of background join them to assist.

Mr. Lorne Coe: Thank you, Mr. Thompson, for that answer. You are correct that your practical experience in construction law will certainly be of some benefit to the board, given 60% of cases do fall within that purview overall.

Chair, through you to MPP Smith, please.

The Chair (Mr. Will Bouma): Member Smith, go ahead. You have eight minutes, 30 seconds.

Mr. Dave Smith: Mr. Thompson—may I call you Scott?

Ms. Scott Thompson: Yes.

Mr. Dave Smith: As I go through your CV, from 1986 until 2022, you have been a labour and employment lawyer. That's a long time. This may seem like a very foolish question, but I think it's definitely worth expanding upon so that someone who's watching this on the parliamentary channel actually understands what it is or why we see so much value in bringing you on like this. Can you talk about how the skills of being a labour and employment lawyer for that long are transferable to the Ontario Labour Relations Board?

Mr. Scott Thompson: Well, the Labour Relations Board adjudicates a large range of disputes between employers

and unions, and over my career I've been involved predominantly in resolving those types of disputes. Quite frankly, part of my job as a lawyer is to understand what the law is and help the parties resolve their disputes within that context, so transferring to the adjudicative side involves the same skill set.

Mr. Dave Smith: Thank you very much for that. I'll defer to one of my colleagues.

The Chair (Mr. Will Bouma): Member Sandhu, go ahead. You have just under seven minutes.

Mr. Amarjot Sandhu: Thank you, Mr. Thompson, for your presentation, and thank you for appearing before the committee. My question is, how does your former experience interpreting Ontario's Occupational Health and Safety Act prepare you for the Ontario Labour Relations Board appointment?

Mr. Scott Thompson: The Labour Relations Board adjudicates disputes under a large number of statutes, but the three main ones are the Labour Relations Act, the Employment Standards Act and the Occupational Health and Safety Act. My experience, which also goes back to late 1980s, in dealing with issues under the Occupational Health and Safety Act helps me with respect to any of those disputes that could come before the labour board under that legislation.

0910

A lot of my advice with employers over that time was to help them understand their obligations under the Occupational Health and Safety Act, help them reduce workplace accidents and avoid the risk of charges under the act. That understanding will assist me in dealing with the types of problems that come before the labour board.

Mr. Amarjot Sandhu: Thank you.

The Chair (Mr. Will Bouma): Member Sabawy, go ahead. You're at five and half minutes.

Mr. Sheref Sabawy: Mr. Chair, through you: Mr. Scott, I'm not a very big expert in different types of cases, different verticals of the law and the arbitrations and those specifics. What kind of cases have you been dealing with in your office typically, in your firm, and do you think those cases could add some insights to the cases you're going to be seeing in the committee?

Mr. Scott Thompson: So my firm, of course, the firm I was a partner in, handles a huge number of disputes across all industries. My area predominately focused on manufacturing and construction. Anything from dealing with certification applications, grievances and negotiations I dealt with on a regular basis. Those skills, particularly negotiations, I see will assist me.

You may be aware that the labour board resolves almost 90% of its cases without having to go to a hearing. They do that through mediation—very effective mediators at the board. At times, the vice-chairs assist in that mediation effort, so I would anticipate that as a part-time vice-chair, there would be opportunities for me to help the parties resolve the dispute without having to litigate it and get a decision which may favour one side or the other. That's the value of mediation: You get a resolution that everybody can live with.

Mr. Sheref Sabawy: Thank you very much.

The Chair (Mr. Will Bouma): Member Rae, three minutes, 20 seconds.

Mr. Matthew Rae: Thank you, Mr. Thompson, for your remarks today. Just building off of some of the questions my colleagues have already asked: You have a very impressive resume and breadth of experience, obviously, as my colleagues alluded to in their questions, but I was just wondering what other valuable skills and perspectives you can bring to your engagement with the OLRB and your other duties, obviously, if you're successful in your appointment.

Mr. Scott Thompson: Well, I actually think my initial two years at the BC Labour Relations Board is valuable background. I have been on the inside of a labor relations board in the past. I understand the need for the labour board to be well respected and to resolve disputes in an impartial manner. It needs to be respected by both sides of the bar in order for it to be effective. I think that's valuable experience.

Again, over my career as a labour relations practitioner, I think I was perceived as someone who tried to resolve disputes, as someone who looked for creative ways to address issues that worked for both sides of the dispute.

Mr. Matthew Rae: Thank you.

Chair, I pass it to my colleague.

The Chair (Mr. Will Bouma): Very good. Member Jones, you have a minute and 40 seconds.

Mr. Trevor Jones: Morning, and through you, Chair: Thank you very much, sir. I appreciate your perspectives. After a long and storied and very accomplished career, what motivates you now at this time in your life to take on a role in a very public-facing adjudicative manner like this with the OLRB at this point? What motivates you to actually take on this specific role?

