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Thursday, June 29, 2017 — 10:00 a.m.

Chair: Stacey Hassard

STANDING COMMITTEE ON PUBLIC ACCOUNTS

Chair: Stacey Hassard

Vice-Chair: Paolo Gallina

Members: Ted Adel
Don Hutton
Brad Cathers (substituting for Wade Istchenko)
Liz Hanson

Clerk: Allison Lloyd, Clerk of Committees

Witnesses: **Office of the Auditor General of Canada**

Michael Ferguson, Auditor General

Casey Thomas, Principal

Department of Highways and Public Works

Paul McConnell, Acting Deputy Minister

Scott Milton, Acting Assistant Deputy Minister

Paul Murchison, Director of Transportation Engineering

Department of Health and Social Services

Brenda-Lee Doyle, Assistant Deputy Minister

Geri MacDonald, Director, Family and Children's Services

Kathy Fredrickson, Director, Corporate Planning

Department of Education

Judy Arnold, Deputy Minister

Cyndy Dekuysscher, Assistant Deputy Minister, Corporate Services

Miles Hume, Health and Safety Consultant

EVIDENCE**Whitehorse, Yukon****Thursday, June 29, 2017 — 10:00 a.m.**

Chair (Mr. Hassard): I will now call to order this hearing of the Standing Committee on Public Accounts of the Yukon Legislative Assembly.

The Public Accounts Committee is established by Standing Order 45(3) of the *Standing Orders of the Yukon Legislative Assembly*. This Standing Order says: “At the commencement of the first Session of each Legislature a Standing Committee on Public Accounts shall be appointed and the Public Accounts and all Reports of the Auditor General shall stand referred automatically and permanently to the said Committee as they become available.”

On January 12, 2017, the Yukon Legislative Assembly adopted Motion No. 6, which established the current Public Accounts Committee. In addition to appointing members to the Committee, the motion stipulated that the Committee shall “have the power to call for persons, papers and records and to sit during intersessional periods.”

Today, pursuant to Standing Order 45(3) and Motion No. 6, the Committee will investigate the Auditor General of Canada’s report, entitled *Report of the Auditor General of Canada to the Yukon Legislative Assembly — 2017: Capital Asset Management — Yukon*.

I would like to begin by thanking the witnesses from the departments of Highways and Public Works, Health and Social Services, as well as Education for appearing. I believe that the deputy ministers will introduce the witnesses during their opening remarks.

Also present with us today are officials from the Office of the Auditor General of Canada. They are: Michael Ferguson, Auditor General of Canada; as well as Casey Thomas, Principal.

I will introduce the members of the Public Accounts Committee: I am Stacey Hassard, the Chair of this Committee and MLA for Pelly-Nisutlin. To my left is Paolo Gallina, the Committee’s Vice-Chair and MLA for Porter Creek Centre; to Paolo’s left is Ms. Liz Hanson, MLA for Whitehorse Centre. To her left is Ted Adel, MLA for Copperbelt North; and to his left is Brad Cathers, MLA for Lake Laberge. He actually is substituting on this Committee for Wade Istchenko. Finally, behind me is Don Hutton, the MLA for Mayo-Tatchun.

The Public Accounts Committee is an all-party committee with a mandate to ensure economy, efficiency and effectiveness in public spending — in other words, accountability for the use of public funds. The purpose of this public hearing is to address issues of the implementation of policies — whether programs are being effectively and efficiently delivered — and not to question the policies of the Government of Yukon. In other words, our task is not to challenge government policy but to examine its implementation. The results of our deliberations will be reported back to the Legislative Assembly.

To begin proceedings, Mr. Ferguson will give an opening statement summarizing the findings in the Auditor General’s

report. The deputy ministers will then be invited to make opening statements on behalf of the departments. The Committee members will then ask questions. As is the Committee’s practice, the members devise and compile the questions collectively. We then divide them up among the members and the questions each member will ask are not just their personal questions on a particular subject, but those of the entire committee.

After the hearing, the Committee will prepare a report of its proceedings, including any recommendations that the Committee wishes to make. This report will then be tabled in the Legislative Assembly.

Before we start the hearing, I would ask that questions and answers be kept brief and to the point, so that we may deal with as many issues as possible in the time allotted for this hearing. I would also ask that Committee members, witnesses and officials from the Office of the Auditor General wait until they are recognized by the Chair before speaking. This will keep the discussion more orderly and allow those listening on the radio or over the Internet to know who is speaking.

We will proceed now with Mr. Ferguson’s opening statement.

Mr. Ferguson: Thank you. Mr. Chair, I am pleased to be in Whitehorse today to discuss our report on capital asset management in Yukon. This report was tabled on March 6 in the Yukon Legislative Assembly. Joining me today is Casey Thomas, the Principal responsible for the audit.

The Department of Highways and Public Works is responsible for maintaining government buildings. It is also responsible for constructing new buildings and for renovating or demolishing existing buildings. Other departments are responsible to help identify maintenance projects for the buildings they occupy and to pay for those projects.

We found that when the Department of Education and the Department of Health and Social Services made decisions about projects for the buildings they occupy, they considered the costs as well as the health and safety of the people who use the buildings.

Departments need to know the condition of buildings before they decide what needs to be done with them. It has been almost 10 years since we first recommended that the Department of Highways and Public Works assess the government’s buildings to gather this type of information. We found that the department had assessed many of the government’s buildings. These assessments identified serious deficiencies, such as major structural problems. However, we were concerned that departments didn’t use the assessments because the Department of Highways and Public Works had not verified their accuracy.

