



LEGISLATIVE ASSEMBLY OF THE NORTHWEST TERRITORIES

7th Session

9th Assembly

**HANSARD**  
Official Report

**TUESDAY, FEBRUARY 23, 1982**

**Pages 658 to 706**

Speaker: The Honourable Donald M. Stewart, M.L.A.

# LEGISLATIVE ASSEMBLY OF THE NORTHWEST TERRITORIES

## Speaker

**The Honourable Donald M. Stewart, M.L.A.**

P.O. Box 1877  
Hay River, N.W.T., X0E 0R0  
(Hay River)

Appaqaq, Mr. Moses, M.L.A.  
General Delivery  
Sanikiluaq, N.W.T.  
X0A 0W0  
(Hudson Bay)

Fraser, Mr. Peter C., M.L.A.  
P.O. Box 23  
Norman Wells, N.W.T.  
X0E 0V0  
(Mackenzie Great Bear)  
Deputy Speaker and Chairman of Committees

Patterson, The Hon. Dennis G., M.L.A.  
P.O. Box 262  
Frobisher Bay, N.W.T.  
X0A 0H0  
(Frobisher Bay)  
Minister of Education

Arlooktoo, Mr. Joe, M.L.A.  
Lake Harbour, N.W.T.  
X0A 0N0  
(Baffin South)

Kilabuk, Mr. Ipeelee, M.L.A.  
Pangnirtung, N.W.T.  
X0A 0R0  
(Baffin Central)

Pudluk, Mr. Ludy, M.L.A.  
P.O. Box 22  
Resolute Bay, N.W.T.  
X0A 0V0  
(High Arctic)  
Deputy Chairman of Committees

Braden, The Hon. George, M.L.A.  
P.O. Box 583  
Yellowknife, N.W.T.  
X0E 1H0  
(Yellowknife North)  
Leader of the Elected Executive and Minister  
of Justice and Public Services

McCallum, The Hon. Arnold J., M.L.A.  
P.O. Box 454  
Fort Smith, N.W.T.  
X0E 0P0  
(Slave River)  
Minister of Health and of Social Services

Sayine, Mr. Robert, M.L.A.  
General Delivery  
Fort Resolution, N.W.T.  
X0E 0M0  
(Great Slave East)

Butters, The Hon. Thomas H., M.L.A.  
P.O. Box 1069  
Inuvik, N.W.T.  
X0E 0T0  
(Inuvik)  
Minister of Finance and of Economic  
Development and Tourism

MacQuarrie, Mr. Robert H., M.L.A.  
P.O. Box 2895  
Yellowknife, N.W.T.  
X0E 1H0  
(Yellowknife Centre)

Sibbeston, Mr. Nick G., M.L.A.  
P.O. Box 560  
Fort Simpson, N.W.T.  
X0E 0N0  
(Mackenzie Liard)

Curley, Mr. Tagak E.C., M.L.A.  
Rankin Inlet, N.W.T.  
X0C 0G0  
(Keewatin South)

McLaughlin, Mr. Bruce, M.L.A.  
P.O. Box 555  
Pine Point, N.W.T.  
X0E 0W0  
(Pine Point)

Sorensen, Mrs. Lynda M., M.L.A.  
P.O. Box 2348  
Yellowknife, N.W.T.  
X0E 1H0  
(Yellowknife South)

Cournoyey, Ms. Nellie J., M.L.A.  
P.O. Box 1184  
Inuvik, N.W.T.  
X0E 0T0  
(Western Arctic)

Nerysoo, The Hon. Richard W., M.L.A.  
General Delivery  
Yellowknife, N.W.T.  
X0E 1H0  
(Mackenzie Delta)  
Minister of Renewable Resources and of Energy

Tologanak, The Hon. Kane, M.L.A.  
Coppermine, N.W.T.  
X0E 0E0  
(Central Arctic)  
Minister of Government Services

Evaluarjuk, Mr. Mark, M.L.A.  
Igloodik, N.W.T.  
X0A 0L0  
(Foxye Basin)

Noah, Mr. William, M.L.A.  
P.O. Box 125  
Baker Lake, N.W.T.  
X0C 0A0  
(Keewatin North)

Wah-Shee, The Hon. James J., M.L.A.  
P.O. Box 471  
Yellowknife, N.W.T.  
X1A 2N4  
(Rae - Lac la Martre)  
Minister of Local Government and of Aboriginal  
Rights and Constitutional Development

## Officers

Clerk  
Mr. W.H. Remnant  
Yellowknife, N.W.T.  
X0E 1H0

Clerk Assistant  
Mr. D.M. Hamilton  
Yellowknife, N.W.T.  
X0E 1H0

Law Clerk  
Mr. Peter C. Fuglsang  
Yellowknife, N.W.T.  
X0E 1H0

Editor of Hansard  
Mrs. M.J. Coe  
Yellowknife, N.W.T.  
X0E 1H0

Sergeant-at-Arms  
S/Sgt. David Williamson  
Yellowknife, N.W.T.  
X0E 1H0



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YELLOWKNIFE, NORTHWEST TERRITORIES

TUESDAY, FEBRUARY 23, 1982

MEMBERS PRESENT

Mr. Appaqaq, Mr. Arlooktoo, Hon. George Braden, Hon. Tom Butters, Ms Cournoyea, Mr. Curley, Mr. Evaluarjuk, Mr. Fraser, Mr. Kilabuk, Mr. MacQuarrie, Hon. Arnold McCallum, Mr. McLaughlin, Hon. Richard Nerysoo, Mr. Noah, Hon. Dennis Patterson, Mr. Pudluk, Mr. Sayine, Mr. Sibbeston, Mrs. Sorensen, Hon. Don Stewart, Hon. Kane Tologanak

ITEM NO. 1: PRAYER

---Prayer

SPEAKER (Hon. Don Stewart): Orders of the day for Tuesday, February the 23rd. Item 2, replies to Commissioner's Address. No replies today.

Item 3, oral questions.

ITEM NO. 3: ORAL QUESTIONS

Mr. Arlooktoo.

Question 42-82(1): Uniforms For Rangers

MR. ARLOOKTOO: (Translation) Thank you, Mr. Speaker. I am not quite sure who this question is directed to. However, I was directed yesterday to ask a question which I received through a telephone call. There are people in northern Canada that they call rangers and who carry rifles and they have been doing that for a while. I was told to ask in the House if there is a possibility that they could keep their uniforms? I do not know who I am directing this question to, but to one of the Ministers. That was my question from my people. They have to use uniforms and the residents have been wondering if there is a possibility of receiving uniforms to wear them in the winter? Thank you.

MR. SPEAKER: Mr. Braden.

HON. GEORGE BRADEN: Thank you, Mr. Speaker. If I understand correctly, the Member is talking about the rangers, who come under the jurisdiction of the federal Department of National Defence. I will take the Member's question as notice at this point in time and I will endeavour to have the request put to the Department of National Defence as soon as possible. I would hope that by later on this week I could provide a written response to the Member's question.

MR. SPEAKER: Thank you. Oral questions.

Item 4, questions and returns. Are there any returns for today?

Item 5, petitions.

Item 6, tabling of documents.

ITEM NO. 6: TABLING OF DOCUMENTS

Ms Cournoyea.

MS COURNOYEA: Mr. Speaker, I would like to table Tabled Document 23-82(1), Letter from Hamlet of Aklavik. I would like to read the contents of that letter. It is a short letter. "This is to inform you that the council of the hamlet of Aklavik fully supports you in your endeavour to persuade the Legislative Assembly to launch a full inquiry into the Department of Economic Development in the Inuvik region. The hamlet council has always been of the opinion that Economic Development could and should be doing more to assist native northerners to become more involved in business. Council is also aware that some ex-economic development officers are now the business elite of the Inuvik region. I hope this letter of support is of some use to you." This is from the Aklavik hamlet council.

MR. SPEAKER: Thank you. Tabling of documents. Item 7, reports of standing and special committees.

Item 8, notices of motion.

ITEM NO. 8: NOTICES OF MOTION

Ms Cournoyea.

Notice Of Motion 34-82(1): Extension Of Income Tax Moratorium On Earnings From Trapping And Fur Catch

MS COURNOYEA: Mr. Speaker, I give notice that on February 25th, I will move, seconded by the honourable Member for Yellowknife South, Lynda Sorensen, that this House recommend to the Executive Committee that it immediately seek to obtain from the appropriate federal minister's agencies an extension of the income tax moratorium with respect to northern benefits, to include incomes earned in the Northwest Territories from trapping and fur catch.

---Applause

MR. SPEAKER: Thank you. Notices of motion. Mr. Appaqaq.

Notice Of Motion 35-82(1): Housing Corporation Problem In Sanikiluaq

MR. APPAQAQ: (Translation) Thank you, Mr. Speaker. I would like to give notice of my motion which I will move on February 25th, 1982, on Thursday, seconded by the MLA for the High Arctic, Ludy Pudluk. This is an information item and there seems to be a mistake. The Housing Corporation made a mistake in Sanikiluaq relating to the rental scale. The mistake was related to rent increases dated June 5th. Sanikiluaq was under zone five, but the Housing Corporation made a mistake and the mistake they made was that it was under zone three. So, the rental scale of Sanikiluaq was not correct. Now therefore, I move that the Legislative Assembly recommend to the Executive Committee that the Housing Corporation correct their error in zoning, to zone five rather than zone three. Thank you, Mr. Speaker.

MR. SPEAKER: Thank you. Notices of motion. Mr. Curley.

Notice Of Motion 36-82(1): Plebiscite On Boundary Proposals

MR. CURLEY: Mr. Speaker, I give notice that on Thursday, February 25th, 1982, I will move the following motion. Now therefore, I move that this House recommend to the Executive Committee that, should a majority of people in the Northwest Territories indicate support for the division of the Northwest Territories, that the same electorate shall be finally consulted by plebiscite to give their opinion on a boundary proposal which may result from the report of a boundaries commission or any other process for new boundaries once approved by this Assembly.

MR. SPEAKER: Thank you. Notices of motion. Item 9, notices of motion for first reading of bills.

ITEM NO. 9: NOTICES OF MOTION FOR FIRST READING OF BILLS

Mr. Braden.

Notice Of Motion For First Reading Of Bill 8-82(1): Vital Statistics Ordinance

HON. GEORGE BRADEN: Mr. Speaker, I give notice that on Thursday, February the 25th, I will move that Bill 8-82(1), Vital Statistics Ordinance, be read for the first time.

MR. SPEAKER: Thank you. Introduction of bills for first reading. Mr. Butters.

HON. TOM BUTTERS: Mr. Speaker, may I have unanimous consent to go back to notices of motion?

MR. SPEAKER: Unanimous consent is being requested to go back to Item 8, notices of motion.

SOME HON. MEMBERS: Agreed.

MR. SPEAKER: Are there any nays?

---Agreed

REVERT TO ITEM NO. 8: NOTICES OF MOTION

Proceed, Mr. Butters.

Notice Of Motion 37-82(1): Tabled Document 4-82(1) To Committee Of The Whole

HON. TOM BUTTERS: Mr. Speaker, I would like to give notice of a motion for which I will ask unanimous consent to be put this date, which requests that Tabled Document 4-82(1), Annual Report of Territorial Accounts, Fiscal Year 1980-81, be moved into committee of the whole for consideration at a time to be set by Mr. Speaker.

MR. SPEAKER: Thank you, Mr. Butters. Any further notices of motion while we are back here? Mr. Butters.

HON. TOM BUTTERS: Yes. I require unanimous consent to go back to motions, sir, now, as well.

SOME HON. MEMBERS: Agreed.

MR. SPEAKER: Unanimous consent is being requested to waive the 48 hours on notices of motion, to proceed with the motion that Mr. Butters has just read. Are there any nays?

---Agreed

Item 10, motions.

ITEM NO. 10: MOTIONS

Proceed, Mr. Butters.



Motion 37-82(1): Tabled Document 4-82(1) To Committee Of The Whole, Carried

HON. TOM BUTTERS: Mr. Speaker:

I MOVE that the document, Annual Report of Territorial Accounts for the Fiscal Year 1980-81, be moved into committee of the whole for consideration at a time to be set by Mr. Speaker.

MR. SPEAKER: Your motion is in order. Is there a seconder? Mr. Kilabuk. Do you wish to speak to your motion now, Mr. Butters?

HON. TOM BUTTERS: Question.

MR. SPEAKER: Are you ready for the question?

SOME HON. MEMBERS: Question.

MR. SPEAKER: All those in favour? Opposed, if any? The motion is carried.

---Carried

Item 12, second reading of bills.

Before we go into committee of the whole, I would like to take this opportunity of recognizing some guests from Baker Lake, Mr. Ralph Butterworth, the secretary manager, Peter Tapatai, councillor, and Ed Evo, councillor from Baker Lake.

---Applause

Mr. Curley.

Vote Of Confidence To Executive Members

MR. CURLEY: Mr. Speaker, I would just like to say to the House that the caucus had a chance to give the Executive Members a vote of confidence. I am pleased to see that all of them are sitting back in their seats.

---Applause

MR. SPEAKER: Thank you, Mr. Curley. Item 13, consideration in committee of the whole of bills, recommendations to the Legislature and other matters.

ITEM NO. 13: CONSIDERATION IN COMMITTEE OF THE WHOLE OF BILLS, RECOMMENDATIONS TO THE LEGISLATURE AND OTHER MATTERS

Tabled Document 15-82(1), Workers' Compensation task force report, and Bill 1-82(1), Appropriation Ordinance for 1982-83, and the 13th Report of the Standing Committee on Finance, with Mr. Fraser in the chair.

---Legislative Assembly resolved into committee of the whole for consideration of Tabled Document 15-82(1), Report of the Workers' Compensation Task Force; Bill 1-82(1), Appropriation Ordinance, 1982-83, with Mr. Fraser in the chair.

PROCEEDINGS IN COMMITTEE OF THE WHOLE TO CONSIDER TABLED DOCUMENT 15-82(1), REPORT OF THE WORKERS' COMPENSATION TASK FORCE; BILL 1-82(1), APPROPRIATION ORDINANCE, 1982-83

Tabled Document 15-82(1), Report Of The Workers' Compensation Task Force

CHAIRMAN (Mr. Fraser): The committee will come to order. We are dealing with the Report of the Workers' Compensation Task Force, Tabled Document 15-82(1). I am not too sure how the Minister wants to deal with this. Maybe if I can ask Mr. Tologanak for any comments as to how he wishes to deal with this document. Mr. Tologanak.

HON. KANE TOLOGANAK: Thank you, Mr. Chairman. The Workers' Compensation task force report is before you. As the members of the task force are in town today, I would like to call witnesses before I go further on comments and suggestions as to how we will deal with the report.

CHAIRMAN (Mr. Fraser): I understand, Mr. Tologanak, that you wish to call witnesses in.

HON. KANE TOLOGANAK: Yes, Mr. Chairman.

CHAIRMAN (Mr. Fraser): Is that agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): Who are you going to call in, Mr. Tologanak?

HON. KANE TOLOGANAK: I would like to call the chairman of the Workers' Compensation Board, Mr. John MacLean, and Mr. Bill Berezowski.

CHAIRMAN (Mr. Fraser): We have at the witness table Mr. MacLean sitting on the west side of the House, and Mr. Berezowski on his right. Mr. Tologanak, have you any opening remarks?

HON. KANE TOLOGANAK: Thank you, Mr. Chairman. The task force was set up in October of 1980 and the first series of meetings began in November of 1980 and for the next few months met with employers and employees of senior management of various provincial compensation boards. There are 57 recommendations in the report. Perhaps Mr. MacLean can explain as to how the recommendations can be broken down and discuss briefly what each recommendation is. So, Mr. Chairman, I will turn it over to the task force people.

CHAIRMAN (Mr. Fraser): Thank you. Is it the wish of the committee then that we go by recommendations?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): Mr. MacLean.

MR. MacLEAN: Mr. Chairman, if I may at the outset just say a few words with respect to the task force itself and then pass quickly on to the recommendations that were made in the report relating to the Legislative Assembly.

During the summer of 1980 the members of the board were of the opinion that a review of operations was needed since the new statute was proclaimed in 1977. It was felt that such a review should be made by a small group of people representing the board, management, labour and the general public of the Northwest Territories. The study group named a task force and we are fortunate to have the following people serve as members of this group. We had William Berezowski and William Hettrick as board members; we had Mr. W.A. Case of Cominco; Mrs. J. Showalter from the Northwest Territories Federation of Labour and the Rev. James Ormiston, who is the United Church minister in Yellowknife.

#### Terms Of Reference

The terms of reference included a look at the Workers' Compensation Board's present system of operations including our administration, our principles and priorities, the standards of industrial safety and health, the compensation levels, and the comparison to workers' compensation as practised in other jurisdictions.