Mr. Scott Thompson: Well, I was retiring as a partner from my law firm, and I guess I wasn't ready to stop working, so a natural transition for me was to move toward the mediation-arbitration side of the practise. It allows me to do that. I see it as a continuation of the skill set I've built up over 40 years. I'm quite enthusiastic about being able to change roles and to assist the community in resolving disputes.

Mr. Trevor Jones: Thank you.

The Chair (Mr. Will Bouma): With 25 seconds left, any further—member Harris, the floor is yours.

Mr. Mike Harris: Mr. Thompson, thank you very much for being here today. That's all.

The Chair (Mr. Will Bouma): That will conclude questions for the government.

We will now turn to the opposition. Member Pasma, you have 15 minutes.

Ms. Chandra Pasma: Thank you so much, Mr. Thompson, for being here this morning. I know it's not always the most comfortable or pleasant experience, but it's a very important part of the democratic process that we have the opportunity to review government appointments and make sure that people are qualified for the positions that they're being appointed to.

You published the book *Managing Under the Electrical Contractors' Collective Agreement*. You mentioned that earlier. I'm wondering: When you wrote that book, what was your approach? Would you see it as promoting the best interests of workers or employers?

Mr. Scott Thompson: I wrote that on the understanding that it was sort of to be the Brown and Beatty of managing under the electrical contractors' collective agreement. Given the relationship we were trying to develop with the IBEW, we wanted it to be balanced and neutral in its advice. That's the approach I took with it. It was actually Don Franks, who you may recall was the architect of province-wide bargaining, who wrote the introduction to it for me.

It's very well received. I've had requests from representatives of the IBEW to give them a copy of it. I think it helped both sides to understand, on the construction site, particularly with respect to progressive discipline, how it works under a construction industry collective agreement. So I think it was well received as a balanced approach. That was the goal.

Ms. Chandra Pasma: Sorry, I'm not familiar: You said, "The Brown and Beatty of construction"?

Mr. Scott Thompson: Sorry. That's a labour text that labour lawyers rely on, on both sides of the bar, for giving an even-handed analysis of the state of arbitration decisions.

Ms. Chandra Pasma: Okay. You mentioned earlier that you saw strikes by IBEW as detrimental and worked to develop a collective practice or agreement of no strike/no lockout. But that makes me wonder: What is your opinion on the right of workers to strike if they don't feel that their needs or rights are being respected through collective bargaining?

Mr. Scott Thompson: Well, I think it's a fundamental right. What I was getting at there is that at that time in the 1980s, the IBEW was seen as the lead trade. So once the IBEW settled, then all the other trades would fall in behind, because in the construction industry it's what we call pattern bargaining. They've always ended up being out front, which meant that not only were their members suffering while everybody else carried on, but so were the contractors. What was happening is they were losing market share to the non-union contractors. Both sides recognised, after an eight-week strike that didn't move the goalposts much, that this was more detrimental to them.

There had to be a better way.

0920

We went down to Washington to see an alternative dispute resolution mechanism in place in the United States since 1928, and based on our review of that, we developed a no-strike, no-lockout accord. It works because every three years the parties have to agree again to implement it. So it's not a ban on strikes; it's a recognition that they can solve those problems without having to resort to that mechanism.

Ms. Chandra Pasma: So would it be fair to say that you will approach your work as vice-chair on the understanding that, if mediation fails, workers have the right to withdraw their labour and to go on strike?

Mr. Scott Thompson: Absolutely.

Ms. Chandra Pasma: Okay.

Your experiences in the field of law have been on the side of the employer. Do you think that that gives a perception of bias in terms of your support for the interests of workers?

Mr. Scott Thompson: My practice or history of advising employers has focused on helping both sides resolve disputes with a goal for long-term labour relations peace. In order to do that, I need to understand the perspective of workers and unions as well as the perspective of employers. It actually requires a balanced approach, in my view.

Ms. Chandra Pasma: And do you have any experience in labour relations in non-construction-related fields?

Mr. Scott Thompson: Yes. I do have a lot in the manufacturing sector, although, unfortunately, for Ontario, manufacturing has diminished over time. But that's a very valuable area. And also, I do social justice; I had some social justice clients I acted for for years, and so I do have some understanding of the public sector and the quasi-public sector as well.

Ms. Chandra Pasma: Can you talk more—I'm not sure if you're allowed to share, but who were the social justice clients?

Mr. Scott Thompson: They were religious organizations that practised social justice around the world. They were unionized, and we successfully negotiated collective agreements for over 20 years. Again, that's an area where I often received compliments from both sides of the table.

Ms. Chandra Pasma: So, like aid and development?

Mr. Scott Thompson: No. They were religion-based groups.

Ms. Chandra Pasma: Right. But religious-based groups doing aid and development around the world?