We also found that the Department of Highways and Public Works had a process to prioritize maintenance projects that considered health, safety and cost. Unfortunately, the department didn’t always follow this process. Specifically, we found that of the more than \$13 million spent on maintenance in the 2015-16 fiscal year, \$6.6 million was spent on projects that the department hadn’t identified as priorities. As a result,

maintenance work that could have waited was completed while some priority projects weren't completed. For example, we found that in 2011, the department had identified the replacement of a heating fuel tank as a high priority. However, the department didn't replace the tank until 2013 when the tank was leaking.

The government has limited resources to spend on maintaining its buildings. Therefore, it is important that it prioritize building maintenance projects so that it completes projects with the greatest need first.

In 2007-08, the Workers' Compensation Health and Safety Board, along with other departments and agencies of the Government of Yukon, led a pilot project for radon testing. We found unresolved issues related to the radon levels found in some of the buildings tested. We recommended that the departments work to resolve these issues and they have agreed with this recommendation.

Finally, we looked at transportation infrastructure in this audit. The transportation network is essential for many isolated communities, and its maintenance is important for user safety. Overall, we were satisfied with how the department identified and prioritized risks for this network.

Mr. Chair, this concludes my opening statement. We would be happy to answer any questions that the Committee may have.

Mr. McConnell: Good morning. I am Paul McConnell, and I am the Acting Deputy Minister of Highways and Public Works. Joining me from the department today are Scott Milton, the Acting Assistant Deputy Minister of the Property Management division, and Paul Murchison, director of Transportation Engineering.

I am here with you today to account for and to respond to the report of the Auditor General of Canada to the Yukon Legislative Assembly 2017, on capital asset management. The audit focused on whether Highways and Public Works, Education, and Health and Social Services met their responsibilities for capital asset management and builds on audits previously conducted in 2007, 2009 and 2012.

This audit is important because Highways and Public Works understands that the condition of the government's assets has significant impact on the lives of all Yukoners. Building occupants have the right to a safe and healthy environment. Known risks in the Yukon, such as changing permafrost conditions and radon gas, add to the importance of good capital asset management.

Roads, highways and bridges are also important because they are vital links between our communities. Citizens rely on this infrastructure for the activities of daily living.

The Government of Yukon's capital assets include more than 500 owned buildings worth an estimated \$1.6 billion for replacement value. These include schools, health centres, courts, libraries and other facilities that deliver essential public services and programs. On the transportation side, the government's assets include a network comprised of 133 bridges and approximately 4,800 kilometres of roads and highways. The net value of these assets is estimated at around \$630 million.

Delivering millions of dollars' worth of major capital projects each year comes with enormous challenges and creates a demanding environment for our teams of engineers and project managers. We work hard to ensure that cost control and building users' health and safety are top priority, both on the transportation side and on the vertical infrastructure side.

With the most recent performance audit, we are pleased that the auditor has acknowledged the strong performance of our Transportation division. That said, there are some focus areas of the audit that are a concern to me and my colleagues. I acknowledge that some recommendations made 10 years ago have not yet been fully implemented. We are working hard to fix that.

We appreciate the feedback and the analysis provided by the Auditor General and agree fully with the recommendations put forth. Yukon government released an action plan to address the concerns identified by the report, which I will discuss in more detail in a moment.

Capital asset management covers the entire lifecycle of an asset, including planning, construction, assessment, maintenance and replacement. This is the core business of Transportation and Property Management divisions, and I am proud of the progress and results these groups have achieved over the past few years. I do, however, acknowledge that more work is required to address the challenges that lie ahead.

The 2017 audit focused on five key themes: building condition assessments, permafrost, radon gas, project prioritization, and transportation infrastructure. I would like to start with radon. The Office of the Auditor General found that testing and follow-up was lacking, re-testing procedures were not standardized, and record-keeping was inadequate. It has been established that there was a lack of clarity and understanding around roles and responsibilities between departments and service providers. Government departments need to do better.

Moving forward, Yukon government will execute on a host of initiatives to address the Auditor General's recommendations. The Public Service Commission is currently working with Highways and Public Works and other departments to develop a whole-of-government radon management program. Within Highways and Public Works, testing is underway in department-controlled buildings. Remediation will occur in buildings that show elevated levels of radon. Detailed testing and remediation records will be compiled in a database in accordance with the recommendation of the report.

Building condition assessments and project prioritization — the audit recognized the progress that Highways and Public Works has made on assessing the conditions of our buildings. This past year, we finished conducting building condition assessments for all of our significant buildings — 295 in total.

Each year, 20 percent of the portfolio will be reassessed and maintenance projects identified. Working closely with our clients, we are now focused on the most pressing priorities and we are working to develop multi-year building maintenance plans for each department. Working from

evidence-based, long-term maintenance plans will help us anticipate emerging requirements and better apply integrated asset management strategies to get the most out of our maintenance dollars. This approach represents a fundamental philosophy shift toward a more proactive or preventive approach toward building maintenance and is an effort driven by previous Auditor General recommendations.

The audit was also critical of the fact that sometimes we advanced capital maintenance projects that had not been formally prioritized or put through a defined scoring process. While advancing unscored projects is typically an exception, not the norm, going forward we will prioritize all capital maintenance projects. Updating our building maintenance policy was a key recommendation previously made in the 2012 report. I am happy to report that the new policy is being finalized. Client departments have been instrumental in the development of the new policy, having participated in an intensive four-day systemic design workshop.

Permafrost — managing the impacts from permafrost is another area that requires close collaboration with, and responsiveness to, the needs of our client departments. In 2011, Highways and Public Works and the Yukon Geological Survey worked together on the infrastructure vulnerability to permafrost degradation project. The project examined 135 buildings and identified 57 as vulnerable to permafrost degradation. The report also identified 18 buildings that had already experienced permafrost impacts. The report recommended that at-risk buildings undergo detailed geotechnical, geophysical and engineering investigations. Moving forward, permafrost considerations will be more proactively addressed and will be a focus on the department's upcoming building design standards manual, which will be implemented early next year.