There were referrals made during the course of their studies to senior management and staff of the various other provincial Workers' Compensation Boards. There was notification to all employers, employer groups, labour, municipalities and the Members of this Assembly for both written or oral submissions. Simultaneously notice was given in the newspapers and radio across the Northwest Territories and public meetings developed as a result of the advertising. At the conclusion of this activity, its report was completed and our Minister has tabled same.

#### Consideration Of Assembly On 18 Recommendations

You will note from the contents of the report, if you have had an opportunity to read it, that a number of items were raised and 57 proposals were advanced for the board's consideration. Of these 57 recommendations, 18 were with respect to bringing certain matters to the attention and consideration of the Assembly.

If I may just briefly comment on those recommendations. As you peruse the report, recommendations (1), (2) and (22) relate to the scope and coverage of the ordinance, the proposed size of the board, and the term of office for the chairman of the board. Recommendations (5), (6) and (10) deal with the establishment of regular communications through our Minister with the Executive Committee and the responsibility of the board under the terms of its ordinance.

Recommendations (23) and (24) are concerned with a proposal for the composition of a committee to review the administration of our ordinance every four years. Recommendation (14) relates to future planning for financing pension increases. Recommendations (35), (36) and (37) are proposals with respect to legislation on accident prevention and occupational health in the Northwest Territories. Recommendation (39) is concerned with amending the definition of "accident" in the statute. Recommendations (42) and (44) are related to establishing the annual YMAR, years maximum assessable remuneration, which we do every year. Recommendation (45) indicates that the board should make a report to the Legislature within the next four years on compensation systems in use in other jurisdictions in Canada. Recommendation (48) deals with a housekeeping amendment to the ordinance and recommendation (56) is in the form of a request for this Assembly to consider a study of 24 hour coverage for all workers in the Northwest Territories. You will find some additional material in the report following the outline of the recommendations which does provide an insight into the background of the material used.

I believe that this, in a short fashion, outlines the contents of the report which directly relate to the consideration of the Assembly and I would like to publicly thank the members of the task force for the time, effort and consideration spent in compiling this study. I believe that is all I have to say at the moment. I have with me Bill Berezowski who was the chairman of the task force who is also with me to answer any questions that may arise.

CHAIRMAN (Mr. Fraser): Thank you, Mr. MacLean. Does the committee wish that we open the floor for general questions before we go into recommendations?  
Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): We have the floor open for general comments. We have three witnesses up there and through the Chair you can direct your general comments or questions. Thank you. General comments. Mrs. Sorensen.

MRS. SORENSEN: Thank you, Mr. Chairman. First of all, I would like to commend the members of the task force for a very thorough and well thought out report. I have read it and while I do not necessarily agree with everything that is in it,

I am certainly willing and open-minded to hear what you have to say and the reasons behind many of your recommendations, but it certainly shows that there was a great deal of time and effort put into the document. I think I can speak on behalf of all Members and say thank you very much.

#### Safety And Accident Prevention

I would like to turn to the matter of workers' compensation and the matter of industrial safety and health and would like to have you explain why you feel that it is important that safety and accident prevention come under the jurisdiction of the Workers' Compensation Board as opposed to remaining under the territorial government as it now is, under Justice and Public Services.

CHAIRMAN (Mr. Fraser): Thank you. Mr. MacLean.

MR. MacLEAN: I will let Mr. Berezowski answer that in a minute. If I just may speak as a prelude to him, the task force came into being in October of 1980 and made its deliberations from then until July of last year. Some of the concern in fact at that time, as I understand it, was with regard to the Mining Safety Ordinance and the mine safety regulations, and I just want to butt in here for a minute to add my congratulations at this time for the review last Thursday of the Leader of the Elected Executive in relation to developments in his department with respect to the Mining Safety Ordinance.

CHAIRMAN (Mr. Fraser): Thank you, Mr. MacLean. Mr. Berezowski.

MR. BEREZOWSKI: Mr. Chairman, the whole question of safety and health and rehabilitation has drawn the attention of all jurisdictions across Canada to a greater extent than it has for any number of years in the past, mainly because in Canada we are not abreast of and in control of industrial accidents and safety and health. Several steps have been taken in various jurisdictions, various provinces. One is to centralize all safety agencies under one control. In the case of Alberta, they have a minister responsible for occupational safety and health covering industrial safety, construction, the oil fields, and mining. In British Columbia, they have responsibility for industrial safety.

The task force, in meeting with these jurisdictions, was impressed with what the compensation boards, where they have some control, were able to do in the matter of this important field, both from the point of view of leadership and in terms of the different ordinances or laws, educational work and that sort of thing. The advice that we received was that if, particularly in a jurisdiction such as ours, a centralization takes place, probably the most appropriate organ to have control of safety and health is a compensation board because on a day to day basis, our staff is knowledgeable as to what is happening in industry. Where you do not have that there is some problem of communication between the various agencies so that if a problem is developing in a certain industry, unless a trade union movement raises the dickens or some other awareness is made, the thing slips by and there is no control.

#### Policy Of Merit Rebate System

The other aspect is the board adopted a policy of trying to recognize and give credit to that section of industry whose accident rate was under control and whose safety programs were in place in what we call -- what is the technical term? The merit rebate system. The board is spending roughly 10 per cent of its income on this system. At this stage we have no way of knowing whether that system is effective, whether that money that industry is putting up is effectively used and whether it is in fact having an effect on the safety and health of our people of the Northwest Territories.



I might point out that the accident rates in the Territories have been increasing every year. There was a pretty sharp jump from 1980 to 1981. It might be explained, to a great extent, by the fact that there are more employers and more employees and consequently you have a quantitative increase in accidents. But a perusal of the type of accidents that we have experienced over the years, particularly since 1977, if you see the annual report of the board to the Assembly, somewhere in the nature of 40 per cent of the accidents deal with limbs, with fingers and hands. There must be something that can be done to start alleviating these. By and large, the advice that we received from other jurisdictions is, because our staff is daily involved with knowing what is going on in the industrial field, it would be the best organ to control safety and health to reverse the trend of accidents and industrial diseases.

CHAIRMAN (Mr. Fraser): Thank you, Mr. Berezowski. Mrs. Sorensen.

MRS. SORENSEN: I have two questions that arise from what you have just said. Number one is, in what particular sector of industry have the accidents been increasing since 1977 or is it overall? The other is, what provinces now have the control of occupational health and safety and mine safety under the jurisdiction of the Workers' Compensation Board?

CHAIRMAN (Mr. Fraser): Mr. MacLean.

#### Control Of Health And Safety In The Provinces

MR. BEREZOWSKI: The only jurisdiction where they have full control of safety and health is Quebec. British Columbia has industrial safety and health but not the mining. Mining is excluded. Alberta was responsible for industrial safety and health but with the advent of a ministry and the Occupational Safety and Health Act, it was removed from their jurisdiction. Those are the only jurisdictions which have direct control on safety and health, Quebec and BC. The Alberta board, which had industrial safety and health, told us that since they have come into the new system, they feel that the matter of safety and health has deteriorated and the board has no input whatsoever, even though they make a contribution. I think the last payment by Alberta was something like three million dollars from the compensation board to occupational safety and health.

MR. MacLEAN: If I could answer the other question, Mr. Chairman, we have eight classes of industry. Of those eight classes of industry, the most money spent in relation to the payment of claims was that class devoted to non-renewable resources. The second class in line was the class dealing with construction and the third class in the amount of money spent on claims and medical expenses was the class related to trucking.

CHAIRMAN (Mr. Fraser): Thank you, Mr. MacLean. Mr. MacQuarrie.

MR. MacQUARRIE: The recommendation is that the board be allocated control by legislation of all aspects of accident prevention and occupational safety and health for all industries to which the Workers' Compensation Ordinance applies. Did I understand, Mr. Berezowski, that in Quebec and in BC that that is the situation that obtains, that in fact the Workers' Compensation Board is in control of these matters; educational safety programs, inspection and that sort of thing?

CHAIRMAN (Mr. Fraser): Thank you, Mr. MacQuarrie. Mr. MacLean.

MR. MacLEAN: I will have Mr. Berezowski answer that question, please.

CHAIRMAN (Mr. Fraser): Thank you. Mr. Berezowski.

British Columbia Boards Promote Accident Prevention Programs

MR. BEREZOWSKI: The BC boards -- and this pertains only to industrial safety -- do not have any control over the mines. They set the safety standards, regulations of accident prevention programs, ranging from direct inspection to safety promotion, also industrial hygiene and rehabilitation. They have some 60-odd people on staff and when we met with them, they said that one of the big things they are able to do where an industry starts to run into problems, they can offer to have people to go and sit down and say "All right, what is going wrong?" and promote a program ostensibly to overcome the accidents that that particular industry is undergoing.

CHAIRMAN (Mr. Fraser): Thank you. Mr. MacQuarrie.

MR. MacQUARRIE: Were those jurisdictions then, where this applies, able to point very specifically to statistical evidence that where this was done there was a reduction in the number of accidents and therefore in the number and the amounts of claims? Did they offer that kind of evidence to you?

CHAIRMAN (Mr. Fraser): Thank you. Mr. Berezowski, please address the Chair and wait until your name has been called. Mr. Berezowski.

MR. BEREZOWSKI: We tried to get a definitive answer from the people in Quebec and they said that their program just had not operated long enough to be able to give us hard statistics and hard facts.

CHAIRMAN (Mr. Fraser): Thank you. Any further comments? Mr. MacLean.

Large Number Of Hazardous Industries In NWT

MR. MacLEAN: I wonder if I could just add to that question, Mr. Chairman. We also have to recognize that what is taking place in the Northwest Territories is different in quite a few aspects from what is taking place in the provinces. We have here in the Northwest Territories a large number of industries which could be called hazardous, compared to the provinces. We also have workers in the Northwest Territories that do not reside here. The statistics on the workers that are here for two or three months and then live in another part of Canada show that is not the situation that exists in the provinces to the South. I believe, myself, that if we wanted to take a good look at accident prevention in the Northwest Territories for the injured workers, a committee that might be set up to look at it would find a number of differences in the Northwest Territories in relation to prevention of injury to workers than what exists in some of the provinces.

CHAIRMAN (Mr. Fraser): Mr. MacQuarrie.

MR. MacQUARRIE: Thank you, Mr. Chairman. Making the change that is recommended certainly would be a very major change, a significant step. It is possible that the Assembly might, after it has deliberated, feel that that is not a direction in which it wants to go or perhaps feel that it is premature if we do not have hard statistical evidence of success yet. But I just have a comment then on obviously what led to that recommendation -- is the concern, the rise in the number of accidents. Could I have a comment as to the suitability, if we did not move in that direction, of beefing up the safety legislation? Is that a suitable alternative?

CHAIRMAN (Mr. Fraser): Thank you, Mr. MacQuarrie. Before I let you answer that, Mr. MacLean, I would like to recognize in the House Mr. Fred Taptuna, the mayor of Coppermine and vice-president of the Inuit Development Corporation and Jack Anawak, executive assistant to the regional director, Keewatin region.

---Applause

Thank you very much. Mr. MacLean, please.



MR. MacLEAN: Well, Mr. Chairman, I do not want to speak as a member of the task force, because I was not a member of the task force, but in deliberating with them since the task force report has been released and the knowledge I have gained from our board members, it was the feeling of the task force members that there should be in the Northwest Territories perhaps a department of government that would be a workers' department of government. It might include the compensation board. The structure as outlined in the report, in relation to accident prevention, is outlined knowing that if those steps were followed it might be the creation of something bigger and better, which would include labour, workers' compensation and accident prevention and health and safety.

CHAIRMAN (Mr. Fraser): Thank you, Mr. MacLean. Mrs. Sorensen.

#### Joining Together Of Labour Related Functions

MRS. SORENSEN: Mr. MacLean has brought up an interesting idea, which has been talked about before, and I would like to refer my question to the Minister of Economic Development, because it was my understanding that when Mr. Braden was the Minister of Economic Development he did look at the possibility of setting up a department of manpower, department of labour -- looked at the possibility of a department of energy, mines and resources, this kind of thing, and obviously the government has considered this. So, I wonder if either Mr. Butters or Mr. Braden could respond from the government's point of view to the idea that has just been placed on the floor by Mr. MacLean.

CHAIRMAN (Mr. Fraser): Thank you, Mrs. Sorensen. Mr. Braden.

HON. GEORGE BRADEN: Thank you, Mr. Chairman. The concept is not new, as the Member has noted. It has been discussed formally and informally a number of times over the past few years. What is currently taking place is that we have completed an internal analysis of all the labour related functions over which this Legislature and the territorial government has jurisdiction. We have prepared an options paper of sorts which makes recommendations on various ways and means in which labour related functions in the Department of Economic Development, Department of Justice and Public Services, Department of Personnel and a few others, could be drawn together under one particular structure within the institution.

#### Mapping A Strategy Capable Of Provincial-Type Labour Functions

At this point in time, I am speaking with the federal Minister of Labour, Hon. Charles C. Caccia, on those outstanding provincial-type labour functions which we do not have jurisdiction over and they include things like certification of unions, arbitration, mediation and a few other functions. He is interested, I can say at this time, in further discussions to seek a change in part 5 of the Canada Labour Code, which allows for the federal government to perform many provincial-type of labour functions in the Northwest Territories. All of this to say, Mr. Chairman, that we have not really mapped out any strategy. I think that in developing a labour capability within the Government of the Northwest Territories or its private boards, that we have to look to the long term. We could achieve, I would suppose, some changes in the short term. However, should there be further delegation or transfer of responsibility to the territorial government, I would want to make sure that what we are setting up in the short term is capable of assuming additional responsibilities in the long term.

I cannot really comment on this much further, except to say that in my past experience on another job, we did analyse the length of time it would take to put into place many of the provincial-type labour functions and that length of time was estimated at something like four years. So, I do not really see that this House or the territorial government could in the remainder of our

mandate complete everything. But I do not feel that that is any reason why we should stop pursuing the development of a territorial department of labour, rationalizing within our institution many of the functions that are sort of spread out all over the government, taking a look at our existing jurisdiction and legislation and then, perhaps, mapping out some kind of strategy for the long term where we would see additional provincial-type labour responsibilities delegated or transferred to the Legislature and the Government of the Northwest Territories.

In conclusion, we are very understanding and recognize the importance of improving and modifying our responsibilities in this area, because I think it is quite apparent -- it is to me as the Minister responsible for mine safety -- that the number of workers in the Northwest Territories who are employed in industrial projects and the number of employees there are generally in the Territories requires that we take a serious look at this particular responsibility and make some changes. Thank you.

CHAIRMAN (Mr. Fraser): Thank you, Mr. Braden. Mrs. Sorensen.

MRS. SORENSEN: Mr. Chairman, if I could direct my question to Mr. MacLean and Mr. Berezowski then. Do I take it that part of the reason that you are proposing that all aspects of accident prevention and occupational safety and health for all industries come under the jurisdiction of the Workers' Compensation Board is somewhat because of the frustration that the Workers' Compensation Board has experienced with the increasing numbers of accidents since 1977? Yet with your lack of being able to have much to do with the educational aspects and the inspection aspects, if our government were prepared to seriously look at a department of labour or a department that could pull everything together with respect to safety and include the Workers' Compensation Board, would that be preferable to what you are recommending here in recommendations (35), (36) and (37)?

CHAIRMAN (Mr. Fraser): Thank you, Mrs. Sorensen. Mr. Berezowski.

MR. BEREZOWSKI: When the task force discussed this question of centralization -- one of the reasons why they are looking at it all over the country is to cut out administrative costs and duplication of services. I do not think that requires argument. How it should be implemented vis-à-vis legislation, that is something we did not go into and anything I might say on that is strictly personal observation.

#### Assembly Should Consider Establishing A Ministry Of Labour

I imagine that a ministry of labour is probably something that the Assembly should look at, not only from the point of view of industrial safety and health but labour relations, particularly with what seems to be, relatively speaking, a massive increase in the working force in the Northwest Territories and namely in the oil industry. If there was a ministry of labour established, I presume that the Workers' Compensation Board would come under that jurisdiction and control. I think there is some urgency and perhaps I might be a bit influenced by what happened in Newfoundland. While oil and gas is a federal jurisdiction, those that were sitting on that board with the reserves that we painstakingly built up feel a little perturbed when there are some 30-odd ships on the Beaufort Sea. I am not saying they are going to start sinking but accidents can happen. There can be a massive accident. I think the province of Newfoundland -- the compensation board there is going to be confronted with capitalization costs on 50 some-odd fatalities. I do not know what happened there. I know on TV there are all kinds of fires and crossfires on the inadequacy of inspections. How much of that is true I do not know, but you hear it on TV and there is some urgency. I think Mr. MacLean is right. We are different in the Northwest Territories in the sense that our basic industry is very hazardous; be it construction, be it mining, and your oil and gas, and an environment that is quite different to other parts of Canada.



CHAIRMAN (Mr. Fraser): Thank you. Mrs. Sorensen, supplementary.