Mr. Scott Thompson: So one group is Kairos; you may be familiar with Kairos. The other one was PWRDF. They did a lot of social justice both here in Canada and around the world.

Ms. Chandra Pasma: Yes. Okay. Thank you.

One thing that we hear from labour unions right now is concerns about a mounting backlog at the OLRB. That's not unique to the OLRB for sure; we've seen a real concern about understaffing of tribunals and boards and agencies in Ontario and how that's contributing to an increase in backlogs and really lengthy review times. Only 65% of cases are being resolved within six months right now at the OLRB. So how will you draw on your experience to help ensure that that backlog is tackled and that disputes are being resolved in a timely fashion?

Mr. Scott Thompson: Well, I think, with my appointment, that will give the board an added resource, particularly with respect to construction and occupational health and safety issues. I understand the importance, where possible, of resolving disputes quickly, so in terms of getting the hearings done and rendering a decision in a timely fashion, those are important goalposts. I would contribute to the extent that I can to achieve those goalposts.

Ms. Chandra Pasma: Okay. Thank you. I may have now a list of quick, uncomfortable but necessary questions.

Have you ever been a member of the Progressive Conservative Party provincially?

Mr. Scott Thompson: No.

Ms. Chandra Pasma: Have you ever been a member of the Conservative Party federally?

Mr. Scott Thompson: I did join the Conservative Party federally, I think in 2017, to support Michael Chong in his leadership bid. I've never been an active member of a political party.

Ms. Chandra Pasma: So you're not currently a member?

Mr. Scott Thompson: I don't believe so.

Ms. Chandra Pasma: Okay. Have you donated to the Progressive Conservative Party provincially?

Mr. Scott Thompson: Not that I'm aware of.

Ms. Chandra Pasma: Okay. And other than your membership sign-up in 2017, have you donated to the Conservative Party federally?

Mr. Scott Thompson: I don't think so.

Ms. Chandra Pasma: Have you ever worked on a Conservative election campaign, provincially or federally?

Mr. Scott Thompson: No.

Ms. Chandra Pasma: Have you ever attended a Ford family event and sat at the Premier's table?

Mr. Scott Thompson: No.

Ms. Chandra Pasma: Okay. And did anyone ask you to apply for this position?

Mr. Scott Thompson: No.

Ms. Chandra Pasma: Okay. Thank you.

I'm going to turn over rest of my time to Ms. Begum, Chair.

The Chair (Mr. Will Bouma): Member Begum, you have five minutes and 15 seconds.

Ms. Doly Begum: Good morning. Thank you so much for being here. One of the things that I always appreciate, especially in this committee, is when we have the opportunity to get to know the individuals who are getting appointed to such important positions. And my colleague—actually, her question allowed me to get to know a little bit that I think doesn't really justify within these short bios that we get about the individual.

One of the things that we talk about in the Legislature a lot, especially when we're talking about labour disputes, is the idea of "deeming." Are you aware of this concept of deeming?

Mr. Scott Thompson: No, I'm not aware of that.

Ms. Doly Begum: Actually, this is a very common practice that, especially in the opposition, we have brought legislation forward about, as well. The concept of deeming is that when workers who are going through illness or have been injured—when they go back and try to find employment there is this idea that a job exists, for example. However, that job actually doesn't exist, but based on the idea that there's employment available for you, the employer will assign—the idea is what makes the ruling of it, so they deem that there is employment available for you. Unfortunately, what happens is that a lot of workers who don't have employment, who don't have the ability to make

an earning, are deemed, and at WSIB we have workers who are unable to have the ability to make an income, who don't have their rights upheld.

Do you support something like that?

Mr. Scott Thompson: Actually, it's interesting; over my career, early on, I not only did labour relations and human rights, but WSIB and pensions and the whole realm of things. But in today's world, it's become so specialized that when it comes to worker's comp, there are other people in my office who would handle those types of issues. So I'm not really in a position to comment on that aspect of that legislation.

Ms. Doly Begum: Would you like to comment on the ability for a worker to have their doctors determine what their capability is and base it on that, instead of an employer determining with their own medical experts?

Mr. Scott Thompson: So that's a fairly complex area. My understanding is that there are often conflicting medical reports on that, and that's an area that necessitates some solution to resolve those disputes.

Ms. Doly Begum: And did you come across anything that's similar in your work experience?

Mr. Scott Thompson: In that area, I would just refer it to one of my partners at the time who handled worker's comp. Unfortunately, life has become so complex in the workplace that most of us end up now specializing in certain zones, and that was one that I stepped away from quite some time ago.

Ms. Doly Begum: Thank you very much for that response.

One of the things that I may have missed was the reasoning behind your choice for joining the labour board. I know you have extensive experience in your law firm and the work that you did. Because this is a non-partisan, unbiased position that you will be taking on, what do you think makes you qualified to take on this position specifically that you can do with an unbiased perspective?