We will also be carrying out screening level structural assessments as part of the next building condition assessment cycle. We are also developing a monitoring and assessment plan for Yukon government buildings located on sensitive permafrost areas.

In closing, I would like to say that I am pleased with the progress the department has made over the past few years in managing our portfolio of assets, while also recognizing that there is more work to be done. Thank you for your time, and I look forward to any questions you may have.

Ms. Arnold: Good morning. I am Judy Arnold, Deputy Minister of Education. Joining me from the department today are Cyndy Dekuysscher, Assistant Deputy Minister of Corporate Services, and Miles Hume, Health and Safety consultant.

First, I would like to thank the Office of the Auditor General for bringing the issue of radon management to the attention of the Government of Yukon. Today we look forward to responding to your questions and, should you require further information that we were unable to provide, we will be happy to forward it to you following today's hearing.

The Government of Yukon is working on the development of a radon management strategy for its buildings. As Deputy Minister McConnell mentioned, the Public Service

Commission's health and safety implementation subcommittee is drafting a radon guideline for all departments. Education is participating fully in this process. The radon guideline will outline the Yukon government's practices for testing and remediation consistent with the Health Canada *Guide for Radon Measurements in Public Buildings* and the requirements of Yukon's *Occupational Health and Safety Act*. These requirements are further defined under policy 3.48 Corporate Health and Safety in the *General Administration Manual*.

In the meantime, the Department of Education has not waited to act. We are monitoring our schools and our building assets. As you may recall, we committed to installing radon monitoring equipment in 50 percent of our building assets by the end of the 2016-17 school year, with the remaining 50 percent to be done by the end of the 2017-18 school year. In fact, we conducted our first round of long-term radon monitoring in 100 percent of Education's buildings this past winter. In order to achieve an accurate reading of radon levels in a given space, one must measure radon levels over a minimum of three months. This process should ideally occur over the winter months. This is the time of year that radon gas tends to accumulate in higher concentrations. These results will provide us with baseline data for each of our schools.

Our work to monitor radon levels in all Yukon schools was recently recognized by CAREX Canada. CAREX is a national research project based at Simon Fraser University in BC about radon in Canadian schools. Yukon is one of five provinces and territories to have checked all schools at least once since Health Canada changed its guidelines in 2007. Radon monitoring equipment from schools was sent to the lab for lab analysis this spring. We just received and compiled our monitoring data for the 2016-17 school year. These results are now posted to the department website for review by the public. Over the summer, Education will prepare information to be shared with our schools when school resumes for the 2017-18 school year. Staff will receive information about the building in which they work, and letters with up-to-date radon information will be prepared for each school community.

Our school communities include staff, students, their families, school councils and our First Nations. Should any of the results come in above the range recommended by Health Canada, further testing and remediation will be required. To err on the side of caution, radon remediation work was ordered and will be completed in three Education buildings over the summer of 2017. The three schools are: Jack Hulland Elementary School, Nelnah Bessie John community school, and the Teen Parent Centre. The recent results have confirmed these schools are in need of remediation. This work was actually ordered before the monitoring results were available based on these schools' higher results from the 2008 testing and some of the early numbers from the monitoring equipment that was installed in 2016. We did consider — and are still considering — deciding about precautionary remediation work for the fourth building that had tested higher in 2008. That building is Holy Family elementary school. Its

current monitoring results are showing that its radon levels are within acceptable levels.

These four buildings will continue to be monitored long term to ensure the remediation work has been successful and that radon levels remain within the recommended range. If radon levels read higher in a building, we will continue to remediate efforts and monitor radon levels until we are confident that they have dropped to an acceptable level. To be clear, schools' results with above the levels recommended by Health Canada will be prioritized for radon remediation. Schools with results near levels recommended by Health Canada will continue to be monitored. All schools will continue to be monitored. Education will continue these practices and remediation until such time as the government's radon guideline is in place. At that time, we will ensure our activities are consistent with the guidelines of the Government of Yukon while addressing the needs and expectations of our schools, our staff, parents and community. We will also follow all guidelines and recommendations as set out by the Public Service Commission's health and safety implementation subcommittee.

Moving forward, all records of radon monitoring and testing conducted in buildings under the custody and control of Education, which we are currently storing in the department, will be uploaded to Corporate Health and Safety's Parklane system consistent with the requirements of the radon guideline. Again, the 2016-17 monitoring results are now available on our website.

I would like to thank you for the opportunity to speak today. The health and safety of our students and staff is our first priority in Education. We are committed to continuing to monitor and remediate as needed, going forward, and to report on these actions to school communities and the public.

Mr. Chair, this concludes my opening statements. I look forward to answering any questions the Committee may have.

Ms. Doyle: Good morning, Mr. Chair. The Department of Health and Social Services is pleased to appear before the Public Accounts Committee to respond to the performance audit on the capital asset management conducted by the Auditor General of Canada.

I am Brenda Lee Doyle, Acting Deputy Minister of Health and Social Services and I would like to begin by first introducing the officials who accompany me today: Geraldine MacDonald, director of Family and Children's Services, and Kathy Fredrickson, director of Corporate Planning and Risk Management.

This morning we look forward to responding to your questions and, should you require additional information that we are unable to provide at this time, we would be happy to forward that information to you following today's hearing. Like my colleague from Education, Dr. Arnold, I too would like to thank the Auditor General for bringing the issue of radon to the attention of the Yukon government and, more specifically, Health and Social Services.

I would also like to take this opportunity to not only thank the Auditor General's office and staff, but also our Health and Social Services staff, who have supported the audit process. I

have been advised that this has been a very cooperative and collaborative undertaking.