MRS. SORENSEN: With respect then to the men and women that are on working on the drilling ships in the Beaufort Sea, how do you now work with the federal government, because obviously the ships and that whole aspect of the safety will always remain with the federal government. Even controlling safety of the workers under the Workers' Compensation Board is not going to prevent a ship from going down. Now, what it might prevent, I suppose, are silly accidents where they cannot get off the ship because they are not well-trained. Is that what you are referring to, that the Workers' Compensation Board would actually be then in control of the kinds of training and assistance to workers that would take place on these ships rather than what exists now?

CHAIRMAN (Mr. Fraser): Thank you, Mrs. Sorensen. Mr. MacLean.

Department For Accident Prevention In Oil And Gas Industry

MR. MacLEAN: Mr. Chairman, the oil and gas production in the Northwest Territories and exploration in the Northwest Territories is not within the jurisdiction of the territorial government. We were faced with a problem here two and half years ago when it became very evident that exploration of oil and gas was going ahead lickety-split, if that is the word to use, in the Beaufort Sea. We created an accident prevention department in our organization consisting of an officer and a clerk, which is not a very extensive organization, with the prime reason of taking a look at workers' injuries in the oil and gas exploration and development in the Northwest Territories. We have maintained since that time a close liaison with the federal people and I may say at the present time, since the new department was formed, there is not the kind of liaison that might be apparent if and when they get their regulations administered properly. I do not say that in criticism. I say that from a housekeeping point of view. It is a new statute and a new minister. However, as we go into that, we have been keeping a very close check on what is happening in the oil and gas exploration in the Northwest Territories. We have had to do it. All of those workers are covered by workers' compensation and we have felt an obligation to look into their safety while they work in the Northwest Territories.

Now, let me tell you, the scene around their work activity is tremendous. We have 727s flying every day from Calgary with plane loads of workers to sites in the Northwest Territories. We have at the present time 33 ships in the Beaufort Sea belonging to one of the employer companies. On top of that we have all the hazards that are enveloped in the fact of trying to get workers when they are injured out of wherever the heck they are working to the nearest possible hospital and in some cases to the nearest possible hospital for critical treatment, which is in Calgary and Edmonton.

We are doing our best at the moment with our limited resources to try and keep a hand in our glove on the pulse there but as the first minister mentioned on Thursday, there are going to be some contacts between this government and the federal government in relation to safety and accident prevention and we welcome this very much.

CHAIRMAN (Mr. Fraser): Thank you, Mr. MacLean. Mr. MacQuarrie.

Responsibility For Compensation Benefits

MR. MacQUARRIE: Thank you, Mr. Chairman. I can see the importance of having a good measure of control over safety in those areas and that is an important problem in itself, but of course what you have just said, to my mind, perhaps raises an even more important problem. That is, I understand we collect contributions in respect of workers' compensation from the workers or from the companies that have projects operating in the Northwest Territories, and as you

say, every day there is a plane coming north full of people. There are 23 ships in the Beaufort. The fly-in, fly-out business we do not like anyway because we are not realizing tax revenues from these people. But do I understand that if a plane went down that we would be responsible for the compensation benefits for the people in it? If that is the case, when you consider all the vessels and the planes coming and going, that seems to me to be a very, very serious problem in so far as the compensation fund is concerned in the Northwest Territories. Can I ask then, is anything being done to address that potential problem at the present time?

CHAIRMAN (Mr. Fraser): Thank you, Mr. MacQuarrie. Mr. MacLean.

Liability For Death And Injury In Aircraft Accidents

MR. MacLEAN: Mr. Chairman, we are trying in our own fashion to address the problem. It is probably a limited fashion but we are doing it in various ways.

To answer your first question, if an aircraft is owned by an employer and the people in the aircraft are workers employed by that employer, then we are responsible if that aircraft crashes and people are injured or killed. Our ordinance is applicable to all workers in the Northwest Territories regardless of whether or not, I may say, the employer is registered, but you may rest assured where the aircraft are concerned, they are registered. We are considering at the present time, and it really does not help an awful lot in this respect, but additional assessment fees for those aircraft that are used. If an aircraft that is used is a chartered aircraft and the same thing occurs with respect to workers on the aircraft, then of course we have a third party right of action against the owners of the aircraft, but if the aircraft is owned by the employer, then we are liable for the payment of all damages, all costs.

CHAIRMAN (Mr. Fraser): Thank you, Mr. MacLean. Mr. MacQuarrie.

MR. MacQUARRIE: Yes, to me that is a frightening situation. It seems to me that our fund could be crippled. The last part of my question was, how is that being addressed, and perhaps I could maybe ask the Minister for a comment too -- he indicates not to ask him for a comment -- but it seems to me that this government as a whole had better start looking at that very serious problem immediately.

CHAIRMAN (Mr. Fraser): Mr. MacLean.

Transportation Of Workers Is A Concern Of Workers' Compensation Board

MR. MacLEAN: It is a problem that is with us mainly because of the vast geographical distances involved in the transportation to and from of workers to employment sites. Now perhaps that is not the answer. Perhaps the answer for employers engaged in certain industries is to have workers -- I am not sure -- on a longer basis of time and to use other methods of transportation to and from the places of work. Let me say this. We, of course, are concerned with the mining industry as we are with all mine industries and all the way along the line. We would not like to see anything of a disastrous nature happen in the mining industry but we are just as concerned, if not more, with what is happening in the oil and gas exploration and development field in the Northwest Territories and perhaps what we touched on today might explain that.

CHAIRMAN (Mr. Fraser): Thank you, Mr. MacLean. General comments before we go into the recommendations. Mr. MacQuarrie.

MR. MacQUARRIE: Yes, just briefly. To sum up then, in a sense we have a problem but there is not any ready answer to it; is that it?



CHAIRMAN (Mr. Fraser): Mr. MacLean.

MR. MacLEAN: Mr. Chairman, there is no problem at the present. There are certain factors that are pointing toward the existence of a major problem, perhaps. We have whatever clout that the Workers' Compensation Board has, but I understand the Government of the Northwest Territories -- in reading the Hansard last week -- is also interested in this and might take a more definitive position with the federal government on this matter.

CHAIRMAN (Mr. Fraser): Thank you, Mr. MacLean. Is it the wish of the committee, then, we go to recommendations? Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): Recommendation (1), page five. I think it was recommended we go through 18 recommendations and we will call the numbers as we go by and the page. Recommendation (1). Any questions? Is it agreed? Page five, recommendation (1). Agreed? Mr. MacQuarrie.

MR. MacQUARRIE: Yes. These could mean some very significant changes to what we are doing and myself, I do not feel ready at this moment to make decisions with respect to every single recommendation. Just as my preference, I would recommend to the committee for the committee's consideration, that we ask the witnesses to address specific recommendations that they feel are key and give us the reasoning as to why they would want us to see and act in that way. Then we take a weeks time or so ourselves to think them over and then, perhaps, move recommendation by recommendation maybe the following week. I would be much more comfortable with that. I would want to hear what other Members feel about it.

CHAIRMAN (Mr. Fraser): What is the wish of the committee?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): Mr. MacLean then, could you explain recommendation (1), page five?

No Change Recommended In Scope And Coverage Of Ordinance

MR. MacLEAN: Recommendation (1) "There be no change to the Worker's Compensation Ordinance with respect to the scope and coverage provided therein." This merely states that there is no change recommended in the Workers' Compensation Ordinance with respect to scope and coverage of the ordinance. The ordinance at the present time covers all workers in the Northwest Territories and all employers.

CHAIRMAN (Mr. Fraser): Thank you, Mr. MacLean. Recommendation (2). Mr. MacQuarrie.

MR. MacQUARRIE: Yes, Mr. Chairman. I did not necessarily mean that they deal with every one of them, because some of them are fairly straightforward and not difficult. I would appreciate if they would address ones that they feel are particularly important and would like the chance to perhaps urge us to deal with them, because they feel they are that important. When they have done that, if we still have others that we would want them to deal with, then we could ask about them specifically.

CHAIRMAN (Mr. Fraser): What is the wish of the committee? The Member has suggested that we deal with the important ones and then come back in a week to deal with all of the recommendations. Is that agreed? Mrs. Sorensen.

MRS. SORENSEN: Mr. Chairman, I believe in his opening remarks Mr. MacLean said that there were 18 recommendations that dealt directly with decisions that this Legislature had to make. I would appreciate it if he would go through those 18 recommendations with a brief comment on each of them and then we take that week to meet with the Executive Committee.

MR. MacQUARRIE: Not vote on them.

MRS. SORENSEN: ...not vote on them today, but take time to speak with the Executive Committee again, either in caucus or in committee of the whole, on those 18.

CHAIRMAN (Mr. Fraser): Well, I am easy, Mrs. Sorensen.

MR. MacQUARRIE: Are you?

CHAIRMAN (Mr. Fraser): That is what I was trying to do and the Member said that we do not want to deal with them. So, make up your minds. You are close enough together there. Tell him.

MRS. SORENSEN: He agrees with me.

MR. MacQUARRIE: We agree.

CHAIRMAN (Mr. Fraser): Mr. Curley. What is the wish of the committee?  
Mr. Curley.

MR. CURLEY: Well, I do not know, Mr. Chairman. What I could not understand is why the Workers' Compensation Board has to make the -- I do not even understand where this -- who this report is made to. You know, it is addressed to Mr. MacLean, chairman of the Workers' Compensation Board, and as far as I know he has just plumped it on my knee and expects me to give approval to some of the complex issues there without the Ministers' or the Executive Committee's consideration. I find that a bit difficult to swallow. So, I do not even know how to proceed on this, because there are some areas that I think should be dealt with in depth, but at the same time it is too early to just be expected to approve all these recommendations. So, I do not know how to proceed. You know, maybe there is a genius here that we have not found who can probably solve the mystery for us. Thank you.

CHAIRMAN (Mr. Fraser): Thank you, Mr. Curley. Mr. MacLean.

MR. MacLEAN: Yes, Mr. Chairman. The task force report is made to the Workers' Compensation Board. In the report there are certain recommendations directed to the attention of the Legislature. We, through our Minister, tabled the report on that basis and perhaps all that needs to be done today, depending upon the wishes, Mr. Chairman, of the committee, is to direct the attention of the Legislature to the 18 recommendations. What may be done on those recommendations is, of course, a matter for the Legislature to decide probably at some other time. I do not know.

CHAIRMAN (Mr. Fraser): Thank you, Mr. MacLean. Mr. Curley.

Changes In Legislation Should Come From Government Through Committee On  
Legislation

MR. CURLEY: Mr. Chairman, there are some legislative changes that are introduced here, you know, the proposed amendments to the ordinance. I do not know whether this is an appropriate way to do it or not, because normally any proposed legislation must come from the government side and then it is passed on to the



legislation committee. But here we are trying to by-pass the system and are expected to approve these recommendations which deal with the legislative and regulatory issues. I say to the board, that is not the proper way of presenting legislative recommendations. They must be approved by the government first and then presented to the legislation committee.

I would like to continue on with my general remarks. I am not in favour of some of the recommendations -- by cutting the board to five members. You have just confirmed that you have a large territory. This is not just a gentlemen's club. I say that there are things that I would like to be able to make a point on. I am not in agreement that the chairman of the board should be appointed for a 10 year period. No organizations in the Territories are given that kind of benefit, for any government agency. The simple thing is that some of them are administrative, some involve the industrial safety, which are, very serious issues. I would propose that this report be deferred until further proper procedure has been found and brought back to the Assembly before the session is over for further consideration. Thank you.

CHAIRMAN (Mr. Fraser): Mr. Curley, was that a motion? I wonder if you could repeat your motion? It is a very short motion.

Motion To Defer Report Of Workers' Compensation Task Force Until It Has Been Dealt With Appropriately By The Government

MR. CURLEY: Mr. Chairman, my motion is that we defer this report until it has been dealt with by the proper officials in the government and brought back to us in the proper fashion to deal with this before the session is over.

CHAIRMAN (Mr. Fraser): Thank you, Mr. Curley. Mr. Tologanak, to the motion.

HON. KANE TOLOGANAK: Mr. Chairman, this document was tabled at the last session. This is a new session, so it was retabled because there was some interest by the Members of this committee to discuss the contents of the recommendations as made by the task force and we did not want to by-pass the Legislature by getting the legislation ready, go ahead with that and bring it before the legislation committee. What we wanted, before we went ahead, is that the Members of this Legislature would have a chance to discuss these recommendations, to understand them and if there were going to be any changes or follow-up on the recommendations, to brief the Members as we went along. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Fraser): Thank you, Mr. Tologanak. Mr. Curley, to the motion.

MR. CURLEY: Mr. Chairman, it is not a proper procedure to table a document which is just a task force report to the chairman of the board and expect us to approve legislative changes. That must come from the government side. Why should I be doing the work of the Minister that is paid to do the job and sort out the things in this report and thereby approve them in one blanket? I realize it is urgent. It has been sitting around, but someone in the government just has not done anything about it. It should be put in such a way that the Minister responsible for safety should have picked the ones that he is responsible for, and then put them in such a way that we can deal with them. That is what I am saying.

Motion To Defer Report Of Workers' Compensation Task Force Until It Has Been Dealt With Appropriately By The Government, Withdrawn

I am prepared to withdraw my motion and I will do so in hopes that the finance committee chairman may have a better solution to that. Thank you.

CHAIRMAN (Mr. Fraser): Thank you, Mr. Curley. Mrs. Sorensen.

MRS. SORENSEN: Mr. Chairman, as I said earlier I, as well as Mr. MacQuarrie, do not feel comfortable with approving any of the recommendations today but because there are 18 that will eventually come before the Legislative Assembly by way of legislation to be approved, if we could today simply have the witnesses explain and give us some background on these 18 recommendations we would know more about what they are talking about. We have had this document since the fall. They have put a great deal of work into it. It is a document that has been directed to the Legislative Assembly and I think we owe them the courtesy of giving them the opportunity to explain at least 18 of their recommendations.

CHAIRMAN (Mr. Fraser): Mr. MacQuarrie.

MR. MACQUARRIE: Yes, I just feel that it is important to clarify what is happening. I myself do not feel that the board is trying to foist something on us and get legislation brought in in some roundabout way. I feel that is an unfair assessment of what has happened. They have been asked to come and they are here to try to explain for our benefit some of the recommendations that they are making and from the point of view of the government, I believe that it is an attempt by the government to consult with us before legislation is a fait accompli so I congratulate both parties and am glad that you have done what you have done.

Motion To Invite Comments And Questions But To Defer Voting On Recommendations,  
Report Of Workers' Compensation Task Force

I will make this a motion then, that while the guests are here we take advantage of their presence and ask them to explain those recommendations, the 18 of them, that would directly involve the Legislative Assembly in some way and that we will at a later date, before this session ends, deal in some way with all of the recommendations.

CHAIRMAN (Mr. Fraser): Thank you, Mr. MacQuarrie. To the motion. Mr. Braden.

HON. GEORGE BRADEN: Thank you, Mr. Chairman. This is not exactly to Mr. MacQuarrie's motion but the government has considered this report. We have talked with the Workers' Compensation Board committee that conducted the task force report. We have some questions which we would like to ask publicly at this point in time concerning certain recommendations and that we have some general recommendations that we would like to bring forth to the House at such time as we are considering specific recommendations. Thank you.

CHAIRMAN (Mr. Fraser): Thank you, Mr. Braden. That is better. To the motion. Are you ready for the question? Mr. MacQuarrie, would you read your motion out again?

MR. MACQUARRIE: Yes. I will move that we take advantage of the presence of the witnesses to have them explain further matters that deal with the 18 recommendations that involve the Assembly in some way and that we do not vote on the recommendations now but deal with them at a later time in this session.

CHAIRMAN (Mr. Fraser): To the motion. Ms Cournoyea.

MR. COURNOYEA: Mr. Chairman, I wonder if the Minister has a summary and the basic points. It may be that many of these recommendations are purely administrative. It was mentioned that there are 18 points that we should deal with and I am quite happy to go along with that. I certainly would not want to spend the time of this Legislative Assembly dealing with the administrative issues that are really just subject to detail, but if the Minister of Government Services could present us with his summary and his pertinent points, it probably would help us in terms of zeroing in on the parts where he would like some direction from this Legislative Assembly. I see many, many recommendations here and there are far more than 18 but I do not even know what those 18 are that we are supposed to be concerned about because there are many, many more than 18.



CHAIRMAN (Mr. Fraser): Thank you. I think, Ms Cournoyea, that the witness pointed out the 18 motions that concern this Legislative Assembly and those were the only ones we were going to deal with. Mr. Curley, to the motion.

MR. CURLEY: Thank you, Mr. Chairman. I appreciate the mover of the motion but I am still not satisfied that this is the kind of procedure that we should follow in this House because my understanding of any proposed legislation presented by the Minister or Executive Member is that first it must be presented as a bill during the first reading stage and the principles then be debated in the second reading. But now we have by-passed that and we want to debate the principles of the possible legislative changes which affect the Workers' Compensation Ordinance. So I do not know; the rules must have changed since I got here, while I was sleeping maybe. Thank you.