0930

Mr. Scott Thompson: Well, I think I've talked a little bit about this. Even when you're advising one side or the other—this, actually, in my view, applies to both union counsel and management counsel—you have to have a deep understanding of the rules of the game and what is the expected outcome. That requires you to be able to see 360 around the dispute and where the solution needs to be, short of going to a hearing.

Hearings are very expensive. Quite frankly, my goal was to keep clients out of the hearing room and help them solve their labour issues without going that route. So I think that background and approach qualifies me to be impartial and even-handed at the labour board.

The Chair (Mr. Will Bouma): That concludes the time available. Thank you very much. Thank you for the questions. I appreciate the very good questions and good answers. Thank you, Mr. Thompson, very much for your presentation this morning. You're free to stay, free to go, but your testimony before committee is finished. Thank you very much again.

Mr. Scott Thompson: Thank you all very much.

MR. BOB CHANT

Review of intended appointment, selected by official opposition party: Bob Chant, intended appointee as chair, Royal Ontario Museum—board of trustees.

The Chair (Mr. Will Bouma): Members, our second appointee today is Robert Chant, who I believe goes by Bob, nominated as chair of the Royal Ontario Museum board of trustees.

Mr. Chant, thank you very much for joining us today. You can come forward. As you're coming forward, I'll let you know you have some time to make an initial statement at your discretion. Following this, there will be questions from members of the committee. With that questioning, we will again start with the government, followed by the official opposition, with 15 minutes allocated to each recognized party. Any time that you do take in your statement will be deducted from the time allotted to the government.

Again, thank you very much for joining us today. I appreciate you taking your time coming here and your willingness to serve the people of Ontario and at the Royal Ontario Museum. You may go ahead and make your statement.

Mr. Bob Chant: Thank you very much, Mr. Chair. I did prepare some opening remarks, so please bear with me. They're not too long.

Good morning. Thank you very much for your invitation to appear before this august group. I welcome the opportunity to tell you a little bit about myself and to take any questions that you may have.

I am Toronto-born and -raised. I attended Etobicoke Collegiate before graduating from the University of Guelph, where I studied political science. At the time, they called it "political studies." Academia didn't deem it worthy of calling it a science, but that subsequently changed. Political science and history were my majors. I include history because certainly the museum is dedicated to history, to a very large degree.

I lived in Ottawa during my years with the federal government, where, among other things, I participated in the opening of the Museum of Civilization, now called the Museum of History. I say located in Hull, Quebec; I've been corrected on that. I know it's Gatineau, but at any rate, it was Hull back then, back in 1989.

Nearly 20 years in Oakville followed that, then followed by a return to Toronto, where my wife and I now reside near Jane and Bloor. We've been there for more than eight years.

I've enjoyed a successful business career—I think a very successful business career—with the likes of the Toronto Star, Labatt Breweries, Loblaw and Weston companies. Throughout a total of 35 years in business, most of it in senior management and executive roles with some of Canada's largest companies and most successful companies, my experience includes marketing, corporate affairs, sustainability responsibilities, running import businesses, charity efforts and contributing to the overall steering of these companies, most recently serving on the management board of Loblaws.

I'm a graduate of the Rotman School of Management's directors education program, and I have served on numerous boards over the years, including some dedicated to feeding children in need. I was chair of Breakfast for Learning; vice-chair of President's Choice Children's Charity; and chair or vice-chair of blue box programs, in Ontario with Stewardship Ontario, Saskatchewan and British Columbia, where I currently serve as the vice-chair of Recycle BC. I'm about to step off that board in about a month's time.

I have also served on the board of the Accord on Fire and Building Safety in Bangladesh for more than five years, working to improve workplace safety in Bangladesh and in developing countries around the world.

As I mentioned, currently I serve on the boards of Recycle BC and an environment products start-up called Evanesce. It is also a British Columbia-based company.

I'm currently a senior adviser with the public affairs firm StrategyCorp based here in Toronto.

Woven into my business career have been a series of political roles with governments of Canada and Ontario, serving as a senior staffer with the Prime Minister's office many years ago and the offices of the Premier of Ontario and the leader of the official opposition here at Queen's Park—that was with John Tory when he was leader of the Conservative party—for a total of eight years.

While I acknowledge that my political roles have been with the PC governments exclusively, both governments and in opposition, my business career required a non-partisan approach to working with governments of all stripes in search of solutions to business and community issues that required collaboration, not confrontation. I'm very proud of the network of friends and colleagues I have of all political stripes across the country. In fact, I think in terms of purple—not blue, not red, not orange, but purple, and I'm wearing this tie to demonstrate that today.

In closing, I bring 35 years of business experience in strategy, in communications, marketing, general management and government relations, combined with eight years of government experience, which I hope you will agree positions me well for this challenge of building this wonderful institution that is the Royal Ontario Museum.