The Department of Health and Social Services views the audit process as beneficial and significant to focus our efforts on continuous improvement of our services and supports to Yukoners. The Auditor General's report on capital asset management provides two recommendations specifically directed toward the work of our department. Additional points are made in the narrative of the report.

As noted by the Auditor General, the scope of the audit covers capital assets of the Government of Yukon, some of which are buildings that fall under the custody and control of the Department of Health and Social Services. Others referenced in the report are not in our control.

While we consider childcare centres and day homes to fall outside the stated audit scope, you will note that the Auditor General's report includes findings and comments about them as well. While we are always concerned about the safety of our staff and those individuals who are in our care, the Auditor General's report has reminded us that we cannot take things for granted. Further, the audit has underlined the importance of working more closely with our childcare community to ensure owners and operators and their young charges are also safe from harm of radon. In addition, it has also reinforced the importance of working more closely with our government colleagues in other departments.

The recommendations made by the Auditor General in the report are helpful, and we began addressing them many months ago. We took the proactive step of contacting all day homes and daycare centres. We provided information about radon to facilities and information about how to communicate radon testing with their parents, families, boards of directors and staff. Radon testing has been completed on our 24/7 facilities, including group homes and our residential care facilities. While we had anticipated the results by the end of July, we actually received them two days ago. We will be pleased to speak to them.

In addition, we have undertaken several public awareness and education campaigns on radon since 2012.

The department will continue to test all of our community health centres in 2017-18 fiscal year and is developing subsequent testing cycles. We have taken proactive steps within the department as well as participated in the responses at the government-wide level. I am happy to provide more details of the department's responses further in these hearings.

The Auditor General's recommendation will serve to help ensure the maintenance of healthy, safe buildings for our employees, clients, residents and other building users. The department is committed to continuous improvement and development to ensure the ongoing provision of high-quality, effective care and service.

Mr. Chair, I look forward to taking questions from the Committee members. Thank you.

Mr. Hassard: Thank you very much. I will begin the question part this morning. My first question is for the Office of the Auditor General.

Could you please explain how your office selected capital asset management as a matter for evaluation?

Mr. Ferguson: Our process for selecting audits is that we look at the various departments and the various programs that departments offer, and we try to identify where there may be risks to the delivery of those programs.

In particular, with capital assets, we had done an audit in 2007. We had done some follow-up work afterwards that indicated that things still hadn't been completely improved, so we felt we needed to go back and look at this area again. So part of it was our normal risk assessment and part of it was the fact that we needed to follow up to make sure recommendations that we had made in the past were being acted on.

Mr. Hassard: So the Office of the Auditor General found that generally the Department of Highways and Public Works had systems and practices in place for managing the maintenance and repair of government-owned buildings. However, paragraph 17 of the report notes that the department did not use building condition assessment information in its asset management decisions because it had not yet verified the data from these assessments. This is despite the fact that the OAG had recommended, almost 10 years earlier, that the department assess its buildings to develop a long-term building maintenance plan.

Can the department tell us, over the past 10 years, what initiatives or efforts did the department undertake to develop a long-term building maintenance plan?

Mr. McConnell: While I recognize and acknowledge that my department has not made the progress that we had committed to in 2007, I do want to advise that we have made significant progress over the past few years. We have implemented a project-scoring system to identify the highest priority projects for inclusion in capital budgets. We will have completed building condition assessment on all our buildings now, and we will use that information to develop long-term capital maintenance plans. We have purchased facility management software called VFA.facility and have loaded all of the data into the software. We have worked closely with clients in departments to define improvements to the processes of building maintenance, including a recent systemic design workshop, and we have introduced project budget management software to improve budgeting, communication and project oversight.

Mr. Hassard: Can you also explain the department's failure to use the information that was previously gathered?

Mr. McConnell: Our current process relies on departments and our own staff to identify potential building maintenance projects and then submit them for scoring and prioritization.

This came through our ongoing maintenance work documentation and observations of building conditions, as well as specialized or one-off assessments. Now that we have completed building condition assessments for all buildings that meet our criteria, once we complete the verification of that data, we can start using this information to identify our

highest priority building maintenance projects across the entire portfolio.

Having a complete picture of the condition of our building portfolio is driving two major changes in how we plan for capital maintenance. One is that we are shifting from an annual plan to a multi-year plan; two is that we now rely on building condition assessments to identify the bulk of our building maintenance projects.

Mr. Adel: Mr. McConnell, I just have a question for you. It's with the verification of data. It's an ongoing theme that I've seen in the reports since 2007. You send your people out for the departments and then you wait to verify the data. Are we doing the assessment twice then, or how are we dealing with that?

Mr. McConnell: The assessments have now been completed, and the process for verification of the data is now ongoing. Part of that process also includes costing of the work that was identified. So it is all ongoing now and we hope to have it completed by later this fall so that we can utilize it in capital maintenance planning for next fiscal year.

Mr. Adel: Mr. McConnell, I think my question was: Are you using Outside people to verify the data, or are your own people qualified to verify that data?

Mr. McConnell: It's a combination of internal resources as well as external consultants assisting us in that process.

Mr. Gallina: Thank you, Mr. Chair, and thank you to the department officials who have joined us here today. In paragraph 26 of the report, it states: "Department officials... decided in 2015 to inspect only those buildings that were larger than 100 square metres and contained electrical or mechanical systems." What was the rationale for this?

Mr. McConnell: The 295 buildings that meet this criteria account for more than 97 percent of the total floor area of our portfolio and comprise all our major buildings. The remaining buildings that were not assessed are typically things like cabins, sheds, small garages and other storage facilities.

Smaller, simple buildings can be more easily assessed by our technical staff, and most repair needs — for example, fixing a door or a broken window — can be taken care of through building work requests.