CHAIRMAN (Mr. Fraser): Thank you. Mr. Tologanak. To the motion.

HON. KANE TOLOGANAK: Mr. Chairman, just in respect of the last Member's comments, there are no proposed legislation changes here. What we are doing here is presenting these 18 recommendations which require some discussion at some point. We would like to seek the direction as to how legislation should be prepared at a later date in respect of the comments, questions and recommendations that the committee might have.

CHAIRMAN (Mr. Fraser): Mr. Curley, to the motion.

MR. CURLEY: Mr. Chairman, that is not true. Recommendation (2). Look what it says: "The board propose to the Legislative Assembly the following amendment to section 3(2) of the ordinance: 'The board shall consist of not more than five members, one of whom shall be designated as chairman, appointed by the Commissioner on the recommendation of the Executive Committee of the Legislative Assembly.'" That is a direct issue dealing with an amendment to the Workers' Compensation Ordinance. Thank you.

CHAIRMAN (Mr. Fraser): Mr. Tologanak. Could you explain that?

HON. KANE TOLOGANAK: Well, I would just say again that these are just merely recommendations. They have not been approved or they have not been discussed as such. We want to have them discussed so we could get the feeling of the Legislature before we go ahead with this recommendation or to change it or to reject it altogether.

CHAIRMAN (Mr. Fraser): Thank you, Mr. Tologanak. We will take a 15 minute coffee break and we will do some necessary changes after.

---SHORT RECESS

CHAIRMAN (Mr. Fraser): If Members will come in, we will recognize a quorum. There is a motion on the floor. To the motion. Mr. Tologanak. There were some comments that you wanted to make, were there?

HON. KANE TOLOGANAK: Perhaps if we could just hear the motion once more. We have no problems in reading the 18 recommendations into the record and perhaps come back at a later date to discuss them further...

AN HON. MEMBER: Agreed.

HON. KANE TOLOGANAK: ...giving Members a chance to look them over again.

CHAIRMAN (Mr. Fraser): Thank you. Mr. MacQuarrie, would you read that motion over?

MR. MacQUARRIE: Okay. It is to ask the guests to comment on the 18 recommendations that they feel are particularly important for this Assembly and if Members have questions, fine, but that we do not vote on them. When that comment is finished, we will deal with the recommendations on another day.

CHAIRMAN (Mr. Fraser): Thank you. To the motion. Is it agreed?

MR. MacQUARRIE: Agreed.

Motion To Invite Comments And Questions But To Defer Voting On Recommendations, Report Of Workers' Compensation Task Force, Carried

CHAIRMAN (Mr. Fraser): All in favour? Down. Opposed?

---Carried

Mr. MacLean, will you read the recommendations -- the 18 recommendations as they are numbered for the record? Mr. MacLean.

MR. MacLEAN: Yes, Mr. Chairman. Recommendation (1): "There be no change to the Workers' Compensation Ordinance with respect to the scope and coverage provided therein." This is a recommendation on no change in the Workers' Compensation Ordinance with respect to the scope and coverage of the ordinance.

Recommendation (2): "The board propose to the Legislative Assembly the following amendment to section 3(2) of the ordinance: 'The Board shall consist of not more than five members, one of whom shall be designated as chairman, appointed by the Commissioner on the recommendation of the Executive Committee of the Legislative Assembly.'" This is a recommendation on the proposed size of the board. A recommendation such as this could be considered by this Legislature when the ordinance is next amended, Mr. Chairman.

Recommendation (5): "A committee of the board..."

CHAIRMAN (Mr. Fraser): I am sorry. Mr. MacQuarrie's motion was to read the recommendations into the record and then deal with them. Do you want to deal with them one by one? Mr. MacQuarrie.

MR. MacQUARRIE: No, my recommendation is that they read the appropriate recommendations, give any explanation they want and if Members have a question at that time about it, that they are entitled to ask the questions and then when that one is dealt with, move on without voting.

CHAIRMAN (Mr. Fraser): Thank you. I misunderstood. Any questions on recommendation (2)? Mr. McLaughlin.

Reduced Number Limits Regional Representation

MR. McLAUGHLIN: I believe that if you get down to only five people, you might lose a little bit of your regional representation that way. You know, I think seven would be a more appropriate number or something that said "not less than five". You have "not more than five".

CHAIRMAN (Mr. Fraser): Mr. MacLean.

MR. MacLEAN: This is a recommendation by the task force to the Workers' Compensation Board and then on to the Legislature. Whether or not it is followed, of course, would be up to the Legislature when amendments to the ordinance come forth. We are at the present time in the practice of regional representation in our board membership and that is where it is as of now. What it might be in the future would of course be up to the Legislature, Mr. Chairman, when amendments to the ordinance are considered.

CHAIRMAN (Mr. Fraser): Thank you. Mr. McLaughlin.

MR. McLAUGHLIN: I was wondering maybe then, Mr. Chairman, if Mr. Berezowski could maybe explain why they wanted to have not more than five. Also, what is the difference in the wording? It seems to me the old wording had something to do with equality or balance and I thought there was something about representation of -- sort of equal balance between the unions and companies -- unions and management but I guess there is not.

CHAIRMAN (Mr. Fraser): Thank you. Mr. Berezowski.

Representation Of Management And Labour

MR. BEREZOWSKI: Mr. Chairman, in actual fact the recommendation as put forward by the task force was really a compromise recommendation. We had very strong representation from both industry and labour that the compensation board should be constituted and the principles established by Meredith who is regarded as the father of compensation, and that there be equal representations from labour and management and then an appointed head by the government would be sort of an independent. The argument is that -- and really what industry and labour had in mind is that it be a three man board -- that the legislation deal with specific problems pertaining to labour and management -- and it is not really in essence a community-type of legislation -- for efficient operation and that is the way it should be constituted. There are other members on the task force that had other ideas. The idea of five members came up but labour felt so strongly about it that after we published this report, they made representations to the board again -- if I am correct -- wondering why specifically the task force did not take the advice of both management and labour and be a little more concrete in the way they made the recommendation.

CHAIRMAN (Mr. Fraser): Thank you. Any further questions on recommendation (2)? Ms Cournoyea.

MS COURNOYEA: Yes, Mr. Chairman. The representation on the board as you suggested -- the strong representation from labour -- then are you also suggesting that in recommending people to sit on this board, that you would not really recommend a layman from the general public to be on the board; you would not feel that would be advantageous to the efficient operation?

CHAIRMAN (Mr. Fraser): Thank you, Ms Cournoyea. Mr. MacLean.

MR. MacLEAN: Mr. Chairman, I was not a member of the task force. To be quite frank with you, I do not agree with that recommendation and Mr. Berezowski and I have some difficulties with some of these recommendations between the two of us so I cannot really answer the question in relation to what the task force



thought. None of the Workers' Compensation statutes -- none of them refer to what occupation the members of the board should be, whether they are from labour or management. All of the statutes indicate that there shall be so many members appointed and our statute is the same.

CHAIRMAN (Mr. Fraser): Mr. MacLean, if you do not agree with them, how do you think we feel?

---Laughter

MR. MacLEAN: Well, it is a matter, Mr. Chairman, for the Legislature to decide when the ordinance is brought before them for amendment or when they wish to deal with the ordinance. Certainly the recommendations of the task force would merit consideration by the Legislature and some of the Members here, but I want to make that clear: The recommendations are made -- these are made to the Legislature. There is a host of them made to the board and the board itself is looking at those and implementing some of them and reviewing others.

CHAIRMAN (Mr. Fraser): Thank you. Ms Cournoyea.

MS COURNOYEA: Mr. Chairman, the reason I asked that question is that the gentleman on the right said that he strongly felt that the representation should be from labour and management and I am not necessarily myself disputing that. However, a further question: Do you have a feeling about the representation being split more than on one board, like say a board that would represent the offshore, out of the tree line, and representation in the tree line in terms of dealing with the particular communal problems in those areas or does that not really warrant consideration at this stage?

CHAIRMAN (Mr. Fraser): Thank you. Mr. MacLean.

#### Officers To Be Established At Other Locations

MR. MacLEAN: That does warrant consideration and it is very much under our consideration at the present time. If changes are made to the Northwest Territories on a geographical basis or on a position of government basis, then of course we would have to look at what our operations would be. We are vitally interested in the various geographical regions, more so now in that the demand and the scope of our coverage seems to be more needed. We will be moving this year to establish permanent compensation board officers at those locations that have hospitals, which include Inuvik, Frobisher Bay and Hay River, to facilitate the operations of the board at those localities with respect to workers that are injured and also to be a contact with regard to what is happening in the immediate geographical areas apart from the board's offices here in Yellowknife.

CHAIRMAN (Mr. Fraser): Thank you, Mr. MacLean. Mr. Curley.

MR. CURLEY: Mr. Chairman, I have one question here. You know, the speaker here -- I cannot pronounce your last name -- he indicated that labour was strongly in favour of appointing representatives from labour and so on and they strongly recommended that there be five members. When you say "labour", which particular union do you really refer to? Is that public service or the teachers' association or what area in the private sector are you referring to, if it is a private sector? Thank you.

CHAIRMAN (Mr. Fraser): Thank you. Mr. Berezowski.

MR. BEREZOWSKI: The representations on behalf of labour were made very strongly; once during the hearings and then subsequent to the hearings after we published the report, by the Northwest Territories Federation of Labour. That involves the Public Service Alliance, the steel workers, and construction unions.

CHAIRMAN (Mr. Fraser): Thank you. Any further comments on recommendation (2)? Mr. MacLean, your next recommendation.

MR. MacLEAN: Recommendation (5) of the report: "A committee of the board consisting of the chairman and two members be set up to meet regularly with the Executive Committee of the Legislative Assembly." We thought it might be beneficial for the Executive Committee to meet with representatives of the board once a year or more often as need be.

CHAIRMAN (Mr. Fraser): Thank you. Just a minute. I think we have a question on recommendation (5). Mr. Braden.

HON. GEORGE BRADEN: If I may, Mr. Chairman, I realize that Mr. MacLean is referring to the recommendations that he feels or the group feels are of impact to the Legislature but I wonder if I could just make a comment and perhaps ask a question on recommendations (3) and (4), and recommendation (9) is also relevant.

CHAIRMAN (Mr. Fraser): Thank you, Mr. Braden. Is it agreed?

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Fraser): Agreed.

---Agreed

Go ahead.

#### Government Control In Area Of Management And Policy

HON. GEORGE BRADEN: Thank you. For the information of Members, Mr. Chairman, recommendations (3), (4) and (9) call for the board chairman to discontinue his involvement in the day to day administration and operations, establishing another position called "executive director" to be responsible for these tasks. What would result is a situation where the chairman of the Workers' Compensation Board would take a greater role in the development of policies respecting planning, communication and information programs and the review of financial, administrative and operational matters. Now, from an organizational perspective, Mr. Chairman, the increased emphasis of most governments on improving the financial accountability of government administration has led certain advisory commissions such as the Lambert commission to draw a clear distinction between the need for certain types of controls by the executive or the cabinet of a government over crown corporations and the need for independence of public boards which Lambert calls "independent deciding" or "advisory boards".

By way of background, Lambert advocated a relatively greater degree of management autonomy or management authority for crown corporations because of their accountability to conduct economic activities in competition with private corporations. In contrast, the key accountabilities of public boards such as regulation, arbitration, independent advice, are not such as to justify the removal of the boards from central government controls on the management of financial and personnel resources and also in the area of developing policy.

I guess one question that we have in respect of recommendations (3), (4) and (9) reflects a concern that we do not quite know where the Executive Committee of the government or the Minister of the government -- where you see his role or the Executive Committee's role in terms of setting policies for the board to administer. As a follow-up to that, I guess, we have some concerns about the administrative, financial and operational accountability through the chairman of the board to the Minister of the government and ultimately to the Legislature with this internal reorganization. So that is sort of one general question or



comment that the government has to make respecting what is being proposed here, and if I could just get the witnesses, Mr. Chairman, to comment on the relationship of their internal organization and its, say, policy and financial accountabilities to the government and ultimately to the Legislature.

CHAIRMAN (Mr. Fraser): Thank you, Mr. Braden. Mr. MacLean.

Task Force Recommendations Not All Accepted By Board

MR. MacLEAN: Mr. Chairman, I have not read the Lambert report. It sounds very interesting and I will do that as soon as I have time, but I may say this again, and perhaps I am repeating myself, the recommendations in the task force report are the recommendations of the task force. The accountabilities of the chairman prior to the task force meeting are the same today as they were then. The recommendations (3), (4) and (9), I believe they were, Mr. Chairman, have not been accepted as such by the Workers' Compensation Board. Recommendation (3), discontinuing the involvement of the chairman in the day to day administrative and operational matters, is just not possible, because we are not a large organization. We are a small board, a small administration, and it is not at all possible for the chairman to discontinue his involvement.

The task force, I think, came across these recommendations in relation to what is being done administratively in the provinces and, here again, the administrative functions and operations that may be performed in the provinces are not necessarily acceptable or in line with our administrative operations in the Northwest Territories, in that respect.

Recommendation (4), the chairman assuming a greater role in the development of policies respecting planning and the review of financial, administrative and operational matters -- I was attempting to do that prior to the task force report and I am still attempting to do that today. Recommendation (9): "The position of executive director be established and that this position be given the responsibility for all day to day operations of the Workers' Compensation Board." Well, what we have done administratively with respect to the recommendations in the report and the day to day business of the board is we have formed what may be called, I guess, a small executive committee, comparable to the Executive Committee that the Legislature has, consisting of three members, myself, the executive director and the director of finance. We attempt to direct the affairs of the board administratively, as a group of three, in relation to interpreting policy as it is made by the board and in relation to providing statistical information and other related matters to the board in order that they may determine if new policy is needed. I do not know if I have exactly answered the Member's question directly, but that is the information that might be of some help.

CHAIRMAN (Mr. Fraser): Thank you, Mr. MacLean. Mr. Braden.

Delegation Of Authority To Non-Elected Agencies

HON. GEORGE BRADEN: Thank you, Mr. Chairman. Just to, I guess, raise a couple of more points on these three recommendations, and there are a few others which are a function of them, concerning development of policy. I draw your attention to recommendation (7), "The board continue its role as the agency responsible for the making of policy...", and (16), "The board be given the necessary autonomy to carry out its duties and responsibilities." Just to carry this a little bit further, I realize I am wandering across the board a bit, but I think it focusses in on the policy making functions of the board. Would the board or the task force feel that their authority was being unnecessarily meddled with if there was a general -- how could I call it -- provision whereby the Executive of the government or the Minister of the government could override certain policy directives of the board or issue policy directives through the chairman to the board for the board to consider and carry out? I guess, with



respect to recommendation (16), concerning the necessary autonomy, I believe generally, that it is a principle of parliamentary government that non-elected agencies should only be delegated specific authorities and accountabilities and that a board should be required to identify specific new authorities it believes are required. I realize recommendation (1) sort of puts that into context now.

What I am trying to say by all this, Mr. Chairman, is that I am not trying to centralize all the power in the hands of the Minister or of the Executive Committee of the government. It is just to try and confirm that the board or any board is the creature of a government and that it is the responsibility of the government to give broad, general direction to a board in order that they know the parameters within which to operate and that they do not sort of go out and independently make policy on their own and become little governments on their own. Generally, I think this is one of the problems that the Government of Canada and some other provincial governments are having with some boards, in that there is not a close enough tie between the cabinet or the executive branch of the government and the executive of, or the members of the board. So, I guess I will leave it at that, Mr. Chairman, and get some comment from the Members.

CHAIRMAN (Mr. Fraser): Thank you, Mr. Braden. Mr. Berezowski.

#### Historical Development Of The Board

MR. BEREZOWSKI: Yes. I think that some of these recommendations from the task force to the board -- and by the way, they were not all accepted -- have to be seen in the historical development of the board. Because, as of January 1st, 1977, when we went into the public liability system, and the board began to control its fund -- those of you who were here will recall that the move, after years and years of discussion of the advisability of going out of the insurance business and going into the public liability system -- it moved rather quickly, requiring somebody -- because we were a part-time board -- somebody to set up an administrative apparatus, in order to get everything into place so that we could operate efficiently as a board and that took a certain period.

When the task force reviewed this development, they came to the conclusion that, becoming somewhat a little more sophisticated than we were in 1977, that the function of the chairman and the function of our executive officers should be looked at. The idea was primarily to set up a management team and to release the chairman as much as possible for the type of work -- for which we were criticized by various people -- of communications, explaining what the board is all about, what is its function, studying the various systems that are now coming into operation in various jurisdictions in Canada and that sort of function, and with it, the development of a management team in the board.