The Chair (Mr. Will Bouma): Thank you very much for your remarks.

We will now turn to the government side. You have 10 minutes on the clock. Member Harris.

Mr. Mike Harris: Thank you, Bob, for being here today. I wanted to touch a little bit on something that you had spoken about, which is the Bangladesh accord on fire and building safety. I don't know a whole lot about that, to be honest, and was just maybe wondering if you could kind of expand on your role there and how that might translate into some of the things that you're looking to do as we go forward.

Mr. Bob Chant: I suspect you're not alone, but I suspect there's one member on this committee that is more familiar, perhaps, than some. Where to start? Well, it was a horrible, horrible tragedy. This happened to me when Bob Rae asked how we all felt about what happened on April 24, 2013. It was a terrible tragedy, and in hindsight,

of course, we should have known something of that magnitude was going to happen, whether it was there or in another developing country or marketplace.

At the time, we were not as sophisticated—and when I say “we”—Loblaw Companies, through the Joe Fresh brand—which I think you're all familiar with; I hope you are—were sourcing clothing garments from a variety of developing countries in the world, including Bangladesh. Our tracking was not as sophisticated as it should have been or as it is now, so it took us a day or so to figure out whether, in fact, we had been sourcing from that location. The building was what was supposed to be a four-storey building; it was later renovated to become an eight-storey building and there were a variety of factories in there, so it wasn't just one factory, but a variety of factories in this same building. Once we had established that in fact we were sourcing from that building—and it was pretty clear from the CBC coverage that day that, in fact, our labels were amongst the rubble. It wasn't like we were challenging the issue; we just weren't sure. But as soon as we figured out that, yes, indeed, we were sourcing from there, we—I don't want to use the word “admitted,” but told the public that, in fact, we were sourcing from that facility at that time.

0940

I could go on for a long time about this, but I think if I were to summarize what we did or what I learned—what we all learned—it was that bad things happen to good organizations and good people. I was, at the time, responsible for corporate social responsibility. In fact, that was my initial primary responsibility before I was promoted to senior vice-president for the corporate affairs team. We, as quickly as we could, gathered as much of the facts, the information that we needed to make decisions about how to proceed.

The first thing was, were we actually sourcing there? Yes, we were. What did we know about the factory and our interaction with them? And then the most important thing: What are we going to do to both fix the problem and make good for the negligence that we collectively, as an industry, had been responsible for?

Within, I would say, certainly a very reasonable length of time—I can't remember the exact timing, but it was maybe 10 days or thereabouts—our chairman, Galen Weston, who I'm sure you're all familiar with, and Joe Mimran, who ran the Joe Fresh business, stood before, first, a group of reporters and then our assembled shareholders at our annual general meeting—coincidentally, our annual general happened then—and laid out a three-point plan which I helped him write. I think I wrote the first draft of what we were planning to do, and it was based on three things. One, we didn't have any boots on the ground, as evidenced by our inability to answer the question as to whether we were sourcing from there right away. We had no Canadians on the ground in Bangladesh. We were doing everything through third parties. We were counting on third parties to inspect the facilities that we were sourcing from. So we committed to boots on the ground.

Second, we committed to inspections that included building integrity, which we weren't inspecting before that. None of the industry was. The Walmarts, the H&Ms: No one was checking whether the building was going to fall down. We were checking to see whether minors were working in the facilities, whether or not proper environmental practices were being conducted. So applying Canadian standards—the standards that Canadians would expect us to apply. The last thing is compensation. We made a commitment—we were certainly the first in North America to compensate the victims.

Sorry for going on.

Mr. Mike Harris: Thank you. I appreciate that, and I think it's enlightening for a lot of us who maybe—I remember when it happened, but what the process was after that I think gets lost for a lot of folks.

I'm going to pass it on to one of my colleagues at this point. Thank you, Chair.

The Chair (Mr. Will Bouma): Very good. Member Jones, you have three minutes and 20 seconds.

Mr. Trevor Jones: Through you, Chair: Thank you, sir. The mission of the ROM is to transform lives by helping people to understand the past, make sense of the present and come together to shape a shared future in which people flourish in concert with the natural world.

As a fellow political scientist and historian, I'm curious what your ideas might be as chair for your board to assist the management team to move in the direction of this mission.

Mr. Bob Chant: Well, I've served on many boards. As I told you, I took the director's program and take to heart everything I learned in that program. One thing—I'm not sure this is the first thing—is not to get in the way of a very good management team that is in place now. The management team is relatively new, within the last six years or so, and is solid as a rock.

We have a very sound long-term strategic plan in place that I think over the coming years you will, I hope, all agree brings some dynamism and some fantastic exhibit opportunities to what is already a great, world-class institution. My objective would be to continue to move forward, to drive us to be a 21st-century, world-class institution.