Mr. Gallina: In paragraph 27, it states: "... the Department had assessed 238 buildings..." The next paragraph references a number of deficiencies. What was the overall condition of these buildings? Can you provide the Committee with a list of the deficiencies found?

Can you provide the Committee with a list of the deficiencies found?

In terms of the age of these buildings, how old are they? How does their overall age and condition compare to other jurisdictions?

Mr. McConnell: One of the key measures provided by the facility management software we are using is called a "facility condition index." This is widely used by governments and other public organizations as a benchmark to compare the relative condition of a group of facilities. It is the ratio of the cost of the maintenance and repair requirements

for a building compared to the cost of replacing the building. Basically, as the number gets higher, it tells us that a building condition is declining. When the costs of outstanding maintenance needs starts to approach the cost of a new building, it also provides guidance for when we should look at whether a building should be replaced.

In regard to providing the list, yes, we will provide a list. I would ask that we complete our verification process and have that list finalized before submitting it to the Committee.

In relation to the age of the buildings, the average age of the buildings is 36 — almost 37 years on average — but that includes a number of historical buildings, some of which are over 100 years old. If we pulled those out, the average age would be around 34 years.

In terms of a comparison with other jurisdictions, we have not completed a formal comparison of that but I would say anecdotally — in speaking with other jurisdictions — we understand they're facing similar challenges in relation to the aging condition of their buildings.

Mr. Gallina: On the overall age and condition — how does the overall age and condition compare to other jurisdictions? Can you elaborate on that please?

Mr. McConnell: Once we've had the opportunity to complete our data verification, we'll be able to have a final number as it relates to the facility condition index. That is a number then we can compare with other jurisdictions. We have not undertaken that work as of yet. As mentioned, I would suggest, based on conversations and discussions with other jurisdictions, we are probably in a similar situation. But once we have some more metrics that we can conduct in comparison, we certainly will.

Mr. Gallina: What's your timeline and plan to undertake the work to establish those metrics?

Mr. McConnell: Mr. Chair, it's our expectation that we will have completed the data verification early this fall and then we'll be in a position at that time to make a comparison.

Ms. Hanson: Thank you, Mr. Chair. The report recommends in paragraph 32 that: "The Department of Highways and Public Works should complete all planned building assessments, verify the data in the assessments, and then incorporate this information into the maintenance plans for all buildings in its portfolio."

The Department of Highways and Public Works responded that the department "... will verify the building condition assessments..." We've heard about this this morning in the database in the 2017-18 fiscal year for use in building maintenance planning.

My first question is: How is it possible that Highways and Public Works had assessed 238 buildings but were not able to use information in the assessments because they had not verified the accuracy of the data in the building information system?

I guess a supplementary question is: Does that imply that they do not have confidence in the quality of the information that you've gathered?

Mr. McConnell: Mr. Chair, I'll start with the last one. We have absolute confidence in the information gathered. We

understand that this type of verification is a normal process to follow when rolling out this type of software and analysis.

In relation to the building verification, we have been working with the consultant, Roth Integrated Asset Management Strategies Ltd., along with our staff, to review and verify data housed in our facility management software. It's a high priority for the department and we are on track to begin using this information to develop our 2018-19 capital budget.

Despite the progress being slower than we would have hoped, we are pleased that the work done over the past few years to address the building portfolio will provide valuable guidance to us as we plan future maintenance processes. In terms of what is involved, I need to be clear that many maintenance requirements generated from the assessments come from the age of the building and the building systems. Others are identified by observed conditions, verified by visual inspection.

In our review, we are going through this list of requirements to determine if a system that is nearing the end of its expected life is actually in need of repair or replacement. Conversely, the system that is not identified as in need of repair may be failing prematurely. We also want to make sure that the costing estimates provided are accurate and up to date, as this is important to our planning.

Ms. Hanson: Just to be clear, Highways and Public Works had assessed 238 buildings; you weren't able to use the information. We're talking about past tense, and I get the sense that you're referring to a system that you're putting into place for the future. So my question is: You weren't able to use it because you could not verify the accuracy of the data in the building information system for the last 10 years?

Mr. McConnell: We had just finished completing the building condition assessments. Following that, the next step in that process was to do a verification of that data which, as I described earlier, also would include costing. These assessments were just completed in this past year. During the time of the audit, I think we were at the 238 number you had referenced and, if you go back a few years before that, we were at a very small number — less than 10 percent of the portfolio. So these condition assessments have happened over the past few years, and now we are moving into the data verification phase.

Ms. Hanson: All right, thank you, Mr. McConnell. Building on that, can you provide a status update? You said you have just completed the building condition assessments and are in the process of doing the verification of those building condition assessments. Can you provide an update on the verification of those building condition assessments in terms of when they will be completed?

Mr. McConnell: Mr. Chair, it is our expectation that we will have completed the verification in time to use that information for capital planning purposes for the next fiscal year, which I would expect to be this fall.

Ms. Hanson: So just to confirm, the intent is that the database that will have the verified building condition assessments will be completed by the fall of 2017.

The department also agreed to use the building condition assessment data to identify and plan building maintenance projects for inclusion, as the deputy just mentioned, in capital budgets going forward — 2018-19. Can you confirm that this has been completed? What criteria have been used for the guidelines?

Ms. McConnell: In the process right now, we are in the verification phase. What we need to do then, once that has been completed, is to prioritize those projects in combination with projects that have previously been assessed through our previous process, and then combine that information and make sure that we have ranked all of the projects — and that we are in a position to then action the highest, most important projects and health and safety issues, and move that into the planning process for next year's capital maintenance plan.

Ms. Hanson: That is to confirm that it will be done by the fall of 2017.

Ms. McConnell: Yes, that is the date that we are working toward — the fall of 2017.