#### Executive Officers Lack Authority

The board is legally responsible to this Legislature for the administration of that ordinance. In so far as the question of autonomy -- this concern -- I believe that the matter has been settled, because the big problem was our executive officers do not have the authority to appoint people as jobs came open and to deal with classifications that are not normal to a government's function. I might illustrate. A claims officer who has to make decisions has a particular type of job that is not comparable to anywhere in the government and the board should have, without any restrictions, the right, on the basis of responsibility to the government, because part of the recommendations of the task force is that the board meet more often with the government to discuss these things on an operative basis, so that there is never a situation develops where communications break and all kinds of negative reactions take place, and that is the intent of the question of autonomy. We are bound by the ordinance and the ordinance is your prerogative, but you know...

MR. MacLEAN: I wonder, Mr. Chairman, if I could add a few words?

CHAIRMAN (Mr. Fraser): Mr. MacLean.

An Agency Receiving Directions From Government

MR. MacLEAN: In recommendation (7), the word is used, the "agency" responsible for whatever it goes on to say there, and that is exactly the situation. We are an agency. Make no mistake that the people in charge of our operations are in this room here today and if we receive directions from our Minister or from the Executive Committee of this government, that those recommendations will be taken forth to the board and dealt with accordingly.

The question of necessary autonomy to carry out our duties, I think, and I believe the board members will agree, has been very well handled by the Executive Committee of the government in our day to day operations from 1977 and we will all agree that we are not at this point worried about extending our autonomy to become the Workers' Compensation Board -- or the Super Workers' Compensation Board.

CHAIRMAN (Mr. Fraser): Mr. Curley.

MR. CURLEY: Yes. Thank you, Mr. Chairman. I do not know what the real significance of having a committee set up of the board would really prove, because -- I concur with the Minister of Justice, that all agencies are the creatures of the government and they have a Minister responsible for it, who is a member of the Executive Committee. Now, to me, what the board seems to be attempting to do is to privatize itself and become completely independent, with its own autonomy, and thereby have to set up a committee or subcommittees to do things and to report to the committee and even to the Legislative Assembly.

I think it is going to have to look at ways to improve its reporting system and presenting the reports. After all, this is just a task force report to the chairman of the board and to the board. I do not know what the board members said about the recommendations here, but I would be interested to know what they had to say about it -- the entire Workers' Compensation Board. The impression I get is that the full board did not even have a chance to -- I do not know whether they had approved all the recommendations to the Minister or the Executive Committee of the government, but to just bring the whole report to the Assembly is a bit too cumbersome for me. I really could not comprehend it at all, because I think it would have been simpler if the government and the Executive Committee had had a chance to respond to it. That is where I have difficulty in really appreciating the procedure being used here, because once certain recommendations are approved, I am going to have to go back to the Minister and Executive Committee and then it will be brought to the House again for further debate and so on. But I will not argue that further, because I think I am delaying the passage of the report. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Fraser): Thank you, Mr. Curley. Mr. MacLean.

No Provision In Ordinance For Review

MR. MacLEAN: Yes, Mr. Chairman. We are not attempting to privatize. Far be it from us to make that attempt. The task force report came into being and was done only on the basis of the fact that there is no provision, no provision in the Workers' Compensation Ordinance for review by the Legislature or by a committee of the Legislature. In fact, there is no provision for review with respect to any administrative boards in the Northwest Territories and this, to the mind of the Workers' Compensation Board, was not the proper way for them to proceed. They wanted to check on what they have been doing administratively over the last four years and when we have trust funds in the amount of \$27 or \$30 million, it becomes quite a heavy task at times.



CHAIRMAN (Mr. Fraser): Thank you. Mr. Curley.

MR. CURLEY: Mr. Chairman, I appreciate that. I think the point is well taken that the board has no provision in the ordinance that the Legislative Assembly review that particular piece of legislation. That goes with all -- pretty well, I think -- all ordinances. There is never any guaranteed provision in ordinances that they be reviewed at a certain time. I will tell you why. It is because Members of the Assembly are elected at certain periods of time and it is up to the constituencies and the public to advise their MLAs about the nature of the problems within the ordinances, the various kinds of ordinances. I do believe putting in a guaranteed provision that we review this particular legislation every four years or so in some ways will only delay certain amendments required given certain circumstances were to develop or something, but we would be bound by this every four years to bring it back and amend it. Right now we have a chance for any Member to introduce an amendment and then the government can respond to it. So I do not know what is the big deal about this having a guaranteed provision in the ordinance to review it and so on. It goes with any other piece of social legislation -- education, social, health and social services. I do not know whether I am getting the point or not. Thank you.

CHAIRMAN (Mr. Fraser): Thank you, Mr. Curley. Mr. MacLean.

MR. MacLEAN: Well, I do not want to disagree, Mr. Chairman, but I just want to make the point that it is difficult to correct the policies and functions of an administrative board which, when it is created, takes on not only the duties of the government but also exercises a judicial function. It is an onerous thing to try and review the operation of an administrative board after it has been functioning for a good number of years, but I can, from the same viewpoint -- I look at it perhaps from a legal viewpoint and maybe that is not the proper way to look at it.

CHAIRMAN (Mr. Fraser): Thank you. Mr. Curley.

Minister Responsible For Representation To House

MR. CURLEY: One last point is that the principle is that you do have a Minister who is sitting right beside you. What is wrong with him? I can say to you at any time, any day, and it is your day to day responsibility to bring to his attention that the present legislation or regulations within that ordinance are not working and if they are not, your board can approve any day, even tomorrow, that that piece of legislation be amended and brought before the House, if it is not possible this session, in the May session. You can do that and you can bring that particular concern of yours -- the proposed changes -- to the Executive Committee. If they agree, then they will introduce that piece of legislation to the standing committee on legislation any time. That is why I believe that the Minister -- and he is sitting right beside you so that he can be briefed on any concern that the board may have -- that is why I think we have certain Ministers who must report to the Assembly on the government agencies. It is not so much the chairman of the board, but the Minister responsible for that agency who must take the issue to this House, not the chairman of the standing committee of the board, or task force chairman, or the board members because they have their own responsibility to carry out. This is what I am trying to say.

I think we have to level with each other as to what the reporting system in the government agency should be. I think it is standard practice that Ministers do take, you know, the flak if they must, not the chairman of the board or the chairman of the task force which I think is beginning to become the case here. You know, we should not be arguing with you -- we really should be arguing with the Minister who was elected for that very purpose. Thank you.

CHAIRMAN (Mr. Fraser): Thank you, Mr. Curley. Mr. Tologanak.



Advice Sought From Legislature

HON. KANE TOLOGANAK: Mr. Chairman, thank you. The reason why we want to discuss the 18 recommendations, once again, is so I can seek the advice of this Legislature before we either go ahead with the 57 recommendations or not, depending on the kind of questions and how the -- we do not want to see any approval at this time but advice and questions to get the feeling of the Legislature on some of these recommendations. As for the reporting relationship, I think the reporting relationship is very good between the Workers' Compensation Board and myself and the government. The reporting relationship in the ordinance used to be to the Commissioner. That has ceased and it will continue to go to the Minister responsible for the Workers' Compensation Board. Mr. Chairman, I would like to at least get those 18 recommendations and any other recommendations about which there are questions raised. We would like the recommendations to be read into the record so that they do show in the records that we have discussed them and then any questions and discussion on recommendations we will consider during our proposal for legislation.

CHAIRMAN (Mr. Fraser): Thank you, Mr. Tologanak. Is it agreed then that Mr. MacLean read them into the record and you ask questions as they go along? Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): Thank you. Mr. MacLean. I think we were at recommendation (5).

MR. MACLEAN: That is correct, Mr. Chairman. "A committee of the board consisting of chairman and two members...." I have read that through and we talked about the fact that it would be beneficial for the Executive Committee to meet with the Minister and representatives of the board once a year or more often as desired.

Recommendation (6): "The agreement between the board and the Government of the Northwest Territories be amended to give the board the necessary authority in establishing its manpower needs and to establish the classification and remuneration of its employees." A local thing here with respect to the agreement now in force between the government and the Workers' Compensation Board in relation to personnel.

CHAIRMAN (Mr. Fraser): Mr. MacLean, just a minute. I think we have some questions on recommendation (6). Mr. Braden.

Classification And Remuneration Agreed With Department Of Personnel

HON. GEORGE BRADEN: Thank you, Mr. Chairman. The issue of establishing classifications and remuneration for employees and manpower needs I think has been identified by Mr. Berezowski. However, in terms of the overall system of the government, I think we have to be very careful about providing to boards or agencies of our government free rein or total authority in that area, particularly for personnel management classification and so on and so forth. If we allow too many agencies to work in an autonomous way, the whole thing breaks down as far as trying to achieve some balance in our system.

Now, on the other hand, if we give this privilege to just a few agencies or boards, then we have others coming to us and saying "Well, you are doing it for the Workers' Compensation Board. Why can you not do it for us?" Now, we have discussed this in the Executive Committee and I think we reached a compromise or an agreeable position on this and I would just like the chairman or the witnesses to confirm that the Workers' Compensation Board recognizes that it is necessary

to work with our Department of Personnel to ensure that special categories are established and special kinds of classifications and remunerations are established but they are done in conjunction with our Personnel people and with the approval of the director of Personnel and the Commissioner. Is that basically the understanding I have from that Executive Committee meeting or is it different? Thank you, Mr. Chairman.

CHAIRMAN (Mr. Fraser): Thank you, Mr. Braden. Mr. MacLean, do you want to respond to that?

MR. MACLEAN: Under the Workers' Compensation Ordinance, all of our employees are members of the public service of the Northwest Territories. Then, on considering that ordinance, the Workers' Compensation Ordinance, and the Public Service Ordinance, there were points brought up in the Public Service Ordinance which were in conflict with the other provisions of the Workers' Compensation Ordinance. For instance, the Public Service Ordinance deals with directors and deals with the Commissioner doing certain things. As a consequence of that, there was an agreement drawn up between the board and the Government of the Northwest Territories to define those parts of the Workers' Compensation Ordinance and the Public Service Ordinance so that they would be workable, and they were agreed upon. There is one part of the agreement which deals with classification of employees, and I believe that this may have been the direction for the recommendation I read out. I may say, as far as that agreement is concerned, we have been experiencing no difficulties, and we have under discussion some amendments to that agreement with our Minister, and there is no conflict at the present time with the board. We agree with the honourable Minister's recommendation -- the fact of the matter is that anything dealing with personnel across the government lines should be uniform.

CHAIRMAN (Mr. Fraser): Thank you, Mr. MacLean. Mr. Curley.

Not Proper Procedure For Dealing With Report

MR. CURLEY: Mr. Chairman, although I appreciate, you know, the concern of the board, I still say it is a creature of the government. I hear you say that all your personnel are the members of the public service -- you know, public service of the Northwest Territories. Why do they not make the representation themselves to the government? They are the bargaining agent for the personnel of that board. Now to me what you are showing is that you are having a dispute within your own shop, within the management. I believe the board and the NWT government are one management, and that they are having a dispute about the classification. What you seem to be saying to me is, "Now look, I am on the union side and the Minister better agree to me or else there are going to be problems here."

So I still think, you know, it would have been wise to get this report and defer it until further consideration by the Minister and the Executive Committee, because we are really doing interdepartmental work, administrative work, here, as legislators. I could not help but point out to you the way the procedure is being dealt with here is not the right way, because you and your own management are having disagreements -- the government, because I do not think you are two employees. I think you are one, because you report to the government, as far as the personnel issues are concerned, not to the Legislature. We cannot even raise our own employees in the Legislative Assembly, because someone else is in the shop -- the Speaker and his shop are responsible, in co-operation with the Executive Committee.

So I do not know whether we are moving ahead on this or not, and I see that some Members from the other side probably have good reason to go through the interdepartmental and administrative concerns. Thank you.

CHAIRMAN (Mr. Fraser): Thank you, Mr. Curley. Are you making a motion on that? Mr. MacLean, do you want to respond?



Personnel Agreement Not In Dispute

MR. MacLEAN: Mr. Chairman, I hate to be doing so much talking, but there is no disagreement between the board and the government in relation to the personnel agreement, and all of our employees are government employees and are under the same collective union agreement. The statute, Mr. Chairman, provides that we are an independent corporation. We can only carry out the terms of the statute, and on the basis of being an independent corporation we do our work in accordance with those terms, and at the same time take direction from our Minister and from the Executive Committee in relation to matters that are of concern to them.

CHAIRMAN (Mr. Fraser): Thank you, Mr. MacLean. It is confusing to me. I understood you to say that you do not agree with this report. Some of the Members do not agree with it...

MR. MacLEAN: Well, if I might just say again, these are recommendations from the task force, and not necessarily recommendations from the Workers' Compensation Board; and matters to which the task force might refer in the report might have been settled quite adequately by the time they reach this stage by the board itself. I do not know if that makes sense, but...

CHAIRMAN (Mr. Fraser): I think, Mr. MacLean, that we are not responsible to the task force -- you are responsible to the Legislature -- I do not know, it is confusing to me. I do not know how to deal with this report.

MR. MacLEAN: Well, I think if I were just to notify the Legislative Assembly of the recommendations that pertain to the Legislative Assembly, that is about as far as I could go today.

CHAIRMAN (Mr. Fraser): Mr. Tologanak.

HON. KANE TOLOGANAK: Mr. Chairman, perhaps to get things moving again, I suggest that we read the recommendations into the records as in the task force report, and I would come back as Minister, perhaps with our own views as the Executive Committee and present them before the House; that seems to be the conflict between certain Members.

CHAIRMAN (Mr. Fraser): Is that agreed? Agreed? Mr. MacQuarrie.

MR. MacQUARRIE: Well, I simply say you have a motion to follow which already gives direction. It is working all right. If they will just proceed to read those ones, and if there are questions, fine. If there are not, if nobody wants to question or clarify, fair enough; but you already have a motion for direction, Mr. Chairman.

CHAIRMAN (Mr. Fraser): Thank you. Recommendation (16). Is that the next one, Mr. MacLean?

MR. MacLEAN: Recommendation (16) from the task force: "The board be given the necessary autonomy to carry out its duties and responsibilities." A comment on that is if further autonomy is ever needed, the board will bring these matters to the Minister's attention. There is no need for further autonomy with that existing at the present time.

Appointment Of Chairman

Recommendation (22): "The chairman/chief executive officer should be appointed for a period of not more than 10 years, subject only to removal for cause. On the expiration of his term of office, the chairman may be reappointed." This recommendation was made in order to obtain the services of the best qualified person at the time of appointment of the chairman. The appointment should be secure for a number of years.



CHAIRMAN (Mr. Fraser): Just a minute, Mr. MacLean. I think there are some questions on recommendation (22). Ms Cournoyea.

MS COURNOYEA: Mr. Chairman, I know we are not going over all the recommendations, but only those that were identified as dealing with the Legislative Assembly or of importance to the Legislative Assembly. However, in recommendation (22) you indicate the chairman/chief executive officer should be appointed for a period of not more than 10 years. Now, in the interim recommendations you recommend that as well as the chairman, there should be an executive officer. Is that correct? Is that the same thing that you are dealing with in recommendation (22), or am I misreading?

CHAIRMAN (Mr. Fraser): Mr. MacLean.

MR. MACLEAN: Mr. Chairman, this is a recommendation from the task force, that the person who may be selected or asked to serve as chairman should be given a term of 10 years in order to obtain the best person possible, and to make it a permanent job, so to speak, for that person. I am not looking for that appointment.

CHAIRMAN (Mr. Fraser): Thank you. Okay. Anything further on recommendation (22)? Ms Cournoyea.

MS COURNOYEA: Just to further clarify, in recommendation (9) the executive director is to be established and given the responsibility of day to day operations; and then, on another recommendation -- I do not know what the number is -- the chairman should be given more autonomy and away from the day to day activities. So how is that different, then, from what is going on now?

CHAIRMAN (Mr. Fraser): Thank you, Ms Cournoyea. Mr. MacLean.

MR. MACLEAN: Those recommendations as such were not accepted by the board. Our day to day administration is handled by a committee of three: myself, the executive director, and the director of finance, with the chairman still assuming complete responsibility for day to day administration.

CHAIRMAN (Mr. Fraser): Thank you. Any further questions on recommendation (22)? Mr. Braden.

#### Length Of Tenure Of Chairman

HON. GEORGE BRADEN: Well, just to indicate, Mr. Chairman, that as I understand it, one of the reasons for such a long term is to ensure that there is someone who can work for a length of time under the chairman and presumably prepare himself or herself as someone who can take over when the chairman retires or is retired. One of the justifications for such a lengthy term of tenure is to prepare an understudy to take over the chairmanship. Is that one of the reasons, Mr. Chairman, for this?

CHAIRMAN (Mr. Fraser): Thank you, Mr. Braden. Mr. Berezowski.