The ROM is a great place. I must say, I haven't been as frequent a visitor in my forties, fifties and now, I hate to say, sixties, but I sure went down to the ROM regularly when I was a young person. I was very proud of it, and I am today.

The role of a board is to enable management to do what they have been mandated to do and to hold them accountable for that. That is what I intend to do fully, and to help where I can, use my experience where I can and help to guide. But my role and the role of the board of trustees is not to manage the organization.

I say this with no hesitation: In the little less than a year that I've been on the board, I'm very impressed with the management team and the clarity of the vision. I think you can see, if I was to put a chart up on the screens, our attendance record pre-COVID had been in decline up until the middle of the decade and then was reversed when the

management team was changed up. It was on a really good trend, and then of course we hit COVID and fell off the Earth, like every other agency and every other tourism institution, among others.

We're actually back on track, on the same trend line. We had a great weekend two weeks ago. Now, it was free, but it set records. We've had free days before, and we set records two weeks ago. I just think we're on a really good trajectory.

Mr. Trevor Jones: Thank you.

The Chair (Mr. Will Bouma): That concludes the time available for the government.

We'll turn to the official opposition now with 15 minutes. Member Pasma, go ahead.

Ms. Chandra Pasma: Thank you very much for being here this morning, Mr. Chant. Once again, it's not a comfortable or pleasant process necessarily, but it's an incredibly important part of our democratic process that we scrutinize public appointments and make sure that appointees are fully qualified for the roles that they hold.

Can you tell me, what experience do you have with museums?

Mr. Bob Chant: Only as a visitor. I've visited quite a number around the world, particularly during my government work, but I have never been employed either as a direct employee or a consultant.

However, I served for one term on the Ontario Science Centre board. I'm somewhat familiar—I know that was a while ago, so my memory is a little bit vague on what our specific challenges were back then—but it's admittedly limited.

Ms. Chandra Pasma: What about experience with public education of the kind that the ROM is supposed to play?

Mr. Bob Chant: Other than being a participant, again, relatively limited. I have had some dealings with a variety of not-for-profit organizations that are engaged in encouraging different programming, and certainly the feeding programs that I have both served on the boards of and chaired, but not directly in curriculum or the running of education institutions.

Ms. Chandra Pasma: But you worked for Brian Mulroney for four years?

Mr. Bob Chant: Yes. Five years, actually.

Ms. Chandra Pasma: Five years, okay.

And you worked for former Premier Mike Harris for two years.

Mr. Bob Chant: That's correct, yes.

Ms. Chandra Pasma: And you worked for former Leader of the Opposition John Tory for two years.

Mr. Bob Chant: Yes.

Ms. Chandra Pasma: So lots of experience working for the Conservatives.

Currently, you're a strategic adviser with StrategyCorp

Mr. Bob Chant: Yes. Senior adviser I think is the title.

Ms. Chandra Pasma: Are you aware that Leslie Noble, the founder of StrategyCorp, was campaign manager of the Conservative Party, as well as an adviser to the Premier?

Mr. Bob Chant: I am well aware of the history of our firm. It was founded by one active Conservative and one active Liberal at the time, yes.

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Ms. Chandra Pasma: Okay. So I have the public appointment application that was shared with us, and none of this is on the application form. I'm wondering if you disclosed it to the hiring committee.

Mr. Bob Chant: I'm sorry—if I disclosed it?

Ms. Chandra Pasma: The fact that you are an adviser for StrategyCorp, that you worked for the Conservatives federally and provincially.

Mr. Bob Chant: As far as I know, the bio included my reference to working for the Prime Minister, working for the Premier. I didn't specifically call out which ones, but I've unashamedly shared that, yes, those are the governments that I worked for in the past, and that I do some work for StrategyCorp now. It's as a senior adviser. I'm not an employee of the company; I'm called in every once in a while for advice on some of their client files. I have brought a few clients to them to work on. But I'm relatively unemployed these days; I'm not working very much.

Ms. Chandra Pasma: Okay. The version of the application that we have has only your employment with Loblaw Companies and then Chant Public Affairs Consulting.

Mr. Bob Chant: I am the single employee of Chant Public Affairs, and I am a senior adviser with StrategyCorp. But again, there is no employment contract there. I simply do some work with them and other clients from time to time.

I've been retired for about four and a half years now. The first three or three and a half were relatively busy, and that was my plan: a nice glide path to retirement. I'm pretty much on the ground now. I'm not working all that much.

Again, the relationship with StrategyCorp was not identical to but was similar to working for them as a client. They would be my client.

Ms. Chandra Pasma: Okay. But I'm just saying, this doesn't seem to have been disclosed on your application for the appointment.

Mr. Bob Chant: Well, I didn't disclose my client list. They are the same thing as a client, basically.

Ms. Chandra Pasma: But you also didn't disclose that you worked for the Conservative Party federally and provincially.

Mr. Bob Chant: Well, I'm disclosing that now. I disclosed it in my opening remarks.