Mr. Adel: The OAG reported in paragraph 30 that: "... the Department did not always share the building condition assessments with program departments. This means that the program departments made decisions about building maintenance and capital development without having access to this information." The report recommends in paragraph 32 that: "The Department of Highways and Public Works should... also share the building assessment information with program departments." The Department of Highways and Public Works responded that: "When the review for data integrity and accuracy is complete, the building condition assessment data will be made available to program departments."

My question is: How many assessments were shared with program departments?

Ms. McConnell: Currently we have shared very few building condition assessments with client departments. Once we have finished verifying the data in our software, we will be getting that information to departments as our next step. We are also working to develop tools to share the data with our client groups, including developing building scorecards that outline current conditions and future requirements for maintenance.

Mr. Adel: I know we have gone over this, but will the deadline to complete this sharing exercise be in the fall of this year as well?

Ms. McConnell: As part of our client service improvement action plan, we are working hard to share with departments the building condition information. It is our intention to have that information shared in time for planning purposes for the 2018-19 fiscal year, which means we need to have it shared this fall.

Mr. Adel: I think we have already covered my next question.

How much money did Highways and Public Works spend on systems to respond to the recommendations of the 2009, 2012 OAG audits?

Mr. McConnell: I think that would be difficult to quantify. From my review of the 2007 audit, there was a lot of work across the department that needed to be done to improve asset management as well as improvements in other areas. So there has been a lot of work done over the years. I think it would be difficult to quantify how much of that was in relation to recommendations from the audit, so I don't have a cost estimate on that.

Mr. Adel: Well, this is 2007 to 2017, and we've been 10 years. We've been looking for verification of data. A lot of stuff is starting to happen now, so I would appreciate it if you could report back to the Committee with an estimate of what has been done and the capital that has been expended to get systems in place that have taken the 10 years.

Mr. McConnell: I absolutely can get back to the Committee with an estimate on what has been expended as it relates to facility condition assessments. I took the question to be broader than that — of all the responses that we had to make to the 2007, 2009 audits. So for your specific question there, I can commit to do that.

Mr. Cathers: Thank you, Mr. Chair. I would like to thank the witnesses for appearing here this morning in the Assembly. I see some new faces here as well, so welcome to your new roles.

Just in prefacing my question, I also want to begin by acknowledging the fact that, particularly since much of the focus of the Auditor General's report and questioning today has been on issues that have, in some cases, been ongoing or not completely rectified for years — I do want to acknowledge that most of the senior officials here are actually relatively new in the roles that you have. While recognizing that the department issues do need to be addressed, I believe that it should be noted for the record that both Ms. Doyle and Mr. McConnell are acting in their roles and have been since, I believe, November or December. I believe Dr. Arnold is, in fact, the senior deputy minister here in the room, having been here since early 2015. If I have my information correct, I think Brenda Lee Doyle began as ADM about a year and a half ago, and Mr. McConnell began about two years ago as assistant deputy minister. I just want to acknowledge that you have inherited some issues and I appreciate the steps that have been taken on them.

Moving on to asking about some of the specific areas in here, I want to note that in 2012, the Auditor General recommended that the Government of Yukon review the building and equipment maintenance policy to clarify the roles and responsibilities of the Department of Highways and Public Works and other departments for funding and carrying out building inspections. But, as noted in paragraph 31 of the Auditor General's report, the policy had been revised but not yet approved at the time of that.

If I understand correctly, based on the discussion earlier in questions from other Committee members, I believe that you had indicated, Mr. McConnell, that the building equipment and maintenance policy has been finalized and is currently in the approval process. Do I understand correctly, or has that policy in fact already been approved?

Mr. McConnell: That policy has not been approved. The policy is in the approval phase internally within the Department of Highways and Public Works. After that, it will then be advanced for formal approval. No, it is not yet implemented.

Mr. Cathers: If I understand correctly from the response given to Ms. Hanson, I understood that the database was being developed and expected to be in place by later this fall. Is the building equipment and maintenance policy itself expected to be finalized and in place by the fall of 2017? Is this policy expected to be implemented all at once, or is it a phased-in approach for the implementation?

Mr. McConnell: It is my hope and a priority of the department to advance the building maintenance policy and to seek its approval at the earliest opportunity. In terms of its implementation, there are some elements that will require a phased-in approach, and that is in relation to financial aspects of the policy.

Mr. Cathers: Does the policy itself require Cabinet approval?

Mr. McConnell: It is my understanding that the submission requires both Cabinet and Management Board approval.

Mr. Hutton: I would like to thank all the witnesses for being here this morning. I am going to take a bit of a shift and we're going to talk about permafrost.

Permafrost is ground that remains frozen for longer than two consecutive years. When it thaws, it can result in shifting ground, which can damage roads and buildings, rendering them unsafe. We know that melting permafrost is a growing concern in the north and we have seen the impacts. We know that Highways and Public Works and Yukon Geological Survey examined 135 government-owned buildings.

Paragraph 34 of the OAG report notes that 42 percent of those buildings were identified as vulnerable to permafrost degradation and that 13 percent had suffered effects of permafrost degradation. The infrastructure vulnerability to permafrost degradation project report recommended that at-risk buildings undergo detailed geotechnical, geophysical and engineering investigations. The OAG report found that the department had investigated only three of 57 buildings. It is worrisome that there are 54 buildings that have not been investigated for safety and have not been prioritized for repairs or mitigations.

My first question is: What is the definition of "investigation"? Is that the same as a building condition assessment?

Mr. McConnell: It is more advanced than a building condition assessment. "Investigated" means that a follow-up site visit would be conducted with a more detailed assessment performed to include site-specific geotechnical, structural and climactic analysis. This site visit helps further understanding of the geotechnical factors and overall character and condition of the specific location and to assess whether any damage to the building had occurred already and whether specific buildings are at high or low risk.