MR. BEREZOWSKI: That is right. There are several aspects to this. When the board first started, we went through three chairmen in three years, and while there are many functions of that compensation board, we cannot send people to school to learn; they have to learn on the job. The other aspect is to maintain continuity of leadership, and the task force felt quite strongly that two or three or -- what is it? -- a four year term now for the chairman is inadequate to maintain the continuity in an organization that is getting larger. Its responsibilities are getting greater, and there should be no disruptions on the question of changing chairmen. At one time the board operated for three and four months without a chairman. The officer in our executive who is now the executive secretary at one time was running the board. When the task force asked, how long the period should be they looked at other jurisdictions. They said, "All right, in Alberta, next to us, they set up their people on a 10 year basis", and that is how the 10 year period came about.

CHAIRMAN (Mr. Fraser): Thank you, Mr. MacLean. Ms Cournoyea, recommendation (22).

MS COURNOYEA: Just as a further clarification, I realize this is a task force paper. I do not necessarily look at you gentlemen as making all those recommendations, but certainly as the Workers' Compensation Board, obviously, you have your feelings about those recommendations, whether they really merit serious consideration or not, and in asking you a question, it is just to clarify from your point of view and the job that you are doing and your involvement with that job because you have that experience I fully realize it is not your report. In looking over this document, did you have the opportunity to find out from the task force why they would recommend a statement like "removal for cause", because it seems to be a normal procedure? Have there been any problems where they felt a removal for cause was not taken into consideration or what are the criteria right now?

CHAIRMAN (Mr. Fraser): Thank you. Mr. MacLean.

MR. MacLEAN: Mr. Chairman, it is the type of language that is used in the ordinance at the present time with respect to the appointment of the chairman and I would expect that maybe that was where it was taken from. There is no difficulty at the present time in relation to appointments to the board, either the chairman or the board members.

CHAIRMAN (Mr. Fraser): Thank you, Mr. MacLean. Mr. Berezowski. Speak into the mike and address the Chair, please.

MR. BEREZOWSKI: I beg your pardon, Mr. Chairman. As I say, the language in that respect came from the ordinance as it is. The Assembly has the right under the ordinance to remove the chairman or any board member for cause or if their appointment comes up, to not reappoint them.

MR. MacLEAN: The reason, I take it, is that there are probably people in this room who could deal better with the aspects of legislation than myself, but those words "for cause" are put in the legislation for a reason and that is probably to get rid of an undesirable person quicker than by straight criminal prosecution as such.

CHAIRMAN (Mr. Fraser): Thank you, Mr. MacLean. I think we will take a 15 minute coffee break and come back in 15 minutes.

---SHORT RECESS

CHAIRMAN (Mr. Fraser): Atiigo, atiigo! The Chair recognizes a quorum. We are on recommendation (22). Mr. MacLean.

MR. MacLEAN: Going on, Mr. Chairman, to the recommendation (23): "The Workers' Compensation Ordinance and the administration of that ordinance be subject to review every four years." The ordinance might be amended to obtain a review of board activities at present and in the future every four years, just as a suggestion.

Recommendation (24): "This review be carried out by a committee composed of management and labour representatives and a chairman appointed by the government with a representative of the board appointed to serve as a resource person to the committee." The proposal for the composition of a review committee, Mr. Chairman.

Recommendation (34): "The board initiate discussions with government, industry and labour on future financing of these increases to ensure that all persons are treated equally." This is a recommendation dealing with a discussion in the board report on future planning for financing pension increases to workers.

Recommendation (35): "The board be allocated control by legislation of all aspects of accident prevention and occupational safety and health for all industries to which the Workers' Compensation Ordinance applies." This recommendation, along with recommendation (36), are proposals for legislation on accident prevention and occupational health which were discussed earlier. We are going on to recommendation (37). This recommendation is also with respect to (35) and (36), in relation to accident services. It is a proposal for action on the matter prior to the new legislation.

Recommendation (39): "The board propose to the Legislative Assembly the following amendment to section 2(1)(a) of the ordinance: '(iii) disablement arising out of and during the course of the employment of a worker, and (iv) a disabling or potentially disabling condition caused by an occupational disease". Now, this is an amendment to the Workers' Compensation Ordinance amending the definition of "accident", enlarging on the definition of accident.

Recommendation (42): "The responsibility for setting the years maximum assessable remuneration, YMAR, remain the responsibility of the Northwest Territories Legislative Assembly." No legislative change advocated for establishing YMAR.

Recommendation (44): "The YMAR be set at a level to ensure that at least 80 per cent of the workers in the Northwest Territories are earning less than the ceiling set by the Legislative Assembly." This is a goal to achieve on the YMAR level every year.

Recommendation (45): "The board continuously monitor the innovative systems being adopted in the provinces of New Brunswick, Quebec, Saskatchewan, Alberta and those proposed in Ontario." The board report to the Legislature within the next four years on compensation systems in other jurisdictions.

Recommendation (48) is a housekeeping amendment to the ordinance dealing with specified amounts set out in some of the sections of the ordinance set out by way of regulation -- or by way of regulation instead of by way of legislation.

Recommendation (56): "The board request the Legislative Assembly of the Northwest Territories to consider the authorization of a detailed study of universal coverage." It is a request to the Assembly to consider a study of universal coverage in the Northwest Territories. Those are the 18 recommendations, Mr. Chairman.



CHAIRMAN (Mr. Fraser): Thank you. Mr. McLaughlin.

Setting The Years Maximum Assessable Remuneration

MR. McLAUGHLIN: Thank you, Mr. Chairman. I was wondering if Mr. MacLean or Mr. Berezowski could explain recommendation (44) in a little bit of detail.

CHAIRMAN (Mr. Fraser): Mr. MacLean.

MR. MacLEAN: Yes, the intent here is to have the YMAR set at a level large enough so that 80 per cent of the work force in the Northwest Territories -- their salaries would be less than that figure. I do not know if that adequately explains it.

CHAIRMAN (Mr. Fraser): Mr. McLaughlin.

MR. McLAUGHLIN: Thank you, Mr. Chairman. What ceiling are you referring to there?

CHAIRMAN (Mr. Fraser): Mr. MacLean.

MR. MacLEAN: Mr. Chairman, the ceiling of course would depend upon the salaries that the workers were earning, as I see it, and if 80 per cent of the workers of the Northwest Territories were earning under \$30,000, I guess the ceiling would be \$30,000, the proposed ceiling.

CHAIRMAN (Mr. Fraser): Mr. McLaughlin.

MR. McLAUGHLIN: So what this would accomplish is in actual fact that the people's salaries would be rising with inflation and you would be adjusting your ceiling to keep in line with that inflation. Is that what you are trying to get at? Thank you.

CHAIRMAN (Mr. Fraser): Mr. MacLean.

MR. MacLEAN: Yes, Mr. Chairman, an attempt to recompense the worker for wages lost as a result of an injury and in order to have him retain in compensation almost as much as he would obviously from his salary at his job. If 80 per cent of the work force were covered by the YMAR, then there would be only 20 per cent who would be earning more in the amount of money than the workers would receive from the YMAR.

CHAIRMAN (Mr. Fraser): Any further questions?

MR. MacLEAN: It might be expensive when you conjugate that, taking into consideration some of the salaries being earned in the Northwest Territories by workers who are not residents here during the year.

CHAIRMAN (Mr. Fraser): Thank you. Mr. MacQuarrie.

Universal Coverage

MR. MacQUARRIE: Thank you, Mr. Chairman. With respect to recommendation (56), our system is for all workers, all accidents. Is that not what is called universal coverage?

CHAIRMAN (Mr. Fraser): Mr. MacLean.

MR. MacLEAN: If I may, Mr. Chairman, the words "universal coverage" were used in respect to providing the workers in the Northwest Territories with 24 hour coverage in the day in relation to accidents. At the present time in the Northwest Territories, of the 45,000 people resident, the work force is around 21,000 or 22,000 people. Of those 21,000 or 22,000 people, approximately

10,000 of them do have 24 hour coverage. These are people who belong to unions and have that supplementary coverage outside of working hours provided by insurance policies, which are bought and paid for by the employer. The thought here was that the Assembly might consider the possibility of extending that type of coverage to all of the workers in the Northwest Territories.

CHAIRMAN (Mr. Fraser): Thank you, Mr. MacLean. Any further questions? Mr. McLaughlin.

MR. McLAUGHLIN: Yes. So, the idea there was that this universal coverage would be restricted to the employees or would it be their dependants as well? It is not like birth to death or cradle to coffin or whatever. It is strictly the employees or would it be their dependants as well?

CHAIRMAN (Mr. Fraser): Thank you. Mr. MacLean.

MR. MacLEAN: Mr. Chairman, there are a number of plans being considered in other jurisdictions, but the thoughts here were with respect to workers only, in relation to injuries that they suffer and the loss of their income, and particularly in the smaller residential areas of the Northwest Territories, the hardship that the family suffers as a result of the loss of income over the period of time he is disabled. As the injury takes place outside of working hours, workers' compensation does not cover it in that respect.

CHAIRMAN (Mr. Fraser): Thank you, Mr. MacLean. I think the motion, if I understood it right, was to deal with the 18 recommendations and then questions and then leave it on the order paper until we can deal with it at one of the other sessions. Is that right? Is it agreed that that was the motion? Mr. MacQuarrie. Agreed?

MR. MacQUARRIE: Well, you say at one of the other sessions. I do not mean a different session -- possibly later this session if the Minister feels we are ready to.

CHAIRMAN (Mr. Fraser): At a later date, then.

MR. MacQUARRIE: Yes.

CHAIRMAN (Mr. Fraser): We will just say at a later date.

MR. MacQUARRIE: Agreed.

CHAIRMAN (Mr. Fraser): Thank you. Mr. McLaughlin.

MR. McLAUGHLIN: I have just one more question on recommendation (56). Right now the employees do not pay toward the premiums, just the employers do, and I was wondering, have you gone into enough detail on looking into this universal coverage that you would be considering whether the employees would then pay part of it, like it would be an insurance policy, because the employer would not have control over what happens to the employee when he is at home? I can see some possible benefit to it, but I could not see the employers being too happy if they had to pay the coverage for a system that they did not have control over in their own work place.

CHAIRMAN (Mr. Fraser): Mr. MacLean.

MR. MacLEAN: Mr. Chairman, the plan being considered in the province of Saskatchewan is with respect to a contributory phase by the worker and a levy against the employer.

CHAIRMAN (Mr. Fraser): Thank you. Mr. MacQuarrie, did you have a question?

MR. MacQUARRIE: Not a question. If all the questions are done, I have a motion that relates to workers' compensation, Mr. Chairman.

CHAIRMAN (Mr. Fraser): Thank you. Carry on with your motion.

Motion To Protect NWT Workers' Compensation Fund From Crippling Financial Loss From Major Industrial Disaster

MR. MacQUARRIE: I move that this committee strongly recommend to the Executive Committee that it immediately consult with the Workers' Compensation Board and the federal government and then take whatever measures are necessary to protect the NWT workers' compensation fund and the Government of the Northwest Territories from the crippling financial losses that would surely occur if there were to be a major industrial disaster in the Northwest Territories.

CHAIRMAN (Mr. Fraser): Could we get a copy of that, please, Mr. MacQuarrie? Thank you. To the motion. The motion is in order.

MR. MacQUARRIE: Yes. Just very briefly, I would say that no matter how improbable something might be, if it is at all possible, then it certainly can come to pass, and disasters such as the one that occurred offshore at Newfoundland always seem to be very remote possibilities until they do occur. I think that we have to face up to that possibility in the Territories and take steps now to meet the problem if it should arise.

CHAIRMAN (Mr. Fraser): To the motion.

MRS. SORENSEN: Question.

CHAIRMAN (Mr. Fraser): Question. Mr. Curley.

MR. CURLEY: Mr. Chairman, could you read the motion again, please?

CHAIRMAN (Mr. Fraser): Mr. Clerk, would you read the motion?

CLERK ASSISTANT (Mr. Hamilton): The motion is: I move that this committee strongly recommend to the Executive Committee that it immediately consult with the Workers' Compensation Board and the federal government and then take whatever measures are necessary to protect the NWT workers' compensation fund and the Government of the Northwest Territories from the crippling financial losses that would surely occur if there were to be a major industrial disaster in the NWT.

CHAIRMAN (Mr. Fraser): Thank you. Mr. Curley, to the motion.

Human Lives More Important Than Compensation Fund

MR. CURLEY: Mr. Chairman, I am amused by the motion, maybe because of my lack of understanding of the English language, but I think it is making a mockery out of the Workers' Compensation Board. It seems to be saying, "Look, let us protect the fund. If there is a major disaster of 100 people of the Northwest Territories working in the field and if there is a major disaster offshore or maybe within a few miles out from the shore, let us protect the compensation fund." I say it is irresponsible. I think it is ridiculous. I do not think a human being should be less important. They should not be treated like something that should not be protected and, therefore, this motion is really irresponsible. I am going to vote against it and I will tell you why. I think there is no way this Legislative Assembly should ever state the principles for guarding the fund established to protect the injured workman in any disaster. So, therefore, I will not vote in support of it, because if there were a major disaster, I know the Government of the NWT and its Executive Committee, and the federal government, and the industry would act responsibly and that there would be a mechanism found eventually to resolve the dispute in terms of financial disaster, because if there is a major disaster the federal government has, possibly, a legislation of some sort for major disaster areas. I am not in favour of that motion, because I think the mover of the motion has an intention to protect the money rather than the human lives



that would be injured in case of emergency. So, therefore, the idea of protecting the compensation fund is totally wrong. I think it is immorally wrong in the first place to protect it rather than the human lives if a disaster were to occur. So, I will vote against the motion. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Fraser): Thank you, Mr. Curley. To the motion. Mr. MacQuarrie.

MR. MacQUARRIE: Well, perhaps I have misunderstood, but if I have not, then I am afraid that Mr. Curley has. I am simply recognizing the fact that if there were a major disaster and it involved workers for whom contributions had been made to our Workers' Compensation Board, that our Workers' Compensation Board would have to pay out those claims and I understand that the fund is based on actuarial figures that cover the normal course of events in the Northwest Territories and, therefore, the system would be crippled. In making the motion as I did I might be guilty of poor wording or something, but not at all, as the Member unfairly alleges, that I am not concerned with the well-being of the workers. I would like to protect the funds so that there are unquestionably benefits available to our own people in the Northwest Territories who have been making contributions and who, unfortunately, have been injured and find it necessary to draw from the fund. So, in saying "protect the fund", what I want to do is protect the workers who need to draw from the fund. That is the interpretation that I put on it.

CHAIRMAN (Mr. Fraser): Thank you, Mr. MacQuarrie. Mr. McLaughlin. To the motion.

Employees Flying On Shift Changes To Drill Site Locations

MR. McLAUGHLIN: Thank you, Mr. Chairman. To the motion, I would like to ask, Mr. Chairman, if Mr. MacLean could maybe explain to us -- I realize you will not have exact figures here, but what our responsibility is in a hypothetical situation if Dome employees, for example, in a Dome plane flying between Edmonton and the Northwest Territories -- if it was to crash, even in Alberta, would they be considered on their way to their work place, and do you take into consideration the fact that they are flying and charge Dome higher premiums because of the high risk of their employees flying on shift changes in jets to the North and in helicopters to drill site locations?

CHAIRMAN (Mr. Fraser): Mr. MacLean.

MR. MacLEAN: That is an interesting question, Mr. Chairman. As to the accountability of the board in relation to a disaster that takes place outside of the Northwest Territories, I am not prepared to say at the moment. It would depend upon the terms of employment, the terms of employment per se as to when employment starts, whether it starts the moment they get on board that aircraft, and the fact that the employer as such could be designated perhaps as being resident in both Alberta and the Northwest Territories. It is an interesting question. It is one that we will look at. The second question was -- I just forget that. What was the second point?

CHAIRMAN (Mr. Fraser): Mr. McLaughlin, your second question?

MR. McLAUGHLIN: Well the rest of it was related to employees on their way from the job site at Tuk to a drill ship, for example.

CHAIRMAN (Mr. Fraser): Mr. MacLean.

MR. MacLEAN: Those employees, I would think, offhand, would be covered. Again, all the circumstances would have to be looked at, but the ferrying of the workers by helicopter, by whatever means, over to the ship site, well, I would think they are covered.

CHAIRMAN (Mr. Fraser): Thank you. Mr. McLaughlin. Supplementary.

MR. McLAUGHLIN: Because of the dangerous mode of transportation and the dangerous-situation job, do you have a fairly or substantially higher rate than you would for other operations?

CHAIRMAN (Mr. Fraser): Thank you. Mr. MacLean.

MR. MacLEAN: Mr. Chairman, we have taken this into consideration with respect to assessment rates. We are now looking at an additional assessment rate in relation to the prolonged use of aircraft with respect to the transportation of workers. We are being very careful, these days, in relation to employers that may come into the Northwest Territories -- have a great many accidents, for instance, and then leave the Territories within a year or two, having performed their work, and leaving the burden of the costs on those accidents to be borne by the employers who are resident here the year round. We are watching that with a great deal of interest, Mr. Chairman.