Ms. Chandra Pasma: Okay. Have you donated to the Progressive Conservative Party provincially?

Mr. Bob Chant: Yes.

Ms. Chandra Pasma: How much?

Mr. Bob Chant: I don't know the answer to that. Not enough, according to some people I've spoken to in the past. But over the years, I would give as much as I could financially, so when I was earning an income, I was giving more than I certainly did last year or this year. I don't think I made a contribution this year. And in recent years, most of my contributions have been for leadership campaigns, for leaders that I believed should be running the party.

Ms. Chandra Pasma: According to Elections Ontario, it's \$4,426 in the last six years alone. Do you know how much you've donated federally to the Conservative Party?

Mr. Bob Chant: I hope my wife's not watching this on TV. I don't.

Ms. Chandra Pasma: It's \$19,592.

Mr. Bob Chant: Sorry, how much?

Ms. Chandra Pasma: It's \$19,592.

Mr. Bob Chant: That's not surprising.

Ms. Chandra Pasma: Okay.

So you have no experience with museums or public education, but you have a lot of experience with the Conservative Party, both federally and provincially, and you've made a significant number of donations provincially and federally. Why should we support your appointment to this board? How is this a merit-based appointment rather than a reward for your service to the Conservative Party provincially and federally?

Mr. Bob Chant: As I've outlined, I have 35 years of pretty senior experience either contributing to or directly running businesses in this province and this city. I think the skills that I have acquired over that period of time are what you're looking for, not whether I've contributed to one particular party or another.

Look, I believe, much as you said, this process is a very important part of the democratic process. I'm a firm believer that contributing both through my human resources—and an individual's human resources and their financial wherewithal or any other contribution that they can make to any party's engagement, or independent people that put themselves forward, is a very important part of the democratic process. So if you choose to hold that against me without looking at the other part of the balance sheet, I think you're missing out on the opportunity that I represent.

Ms. Chandra Pasma: So you believe your appointment is entirely unrelated to your support for the Conservative Party, and if you had donated to, say, the Liberal Party or worked for Jean Chrétien and Dalton McGuinty and had a career in business, that you would still be being appointed to the board right now?

Mr. Bob Chant: I cannot speak for the decision-makers who asked me if I would consider taking this position on, so I don't know the answer to that question. But I don't believe, from my perspective, that that's why I've been asked to do this. That's why I believe I'm competent to do the job. If that was the case, I think I'd be sitting here quaking in my boots, thinking that I couldn't do the job. Quite the opposite is true.

Ms. Chandra Pasma: So who asked you to apply for the position?

Mr. Bob Chant: I can't remember how it came up, to be honest with you. I was on the board of trustees and the question was asked whether or not I was interested, whether I would be interested.

Ms. Chandra Pasma: But was it a fellow board member who asked you that or was it a government official or a party official who asked you that?

Mr. Bob Chant: Well, ultimately, the minister is the one that would ask, so it came from the minister's office.

But it may have come up in discussions around the board table. I honestly can't remember the exact origin of it.

Ms. Chandra Pasma: So the minister's office asked you to apply?

Mr. Bob Chant: Asked me if I'd be interested, yes.

Ms. Chandra Pasma: Okay.

I'm going to hand over the rest of my time to my colleague, Chair.

The Chair (Mr. Will Bouma): Member Begum, you have five and a half minutes.

Ms. Doly Begum: Thank you very much, Chair.

I also want to really gather my thoughts together so that I can support you for this appointment, Mr. Chant, and so I'm going to ask, actually, what my colleague MPP Harris asked about as well—because you know where I was born and you know the work I've done as well. I have a few questions—because I never actually thought that I would have an opportunity like this, to be able to do this and ask the person who was really in charge of the fire and building safety for Joe Fresh.

My first question would be, why didn't you know? Why didn't you know that the clothes were being made there?

Mr. Bob Chant: Well, we did know; we just didn't have the data at our fingertips, the list of the factories. It took the course of the day to figure it out. But in the course of that day, as you can appreciate, as the news—I remember it so clearly. At 9 o'clock, the numbers were in the double-digits and they grew throughout the day. They grew over the course of a few weeks to 1,131 people killed and a couple of thousand injured, and seriously injured, most of them.

So, it wasn't that we didn't have the data; it was just that I guess the Joe Fresh team didn't think to have that at their fingertips.

Ms. Doly Begum: I find it fascinating every time I think of this and I get worked up about it, so forgive me, because I know—but I believe that it is a part of this appointment as well because the museum is to gather and collect books, artifacts and historical work to create awareness of what's happening in our history. This is a really dark part of our history.

I find it fascinating that you were part of the solution-makers in terms of what took after and you wrote the first draft, and yet a company like Joe Fresh did not know where their T-shirts were being made. It is incredible.

Mr. Bob Chant: I don't think you're—

Ms. Doly Begum: But that's what it is, though.