Mr. Hutton: You've mentioned that you completed building condition assessments on all 238 buildings. Have these 54 buildings still not been investigated for safety?

Mr. McConnell: Yes, we have completed building condition assessments on 295 buildings. These buildings would have been inspected for structural safety under the building condition assessment. What we did not do was complete additional geotechnical analysis that was recommended in the report from 2011.

Mr. Hutton: So there are still 54 buildings that require that work to be done?

Mr. McConnell: Yes, there is more work to be done. We have an action plan that's under development to advance work on this important priority. In June of this year, we entered into a contract with Tetra Tech EBA to perform a detailed assessment of vulnerable buildings located on permafrost throughout Yukon. The goal of the contract with EBA is to develop an action plan that will be used to guide our mitigation efforts.

I just wanted to add that it's our expectation that those assessments will be completed later this fall.

Mr. Hutton: The buildings that were known to have concerns — why were they not investigated or prioritized — the 54 out of the 57?

Mr. McConnell: As I mentioned earlier, we have assessed all of our buildings for structural integrity; however, not specifically for the risk from permafrost degradation. It's my belief that following the 2012 audit, the department's focus was on improving space planning and leasing as well as advancing the building condition assessments. Given the building condition assessments were ongoing, that would identify if there were any safety issues or structural issues with the building.

Mr. Hutton: I can certainly appreciate that, but as a born-and-raised Yukoner, permafrost is something I've lived with my entire life up here and it's not something that you turn a blind eye to and it corrects itself. These buildings — if they were in bad shape 10 years ago, they're in much worse shape right now because of that permafrost degradation. I'm wondering why there is no sense of priority to go out and spend the "ounce of prevention" as opposed to a "pound of cure" a few years down the road.

Mr. McConnell: Thank you for the question. There is certainly a sense of priority. That is why we have engaged the consultant to have the assessments done and that we're working to have that completed by this fall. I would also add to that — if there was structural — if permafrost was causing building damage, that would have been identified in the building condition assessment. The assessments were happening on the buildings — just not to the detailed level that was recommended in the 2011 report. Recognizing that is important information — being proactive and moving forward to prevent buildings from suffering from permafrost degradation, we are undertaking that work at this time.

Mr. Hutton: Thank you, Mr. Chair. Is the intent that, once your data has been verified in your new system, is it

likely that these 54 buildings are going to be fairly high on the priority list, or is that something that you can speculate on?

Mr. McConnell: I would say that, once we have had the opportunity to verify all the data in there, we would be able to look at the condition of these buildings in relation to all the other assets and determine where they fell in terms of priority, and we would make a portfolio-wide assessment of what needed to occur.

Mr. Hutton: Just one final question: For the completion of the detailed geotechnical, geophysical and engineering investigations — are those going to be complete by this fall as well?

Mr. McConnell: This project is split into four phases. Phase one has been completed; phase two is underway. We are on track and we believe that we will have the project completed later this fall.

Mr. Hutton: Thank you. Those are all my questions, Mr. Chair.

Chair: I have a few questions also regarding permafrost. Of those other 54 buildings that you spoke of, can you tell us — do you know if any of those buildings that are being impacted by the melting permafrost — how many or are any of them schools, health centres or other buildings that are used by the public?

Mr. McConnell: I have a list of the 54 buildings and, once we have the final report back from our consultant, I would be happy to provide that to the Committee. I can say, while we're on the topic of schools and as referenced in the Auditor General's report, certainly Ross River School is probably the most significant of our assets that has been impacted by permafrost.

Chair: Thank you. We would appreciate that list, for sure.

Can you then tell us: What is the process for evaluating the potential risk, damages and costs to repair or replace government buildings?

Mr. McConnell: As I mentioned, we have an action plan that is underway. Phase one of the project was to review the historical data and update and refine the database of vulnerable buildings. Phase two is on-site engineering assessments, which are currently ongoing. Phase three is the completion of the report with building-specific findings and recommendations, and the final phase will be the development of a detailed mitigation and adaptation plan for those buildings.

Chair: Do you feel that the department is on track for addressing the permafrost risks?

Mr. McConnell: Yes, I do. I think there has been significant — while there was a delay from the 2011 report, I will say the department is taking this matter seriously and has certainly been advancing that.

I would also say that internally we realigned some resources and created a dedicated focus on energy as well, in terms of energy performance of our buildings. They have also then taken on the task of ensuring the permafrost work plan is actioned.

Mr. Gallina: Just before we move on to radon gas, I just wanted to ask: How will Highways and Public Works work collaboratively with other departments in developing and implementing these capital maintenance plans that you are referring to?

Mr. McConnell: We work closely with departments in the current process. We have an intergovernmental working group, and there is a lot of exchange of information on an ongoing basis from departments and the staff within Property Management division. Moving forward, we are going to be sharing the building condition assessment information with departments and working with them to identify their priorities and program needs. That will be taken back and looked at holistically, if you will, from a portfolio management perspective. In terms of also improving communication with client departments, with the introduction of the project budget management software system that we have in place now is an opportunity for departments to have up-to-date and accurate information as to current costing of projects that are ongoing and the status of projects as well.

Mr. Gallina: Just on the software — do departments have access to the software or is HPW feeding them information that they are requesting?

Mr. McConnell: Yes, departments have access to that system.

Mr. Gallina: Moving on to the issue of radon gas, paragraph 39 of the report says: "Radon is an invisible, odourless, tasteless, radioactive gas formed by the disintegration of radium. When radon is confined or enclosed in poorly ventilated spaces, it can accumulate to high levels. According to Health Canada, radon is the second leading cause of lung cancer, after smoking."