CHAIRMAN (Mr. Fraser): To the motion. Mr. Curley.

Protecting Compensation Fund Would Be Unconstitutional

MR. CURLEY: Yes, Mr. Chairman. I still have a problem with the motion again. I would think our interest really should be to protect the citizens of the Northwest Territories in case of a major accident to whoever is employed and is contributing to the Workers' Compensation Board, because I think this kind of motion would not contribute at all to the -- I use the words "national interest" -- I think it would scare the people from other provinces. Now, Mr. MacQuarrie, the champion of the non-natives who come up here for one year, two years, to work up here, is like saying, that we are more interested in protecting the fund, the workers' compensation fund, rather than protecting the workers in case they have a major disaster. I just cannot accept that, because no money anywhere in the world is going to satisfy a man who might be crippled, who might be injured so badly that he cannot work any more.

Now, it seems to me Mr. MacQuarrie is saying, "Well, look, we have to protect you guys who are administering this money so that you can earn your living administering it and so on." Protecting the fund is not going to do any good. It could be unconstitutional, as far as I am concerned, in that regard. He should change the words "to protect the fund" to "to protect its citizens in the Northwest Territories". I would say that he should amend that particular motion if he is so interested in protecting the citizens of the Northwest Territories. I could not support the motion, regardless of his principles in this motion. Thank you.

CHAIRMAN (Mr. Fraser): Thank you. Mr. MacQuarrie, to the motion.

Liability Of Workers' Compensation Board

MR. MacQUARRIE: Yes, thank you. Well, either I misunderstood earlier some of the comments that were made by the witnesses, or else Mr. Curley is making very unfair allegations and generally talking rubbish. I will ask for clarification, did I understand that if there were an employer who owned an airplane and was flying workers into the job, if that plane crashed in the Northwest Territories that the Workers' Compensation Board would be liable for claims from those workers? What I am also saying, then, if that is the case, can you explain what implications that would have for the board? How would it handle extraordinary claims like that? Or is that accounted for in the rates that you have already set and so on?

CHAIRMAN (Mr. Fraser): Thank you. Mr. MacLean.

MR. MacLEAN: Yes, in a general sense that statement is correct about the liability of the board. If the workers as such are being taken out on a leave proposition or picked up and brought into the work site, then in all probability they would be deemed as employees; and I say that in a general sense, because it would depend upon the flight itself.



Now, if there were a disaster such as that, and if they were workers the fact of the matter is we would have the responsibility of taking care of the estates of those workers, that is, the widows and children. In that case, it would not be an immediate drain on the fund, because the widows and children, of course, are taken care of by monthly payments. This would give us an opportunity to go ahead and recover the large amount of money disbursed over a period of time by a general assessment on all employers. That is why it is termed a "collective liability fund", because we would turn around and calculate an assessment fee and raise all assessments, say by 15 per cent, on all employers and use that additional money toward a disaster fund to make the payments as they become due on a monthly basis to the widows and children. I hope this explains it somewhat.

CHAIRMAN (Mr. Fraser): Thank you, Mr. MacLean. Mr. MacQuarrie.

MR. MacQUARRIE: Okay, and so I understand that the increased assessments later on would impact on the ordinary employers, the small businesses and so on that exist in the Northwest Territories at the present time. Is that correct?

CHAIRMAN (Mr. Fraser): Mr. MacLean.

MR. MacLEAN: Yes, that is true, and it would be, we would think, probably over a period of five to six years, those increased assessments in order to obtain the additional revenue back into the fund where it would be disbursed for the widows and children as a result of the disaster.

CHAIRMAN (Mr. Fraser): Thank you. Mr. Curley.

MR. CURLEY: Yes, Mr. Chairman. Okay. The question then is, is the Workers' Compensation Board incorporated under the laws of the Northwest Territories as a government agency to protect and continue to guard that fund so that it will always be there? That seems to be the argument behind the motion. Is it more important to protect the fund, in the case of a major disaster where there was many losses of life and injuries -- if that were to happen, would you be more interested in protecting the funds than in compensating those workers in the Territories? Is that the principle behind you, to protect your fund rather than to protect -- what you are supposed to be is a compensation board, and if that is the case, then I would prefer to change your title and change your objectives if you want to protect the fund, rather than to protect the injured people who require compensation, whether they be the widows and children, in the Northwest Territories?

CHAIRMAN (Mr. Fraser): Mr. MacLean.

#### Accident Fund Is For Benefit Of Workers

MR. MacLEAN: Mr. Chairman, the statute is very clear. The Workers' Compensation Board is in existence to care for the workers of the Northwest Territories, and their estates, their widows and children, if, in fact, the worker is deceased. We are in business in the Northwest Territories for the benefit of the worker, and whatever there may be in our accident fund, the moneys in the accident fund are to be used for the benefit of the workers.

CHAIRMAN (Mr. Fraser): To the motion. Mr. MacQuarrie.

MR. MacQUARRIE: Yes, just one final comment. What I would say to the honourable Member is that the reason that there is a fund in the first place is so that, when unfortunate incidents occur that we can provide compensation without undue delay to the injured parties or to their families, and that is a very desirable



thing. The intent of my motion is simply that we may be facing some extraordinary situations, and what I would like the government to do is to do all it can ahead of that time to ensure that if such an event occurred, that there would not be a great disruption in benefits that were to be paid but that we were ready for that kind of emergency and could deal with it effectively. That is my final comment.

CHAIRMAN (Mr. Fraser): Thank you. To the motion. Do I hear question?  
Mr. MacLean.

MR. MacLEAN: Just to make it clear, one of our reserves is the contingency reserve fund, one of our four reserve funds, and there are moneys in that reserve fund that are on deposit and are to be used in the case of a disaster. The fact of the matter is that there would not be sufficient moneys, however, in that reserve to carry out all of the payments needed in a major disaster, but we do have a disaster reserve that operates on that basis, and as each year passes, it is added to. It is there for that purpose if and when it is needed; but we must not lose recognition of the fact that these things can happen concurrently. I do not know if you remember the Springhill mine disaster in Nova Scotia, a number of people were killed in that mine disaster and five years later there was another mine disaster in the Springhill mine area again. The complications and the effects of that on the Nova Scotia compensation fund -- it took a number of years to get back to normal. We have a disaster fund set up. We are trying to devote that toward the worker, but recognition of the working conditions and the fact that we are flying people in from outside of the Territories to work here are factors that are causing us some concern.

CHAIRMAN (Mr. Fraser): To the motion. Mr. McLaughlin.

Moneys In Contingency Reserve

MR. McLAUGHLIN: Thank you, Mr. Chairman. I wonder if Mr. MacLean could enlighten us as to how big that fund is now and would it be capable of handling a disaster where maybe 40 lives were lost in the Beaufort Sea and maybe those people -- half of them would be residents in the Territories and half would not. Would we have enough money to cover a problem like that right now?

CHAIRMAN (Mr. Fraser): Mr. McLaughlin, were you talking to the motion or just making a statement?

MR. McLAUGHLIN: I am speaking to the motion because it is relevant.

CHAIRMAN (Mr. Fraser): To the motion.

MR. McLAUGHLIN: Do we have enough funds if there is a disaster and I am asking him how much funds we have and would those be enough to cover disaster? It is going to decide which way I would like to vote on this.

CHAIRMAN (Mr. Fraser): Mr. MacLean.

MR. MacLEAN: At the end of 1980, the contingency reserve -- that is the name for the reserve -- was in the amount of six million dollars. Now, as you may well understand, the effect of 40 workers meeting their death would certainly take care of that reserve.

CHAIRMAN (Mr. Fraser): To the motion. Mr. Curley.

MR. CURLEY: Mr. Chairman, a last comment. I am amused by the Members from the other side over there who are attempting to decide their convictions, whether they are in the first place interested in protecting the worker with a skilled job who can contribute to the northern industry, northern economy and so on. Now they are saying to us "Look, you know you guys are contributing

to the Workers' Compensation Board by way of employers' contributions and so on, employees', but it will really depend on what amount of money we have in the fund, whether we would be able to compensate your family, in case of major injuries." I say this is a bunch of baloney. It is irresponsible, and I think if these guys are going to play around with money and human injury then they really have their principles all wrong. They want to protect the interest of the money and I can see that Lynda Sorensen is having fun with that.

I say that no amount of money is going to ever totally satisfy an injured person's family. I think we should welcome that we have a Workers' Compensation Board and that it will be able to satisfactorily provide compensation to those who need it in the Northwest Territories and if there are problems, we will find a way around it, because the industry and the federal government will act responsibly as they are doing in that major disaster. They are trying to find out who is at fault for that sort of thing. The province is not going to bear the cost of the compensation requirement and I say that would be the case in the Northwest Territories. To say, to have a policy as an Assembly, "Let us protect the fund in case we could compensate for the injured men and their families," I do not think it would be in the interest of the labourer, the worker in the Northwest Territories, so I think I would urge the Member to withdraw the motion and maybe reword one that would really not in a way seem to have any prejudice against non-residents of the Territories. Thank you.

Motion Allows For Possibility Of Other Alternatives

CHAIRMAN (Mr. Fraser): To the motion. Mr. MacQuarrie.

MR. MACQUARRIE: Yes, I would just say that Mr. Curley completely misunderstands the intent and I personally resent the statements that he is making. As someone whose father was killed in a coal mining accident and who lived on a meagre compensation allowance for many years, I do not need that Member to tell me about the effects on a family when something like that happens. I would simply say that the motion allows for the possibility of other alternatives. It asks the government to consult with the Workers' Compensation Board and the federal government. It is possible that the decision could be that people who are flying into the Territories should not be paying contributions to our Workers' Compensation Board but that they should be insured in some other way by the federal government. That is certainly allowed by the motion and finally I say I cannot amend my own motion. If the Member wishes to amend it, he is at liberty to do so.

Chairman (Mr. Fraser): Thank you. Mr. Curley, to the motion.

MR. CURLEY: I may have a disadvantage in communicating with those people and interpreting the law as it is supposed to be because in the first place it is not my first language and you certainly have the upper hand in that, but I would like you to read the motion again because I may not have digested it properly as to what it really means.

CHAIRMAN (Mr. Fraser): Thank you, Mr. Curley. Mr. Clerk.

CLERK ASSISTANT (Mr. Hamilton): The motion is: I move that this committee strongly recommend to the Executive Committee that it immediately consult with the Workers' Compensation Board and the federal government and then take whatever measures are necessary to protect the NWT workers' compensation fund and the Government of the Northwest Territories from the crippling financial losses that would surely occur if there were to be a major industrial disaster in the Northwest Territories.

CHAIRMAN (Mr. Fraser): To the motion.

AN HON. MEMBER: Question.

Motion To Protect NWT Workers' Compensation Fund From Crippling Financial Loss From Major Industrial Disaster, Carried

CHAIRMAN (Mr. Fraser): Question being called. All in favour? Down. Opposed? The motion is carried.

---Carried

Is it the wish that we end this debate on Tabled Document 15-82(1), Report of the Workers' Compensation Task Force then and thank the witnesses? Agreed?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): Thank you very much, Mr. MacLean and Mr. Berezowski. Is it the wish of the committee then that we go to Bill 1-82(1), Department of Public Works? Agreed?

SOM HON. MEMBERS: Agreed.

---Agreed

Bill 1-82(1), Appropriation Ordinance, 1982-83

CHAIRMAN (Mr. Fraser): Mr. Butters.

HON. TOM BUTTERS: Mr. Chairman, with the committee's indulgence, I suggest that we invite the Executive Member responsible for the Department of Public Works to join us in the committee at the witness table and possibly to bring with him whomever he requires to assist him in responding to questions we may have of him.

SOME HON. MEMBERS: Agreed.

CHAIRMAN (Mr. Fraser): Mr. McCallum, point of privilege, point of order.

HON. ARNOLD McCALLUM: Mr. Chairman, I just would like to indicate that Mr. Pilot will be here but he is on the telephone and I think he is just finishing it and he should be here in just a moment. I would expect that he would want to take in the deputy minister of DPW, Mr. Elkin, at the same time, so I wonder if we could have Mr. Elkin come in.

CHAIRMAN (Mr. Fraser): There is Mr. Pilot on his way now. Is the committee agreed that we bring in Mr. Pilot and Mr. Elkin as witnesses?

SOME HON. MEMBERS: Agreed.

---Agreed

CHAIRMAN (Mr. Fraser): The Department of Public Works, page 11.01. Mr. McCallum.

Department Of Public Works

HON. ARNOLD McCALLUM: Mr. Chairman, I think it has been the practice for an Executive Member, that is, one of the elected Members, to read an opening statement regarding the department and in this instance I would like to have your indulgence to do so. Then in light of general comments regarding the department, they could follow, if that would be satisfactory with you.

CHAIRMAN (Mr. Fraser): Thank you, Mr. McCallum. Proceed with your opening remarks.



HON. ARNOLD McCALLUM: Thank you, Mr. Chairman. The Department of Public Works is responsible for the design, construction, acquisition and maintenance of all buildings, works, and equipment required and owned by the Government of the Northwest Territories. The department is also responsible for maintenance of roads in the Territories and is now in the process of assuming responsibility for road reconstruction and new highway construction. The operations and maintenance budget for the department to carry out these responsibilities for 1982-83 is approximately \$74 million and the capital program which the department will undertake for all territorial departments will value at about \$55 million.

A four year plan to transfer responsibility for highway maintenance, reconstruction and new construction from the federal government to the territorial government was initiated in 1981. This transfer will provide our government with the full authority and responsibility to establish the priorities for highway development and upgrading in the Northwest Territories. An important element in this program is the development of business opportunity for small NWT based companies to undertake highway maintenance on a contractual basis. Contracts have already been negotiated with Nogha Enterprises in Fort Simpson and similar arrangements are anticipated for future maintenance of the Liard highway and the Dempster highway.

#### Improving Government Performance And Public Accountability

A major priority of the department for 1982-83 is directly related to the government's thrust to improve government performance and public accountability. Proper operation and maintenance of government buildings, equipment and vehicles is essential if facilities and vehicles are to have a reasonable life. Without proper maintenance the buildings, vehicles and equipment must be replaced before they should be, at the expense of other programs. In addressing these problems, the Department of Public Works is concentrating on developing information systems and a proper approach is necessary to obtain adequate funding from the federal government to properly maintain our existing buildings and equipment.

Another important part of this review is the development of programs that will provide ongoing training and support to local persons in operations and maintenance and this includes support to hamlets. Energy conservation will continue to be pursued as a major priority, to counter the effects of rapidly increasing power and heating costs in the Territories. Through the application of practical proven techniques for reducing heat loss from buildings, and more efficient and effective lighting and heating systems, the level of energy consumption is planned to be reduced. There will be an expanded emphasis to develop the capacity for buildings and works to be constructed at the community level, with locally hired construction crews and companies. Through this approach, a northern construction work force and industry will be encouraged and employment and other economic benefits will be provided to the communities.

The department intends to play a major role in implementing a capital planning system which will identify the needs of communities for new buildings several years ahead of actual construction and allow for planning of communities consistent with the priorities of the government and the communities. Through proper planning, more efficient use of capital money can be achieved and local input can be maximized. Also, proper training will ensure that staff and funding are available to operate and maintain new facilities.

The financial management system for the department is being revamped to ensure adequate systems are in place to fully identify all costs of construction and ongoing operation and maintenance of buildings and equipment. These systems are essential to ensure proper control and costing of projects for the client departments and for securing adequate funding from the federal government.

Extensive work has been carried out to improve the design and operations of water and sewer systems throughout the NWT. Considerable design problems were encountered in the development of water pipelines and sewage disposal facilities. These design deficiencies are being eliminated, however, and during 1982-83 should be fully corrected. Resolution of these problems will permit the continuation of this program, which is essential in providing proper water and sanitation services for all territorial communities.

#### Accomplishments Of The Department

There have been a number of accomplishments within the department, Mr. Chairman. I would like to briefly make mention and recognize these. In the finance area, increased visibility and accountability were given to financial management and control through the upgrading of the financial adviser position to that of chief of finance. Reorganization and centralization of the headquarters finance staff to provide timely and co-ordinated financial control and information on a consistent basis was initiated. Considerable progress has been made in terms of rationalizing the various financial management responsibilities and processes required in the Department of Public Works. The main emphasis has been placed on planning for April 1982-83 implementation of required procedures to ensure control while attempting to recover vital information on the previous years operations. The development of this Public Works department budget and planning process provides adequate lead time for the Government of the Northwest Territories in the budget processes and this time is critical to separate planning from budgeting.

In 1981-82 the development of project management groups in regional offices continued with emphasis on staff training and development of standard contract procedures. This group manages the minor capital program in the region, as well as assisting in the co-ordination of regional input to the major capital projects handled out of headquarters by the architectural and engineering divisions. The separation of the O and M and project functions at the regional level has permitted the maintenance staff to concentrate on repair and maintenance of facilities.