Mr. Bob Chant: I don't think I explained it properly. It's not that we didn't know where we were sourcing from; it's just that it took—you can imagine, I was on the front, front, front—at the front of the line—in terms of responding to all the inquiries that we were getting. It seemed like an eternity, and it was about a day. By the end of the day, we were able to say, "Yes, in fact, we were sourcing from that factory." I think I'm misrepresenting it if that's what you're taking away from it.

Ms. Doly Begum: So let me rephrase—

Mr. Bob Chant: Our operators knew but it took us a while to get to them.

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Ms. Doly Begum: Okay. You know, just months prior to that in the Tazreen Fashions corporation, there was a fire which actually killed about 112, and that's just the number recorded.

Mr. Bob Chant: Yes.

Ms. Doly Begum: There were a lot of news articles about the conditions of these buildings and what was happening through outsourcing and the subcontracting aspect of it. It is incredible, because there are two parts of it that I think do not add up: How does a factory not understand their responsibility to know exactly where their products are being made, even if it's through subcontracting? And the other part of it is, if we have a team that is supposed to be leading for fire safety, what do they not have within their responsibility that's missing, so that something so catastrophic happens where thousands of people are killed or hurt and families destroyed?

Mr. Bob Chant: I hear you.

Ms. Doly Begum: And today, right now, we're looking at 10 years after. I know you talked about the draft of the solution, but do you know that there are families that have yet to be compensated?

Mr. Bob Chant: I understand that. I can tell you that Loblaw fully funded their obligation and then some, through—I can't remember the name of the organization that was set up to distribute the funds, but the organization was agreed upon by the international trade unions that we worked with, and the government and the local labour representatives.

Listen, I share your frustration, your sadness completely. What I will say is, I found it extremely important, and I think if our chair at the time—well, he's still the chair—if he was here right now, he would agree with me that I led the Loblaw charge, the Canadian charge, and contributed to the industry charge ahead to find a solution so that this would never happen again. The thing I'm most proud of is our participation in the establishment of—and I served on the board of—what was it called? Anyway, it was the equivalent of a board of trustees for the Accord on Fire and Safety in Bangladesh—

The Chair (Mr. Will Bouma): That concludes the time available. Thank you very much for your presentation. Thank you for the questions from both sides—much appreciated.

Again, thank you very much, Mr. Chant, for joining us today. You're free from the committee. You can stay and watch the conclusion, but your presentation before us is done. Again, thank you for joining us and thank you for your willingness to serve the people of Ontario.

Mr. Bob Chant: Thank you, Mr. Chair. I'd be happy to talk to you afterwards about it. I'd be delighted to.

The Chair (Mr. Will Bouma): That would be fine, but we will now move on with the rest of committee business.

We will now consider the intended appointment of Scott Thompson, nominated as vice-chair of the Ontario Labour Relations Board. I see a hand up in my peripheral vision. Member Coe, I believe, has a motion. Go ahead.

Mr. Lorne Coe: I move concurrence in the intended appointment of Scott Thompson, nominated as vice-chair of the Ontario Labour Relations Board.

The Chair (Mr. Will Bouma): Very good. Concurrence in the appointment has been moved by member Coe. Is there any discussion? Seeing none, are members ready to vote? All those in favour? That's unanimous. Thank you very much, members. That's carried.

We will now consider the intended appointment of Robert Chant, nominated as chair of the Royal Ontario Museum board of trustees. Member Coe.

Mr. Lorne Coe: I move concurrence in the intended appointment of Robert Chant, nominated as chair of the Royal Ontario Museum board of trustees.

Mr. Will Bouma: Concurrence in the appointment has been moved by member Coe. Is there any discussion? Seeing none, are members ready to vote?

Ms. Chandra Pasma: Recorded vote, Chair.

The Chair (Mr. Will Bouma): Pardon?

Ms. Chandra Pasma: Recorded vote.

The Chair (Mr. Will Bouma): Yes, absolutely.

Ayes

Coe, Trevor Jones, Rae, Sabawy, Sandhu, Dave Smith.

Nays

Begum, Pasma.

The Chair (Mr. Will Bouma): Do we record the abstention?

The Clerk of the Committee (Mr. Isaiah Thorning): Yes.

The Chair (Mr. Will Bouma): Yes? Very good. Okay, that's carried.

The deadline to review the intended appointments of Robert Brown and Mary-Lynn Seeley, selected from the April 28, 2023, certificate, is May 28, 2023. Do we have unanimous agreement to extend the deadline to consider the intended appointments to June 27, 2023? I heard a no.

Thank you, members. That concludes our business for today. This committee now stands adjourned.

The committee adjourned at 1005.

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Ms. Doly Begum (Scarborough Southwest / Scarborough-Sud-Ouest ND)

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Mr. Lorne Coe (Whitby PC)

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