Heavy emphasis was placed on energy conservation, with major expenditures in the upgrading and retrofitting of facilities. There have been significant savings in energy costs as a result.

One hundred and twenty mobile equipment items, totalling three million dollars purchased and delivered last year, replacing obsolete units and providing additional vehicles in many communities.

#### Building Projects

The main thrust in the department's building program at this time is to increase local involvement in construction wherever practical and to construct low energy use buildings. Local contractors are encouraged, through restricted bidding, to tender projects they consider themselves capable of doing. Where communities are without contractors, but have residents with a reasonable level of construction expertise, the department is designing minor community buildings which can be constructed by a local work force under a carpenter foreman from the department. Recent projects of this sort include the major renovations to the school and the construction of the hamlet office/fire hall in Spence Bay and the finishing of the log residence and tourist information centre in the Fort McPherson campground.

Major building projects completed in 1981-82 include the Pelly Bay complex, which has community offices, the post office, the radio station and recreation facilities and the Maani Ulujuk elementary and junior high school in Rankin Inlet. Planning was also undertaken for new school facilities in Lac la Martre, Norman Wells and for a major school addition in Clyde River. The restoration



of Breynat Hall, the Thebacha student residence damaged by fire, was initiated. Construction of maintenance garages at Igloolik and Rankin Inlet, parking garages at the Hay River reserve and Coppermine and fire halls at Spence Bay and Rae-Edzo was carried out.

#### Engineering Efforts

Engineering efforts last year were concentrated largely in three areas: municipal engineering, the water delivery, sewage garbage disposal; land assembly projects to provide building lots throughout the Territories; and petroleum product tank farms for storage and dispensing of fuel. Twelve municipal projects with a budget of seven million dollars were carried out. The largest project in process is the new 20 million gallon reservoir at Tuktoyaktuk. The reservoir was formed by grading a 600,000 cubic metre stockpile of sand, pumped into place by using a Canmar dredge. We would hope that it would be completed and open for service in 1984.

The first municipal incinerator in the Baffin has been installed in Pangnirtung where there is little opportunity to dispose of garbage by other means. Work has been carried out on land assembly projects totalling two million dollars, and one quarter of this total has been expended in Norman Wells to provide for the initial expansion associated with Esso's proposed new facility. There has been progress made on 19 tank farm installations with an expenditure of approximately four million dollars. There have been innovations in the building of tanks and the department hopes that this would provide better tanks in the years to come.

#### Highway Maintenance

In April of last year, responsibility for highway maintenance was turned over completely to the territorial government and the remaining responsibility for highway reconstruction and new construction is scheduled for turnover in April 1983. During the emergency situation when forest fires were burning near highways and communities, the highway maintenance people co-operated very successfully with forest protection officers and the police to safeguard and facilitate the movement of traffic. The size of the maintenance contract for the highway leading to Fort Simpson was reduced in order to allow easier participation by local contractors, and Nogha Enterprises was incorporated as an agency of the Fort Simpson Dene band and this group negotiated a contract to maintain a section of that highway. Fort Liard has also been contacted with the idea of setting up a similar arrangement for maintenance of the Liard highway when construction is finished.

Despite a vacancy rate that reached as high as 50 per cent in July, most of the intended highway reconstruction program was completed. The 11 kilometre access road to Rae from the Yellowknife highway was rebuilt and widened and 10 kilometres of highway between the Inuvik airport and the town was paved. This division is presently constructing a winter road to connect Wrigley, Fort Norman and Fort Franklin to the Mackenzie highway near Simpson and the estimates before us would include provision to open this road again next year. A new cable ferry, the Abraham Francis, was commissioned for service at the Peel River crossing on the Dempster.

#### 1982 Projection

Mr. Chairman, there are several emphasized programs and policies that the department would want to deal with during this particular year. Its budget reflects it: policy and program development, capital planning and co-ordination of planning between departments; the implementation of DPW policies and programs on a uniform basis in all regions; decentralization of appropriate capital project management, and the property management responsibilities to the regions; and financial management and control, both at headquarters and the regions.



As regards the finance area, accurate financial record keeping across the total department will be established and it will involve program managers, both at headquarters and the regions, as well as the Executive and the client departments so that proper management decision making can be made. We would hope to give the DPW program staff the responsibility within the department and over client department funds so again the proper exercise of good decision making will result.

In operations it is the hope of the department to support the arguments for an increased level of funding which will tie in future volume increases to growth in the capital program. We are hoping within operations that we would be able to support the arguments for increased level of funding so that any increase in growth would be well responded to in the future. Further development of the regional project operations will continue and the regions and the project divisions will use the proper guidelines and standards for the planning, design and construction.

Energy conservation will be down-played in order that the limited resources available can be applied to the goal of obtaining properly maintained facilities and it will allow the development of policy for the application of conservation measures to new and existing government facilities.

In the area of office accommodations, a plan would forecast requirements in advance so that additional space that can be secured will be developed. Although the plan is required for all centres, the main emphasis will be in Yellowknife where the majority of the office accommodation is required. The accommodation forecasting will be co-ordinated with the capital plan so that the options that are available to the government are looked at with all possibilities.

#### Project Management

In project management there will be a continued thrust in the department to increase local involvement in construction. We would hope to use local labour in as many instances as possible. Buildings will be designed and constructed so that they are energy efficient and where possible be heated by reclaimed heat from NCPC.

Major water and sewer projects in the amount of three million dollars are contemplated for Rae, McPherson, Tuk, Simpson and Frobisher Bay. Rankin Inlet and Norman Wells will have water and sewer services included in landfill projects and in Norman Wells a domestic gas service is included. In the tank farm program, it is the intention to complete a dozen projects in Baffin and in the Keewatin. A new installation of aviation fuel dispensing facilities is scheduled for Rankin Inlet.

In the highways area, preparations for the hand-over-the-road construction will be completed and there may be a necessity to recruit additional staff for these programs upon approval from the Treasury Board. The department will continue to upgrade the condition of the ferries and overcome the operation problems at several of the crossings.

Arrangements will be completed for taking over the maintenance responsibility for the Liard highway and that includes setting up a contract for its maintenance. A review will be completed of the highway maintenance management system in co-operation with the federal government to evaluate alternatives for improving road maintenance in light of current financial restrictions. There are three main problems here, Mr. Chairman: the need to make use of what resources are available: the difficulty in getting sufficient resources; and the very real one of getting solutions to overcome the hazards of the dust problems.

Mr. Chairman, there are other aspects of this department that both the Deputy Commissioner and the deputy minister may want to respond to or may want to indicate as well. I would suggest then, Mr. Chairman, that if there are any comments to make to the department, they be made to the witnesses.

CHAIRMAN (Mr. Fraser): Thank you, Mr. Minister. We are open for general comments now on the Department of Public Works. There being no general comments, we shall go by detail -- Mr. Noah, general comments.

Problems In Baker Lake

MR. NOAH: (Translation) Thank you, Mr. Chairman. The DPW have been working very well that I know of, but I would like to ask the Minister or the deputy minister about the pipeline that was being built in Baker Lake that they started but which did not get completed, and I would like to know how much it cost to build that.

The DPW have been opening and closing highways in some parts of the Northwest Territories, but in other areas, they do not work on these, and the highways or the roads are maintained by the hamlet councils. In Baker Lake it is different. The hamlet takes care of the road that goes to the airport.

I want to say that I am very happy that they are going to be building a roof for the school in Baker Lake, but maybe if they had planned better for this school, today I think we would not have had to spend one million dollars when one million dollars could have been used for vehicles or highways or roads. The Minister was saying there is three million dollars for vehicles and highways, and he did not say anything bad about the things he was talking about, and sometimes we do not hear about the bad things from the Ministers or the witnesses. I do not think this is the right way to do it. If they had built the school in Baker Lake all at one time without making additions to the school, then they would not have had to repair it or make renovations to it; but it has got different levels now.

Also in Baker Lake we did not want to get a second-hand grader, but they went ahead and sent us a second-hand grader. The hamlet made it clear to local government that they did not wish to have a second-hand grader. As soon as that second-hand grader arrived, it was not in operating condition. The exterior was painted so that it looked brand-new, but once it got into operation it kept breaking down and had to be repaired. It was understandable, because it was a second-hand grader, and it had been renovated on the exterior to make it look more brand-new and more usable, but it was not.

Also, in Baker Lake the sewer system was not very good. I think the hamlet councillors in Baker Lake are here to talk about some of their problems with the sewer system. The sewer system flows too close to the lake. It always has to be repaired, and it keeps breaking down, and when it breaks down it overflows into the lake. We feel that this sewage that is flowing into the lake can be dangerous to our health and damaging to the environment. With things like sewer systems flowing into the lake, I think National Health and Welfare should be concerned about that. As soon as a sewer or water pump is near the place where we get our water -- I think you plan before you get into capital planning -- capital planning before you do any projects in the communities -- they are supposed to last a lifetime, but not enough planning goes into making capital planning. I could go on forever.

The Minister mentioned all the positive things that they had been doing, and the positive things that they are planning to do for the future. The sewer system built in Baker Lake was never used, and we do not know how much expenditure went into that equipment that was never utilized. Also, DPW maintains roads in some parts of the Territories, and also is building them. I would like to know why in some communities DPW is maintaining the municipal roads, inspecting them and closing them when they are not safe to use. Some communities and hamlets look after the maintenance of the roads and construction. I would like to know which one should be responsible, DPW or hamlets and communities, Mr. Chairman.

CHAIRMAN (Mr. Fraser): Thank you, Mr. Noah. General comments. Ms Cournoyea.



MS COURNOYEA: I believe that was a question to someone.

CHAIRMAN (Mr. Fraser): Mr. Pilot.

Co-operation And Co-ordination Of New Projects

DEPUTY COMMISSIONER PILOT: Thank you very much, Mr. Chairman. I have to agree with a great many of the statements made by Mr. Noah, that there certainly has been in the past a lack of planning in the development and what the Department of Local Government or the Department of Public Works are going to do in any municipality or any community, and this is one area to which we have given a lot of thought. We are developing a system whereby the planning for new facilities in a community is done on a co-operative approach with all departments of the government and that particular community to see that all facets, or all areas of concern are addressed. We anticipate that the new capital planning process that I am referring to will be completed in the very near future, and that I shall be able to give the Members of this House a briefing on the process and how we see the co-operation and co-ordination of new projects within a community taking place.

With regard to roads, municipal roads and highways, the highways division is only responsible for public highways; roads and road networks within a community are the responsibility of that municipality or that hamlet. However, there has been a breakdown of assistance between the technical knowledge that our highways people have and the technical knowledge that is required by municipalities, the smaller communities, and it is our plan that in the future the technical advice required by a community will be available to them from our department of highways. For example, the best method of grading a road or maintaining the particular slope on a road for drainage or the best kind of gravel or aggregate that is required for a road -- this technical advice will be made available to the community and the co-operation and, as I say, the co-ordination between the Department of Local Government and the Department of Public Works will take place.

With regard to the school roof, there is not much I can add to the description that Mr. Noah has given us with regard to the situation in Baker Lake. The school is certainly built "like Topsy", in many different phases and different angles and creating a terrible problem with regard to making it watertight or secure from the elements and it will, in fact, cost us approximately one million dollars to put a new cover on that building to prevent all of the leaks and the problems we have had with it over the years, but that is only one of three schools that we are doing this year. There are two in Frobisher Bay that have almost the same problem and very high on our priority list is Aklavik, which we hope we will be able to have done this year also. I understand that a total of seven schools are -- or perhaps even more that we will have to address and to study this year to address the same problem, the problem of leaking roofs.

MR. CURLEY: Agreed.

CHAIRMAN (Mr. Fraser): Thank you. Mr. Noah.

Improving The Planning And Building Of Schools

MR. NOAH: (Translation) Thank you, Mr. Chairman. I would like to know what they are thinking in order to improve the building of the school or the planning of the school. Usually they are too huge in size. Many schools have to be repaired now, but usually when schools are made they do not always -- I would like to know what DPW thinks about how they are going to go about repairing the damage to the schools.



Mr. Chairman, it will cost one million dollars in Baker Lake to repair the school. As you know, it has been repaired for one million dollars the first time. Problems may arise because it has not been built properly in the beginning and maybe after two years, three years, other problems may arise again which would be costing more money. Some of the houses, the way an architect designs them, do not improve the environment. When it comes to designing buildings and the size of buildings, I would like to know how they plan to go about repairing those and after repairing them the first time, are they forecasting any more problems where they might have to do some more repairs after? This is concerning the school. Thank you.

CHAIRMAN (Mr. Fraser): Thank you. Mr. Pilot.

DEPUTY COMMISSIONER PILOT: Well, Mr. Chairman, I think the advances in architectural technology and also the skills that have been acquired from our mistakes, I suppose, over the past few years are giving us better indicators as to the best method of building schools or any large facility within the North. We also are now able to draw on technical advice of architects and other firms that are northern orientated, through people that live and work in the North, and I think this has given the department a better insight into the past problems and making corrections in the design of future buildings.

It is impossible, I suppose, to say that we will design a building that will be absolutely damage-proof or maintenance-free, but we are developing more rapidly a facility that is easier for the community to be involved with and to maintain. I think the school in Lac la Martre will demonstrate or can be used as a demonstration to this end. It has been designed so that the residents of Lac la Martre will be able to receive some training in the maintenance of the facility and then also be employed in the work in the school when maintenance is required. So, this is just one example and it is one that we have taken on as an experimental project to see how we can design a school of a very low profile, allowing as much input from the community as is possible and also allowing the community to be involved, as I say, in the early design of the facility so that they can learn the maintenance procedures that may be required. Thank you, Mr. Chairman.

CHAIRMAN (Mr. Fraser): Mr. Noah.

Grader Sinking, Baker Lake

MR. NOAH: (Speaks in Inuktitut) (No translation)

(Translation) When it was unloaded, there was a brand new grader. So, what are you going to do about that? Are you going to salvage the grader or are you going to leave it in the ocean to rot? Like I said before, it had never been used, as it was brand-new. When it sank we lost a lot of money. Whale Cove had an old grader and since they were getting a new one, it was transferred to Baker Lake and that was the grader that I was complaining about earlier. It had been painted. The exterior had been renovated to make it look new and then it was sent to Baker Lake. It was transferred from Whale Cove. What is going to happen now to the grader that sank?

CHAIRMAN (Mr. Fraser): Thank you, Mr. Noah. Mr. Pilot.

DEPUTY COMMISSIONER PILOT: There always has to be a surprise, Mr. Chairman. I did not know that there had been a grader lost in the ocean or dropped into the ocean. It comes as a surprise to me and I will get more information on it, but I believe that we are referring to municipal equipment, which would come under the Department of Local Government, but I am not familiar with it. So, I would prefer, if I may, to just make a note of this. I will gather more information, if I may, from Mr. Noah and provide an answer to that.

CHAIRMAN (Mr. Fraser): I understand you will have a reply for the Member before this department is completed? Is that it?

DEPUTY COMMISSIONER PILOT: Yes, sir.

CHAIRMAN (Mr. Fraser): Thank you very much. The hour being 6:00 o'clock, I will rise and report progress.

MR. SPEAKER: Mr. Fraser.

REPORT OF THE COMMITTEE OF THE WHOLE OF TABLED DOCUMENT 15-82(1), REPORT OF THE WORKERS' COMPENSATION TASK FORCE; BILL 1-82(1), APPROPRIATION ORDINANCE, 1982-83

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MR. FRASER: Thank you, Mr. Speaker. Your committee has been considering Tabled Document 15-82(1), Report of the Workers' Compensation Task Force, and wishes to report two motions being adopted; and Bill 1-82(1), Appropriation Ordinance 1982-83, and wishes to report progress.

MR. SPEAKER: Thank you, Mr. Fraser. Mr. Clerk, are there any announcements and orders of the day, please?

CLERK OF THE HOUSE (Mr. Remnant): The standing committee on finance will meet tomorrow morning at 9:30 in Katimavik A.

ITEM NO. 14: ORDERS OF THE DAY

Orders of the day, 1:00 p.m., Wednesday, February 24, 1982.

1. Prayer
2. Replies to Commissioner's Address
3. Oral Questions
4. Questions and Returns
5. Petitions
6. Tabling of Documents
7. Reports of Standing and Special Committees
8. Notices of Motion
9. Notices of Motion for First Reading of Bills
10. Motions
11. Introduction of Bills for First Reading
12. Second Reading of Bills
13. Consideration in Committee of the Whole of Bills, Recommendations to the Legislature and Other Matters: Matters Relating to the Arctic Pilot Project; Tabled Document 15-82(1); Bill 1-82(1); 13th Report of the Standing Committee on Finance
14. Orders of the Day

MR. SPEAKER: Thank you, Mr. Clerk. This House stands adjourned until 1:00 p.m., Wednesday, February 24, 1982.

---ADJOURNMENT



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