We understand the risks of radon gas on our health, and we are aware that Yukon does experience high levels of radon gas as noted in paragraph 41: "The Occupational Health and Safety Act requires employers to ensure, so far as is reasonably practicable, that the workplace is safe and without risks to health..." It also requires employers to ensure that employees are aware of any hazard in the workplace.

Radon testing indicated that there was radon in levels exceeding the Canadian guidelines. There was confusion, however, on how different departments were required to act.

The OAG recommended in paragraph 57 that: "The Department of Highways and Public Works, the Department of Education, and the Department of Health and Social Services should make it a priority to work with the appropriate organizations to develop a strategy for managing the effects of radon in their buildings, including radon testing and remediation."

My first question: What is the status of the policy being created regarding corporate radon management? If not completed, what are the next steps being taken to complete this policy?

Mr. McConnell: The Public Service Commission is leading the development of a radon guideline that will set out clear instructions for all government departments to follow. The Public Service Commission has been working with

government departments and representatives of the Health and Safety implementation subcommittee to develop this guideline. Once it is approved, it will be widely shared with departments for a consistent planned approach to radon testing and mitigation in Yukon government buildings.

Mr. Gallina: Mr. McConnell, can you elaborate on how you're working with other departments to develop these guidelines please?

Mr. McConnell: There is a deputy-led committee, led by the Public Service Commission. In addition, there is also a working group that is supporting that committee and is made up of the health and safety representatives and the folks with the expertise in departments. They have been working on a draft policy. I believe that policy is close to completion and will be coming forward to the deputy-led health and safety committee for review and approval.

Mr. Gallina: Can the officials outline in detail whether or not a strategy has been developed among HPW, Education, and Health and Social Services to manage the effects of radon in their buildings and in those that they license?

Mr. McConnell: All three departments have initiated testing or monitoring in their facilities as an interim measure until the radon guideline is implemented. I can speak for Highways and Public Works to say we are currently testing for radon in all our Highways and Public Works-controlled buildings.

Ms. Arnold: I would like to point out that when we need to move to remediation, which we have done — we did some remediation in 2009; we did some in 2016; and we have three sites, as I mentioned, that we need to work on this summer — we then work consistently and collaboratively with Highways and Public Works to get that work completed.

The monitoring takes place; we find the results; we then work with Highways and Public Works to establish what needs to be done in terms of remediation moving forward.

Mr. Gallina: Ms. Doyle, did you have any comments on Health and Social Services' participation in the development of the strategy?

Ms. Doyle: We have been very actively involved in the development of the strategy. Particularly, we have 24/7 operations and so we have been working very closely on that development. Your question also talked about the licensing, so we also license child care. As you noted in our work plan, we're exploring some options related to the licensing right now.

Mr. Gallina: So is the plan for remediation of all the government buildings on schedule for the 2017-18 fiscal year?

Mr. McConnell: Yes.

Ms. Hanson: Thank you, Mr. Chair. I would just like to come back to the strategy for managing the effects of radon in government buildings, including testing and remediation. Can the officials outline the key elements of this strategy to manage the effects of radon in Highways and Public Works, Education and Health and Social Services buildings and those they license? Ms. Arnold made reference to the notion of testing and monitoring. I would imagine those are two key

elements, but can you outline sort of the key elements of the strategy that is being pushed through the system as we speak?

Mr. McConnell: I have yet to see the proposal that is coming from the working group of the health and safety committee. I will see it when it is presented to the subcommittee of health and safety. I can say that, right now, Highways and Public Works, the Department of Health and Social Services and the Department of Education are undertaking testing and, if that testing determines that radon levels are above the recommended Health Canada guidelines, the Department of Highways and Public Works will action remediation on that facility.

Ms. Hanson: So there is not a draft of the strategy in June 2017? When do you expect to see a draft? When you expect that this strategy will be completed?

Mr. McConnell: I believe there is a draft. I have not seen it. There was a meeting of the deputy-led health and safety committee that had been postponed, unfortunately. Had that occurred, I would have been able to answer that question more specifically for you. For the Chair, right now, that said, I know that there has been — from talking to our representative on the committee — a lot of work done, and I believe that they are well advanced in development of their strategy.

Ms. Hanson: On this then, this report was tabled in March of this year and, prior to that, the officials — as we heard — had worked collaboratively with the Auditor General's Office and identified and agreed to all the recommendations in here, including this. I guess I'm seeking confirmation of when — so we won't be looking at another multi-year — because we'll be now a year. I am sort of looking for confirmation of when this strategy will be completed. We don't know the key elements, but I'm presuming that, when we get confirmation, this strategy will include testing and remediation.

Mr. McConnell: I can assure you that the strategy will include testing and remediation. It would be my expectation that this strategy and guideline for all Yukon government departments will be completed this fall. That said, when this matter was raised to us by the Office of the Auditor General, all three departments in the interim took steps to do testing for radon levels. What we're seeking to achieve now is a whole-of-government strategy to ensure consistency across all government departments.

Ms. Hanson: I appreciate the response. In the work that has been done in the interim — has appropriate remediation occurred in those buildings identified? How is it determined that the response was appropriate? What assurances do you have that the response to remediation of identified radon situations has been appropriately dealt with?

Mr. McConnell: Once the remediation work has been undertaken, then there is additional testing that follows that remediation to confirm that the work undertaken was effective.

Mr. Adel: I was remiss earlier in not thanking everyone for coming today with their expertise and time. We appreciate that, as always.

The Department of Education's responses to the OAG's recommendations said that the department has begun work on testing buildings "... under its control and will install radon meters in 50 percent of its building assets by the end of the 2016-17 school year, with the remaining 50 percent of its building assets planned for completion by the end of the 2017-18 school year."

I know we've covered some of this but, for the record, has the Department of Education completed work on testing building assets under its control?

Ms. Arnold: The simple answer is that, yes, we have completed them. The safety of the students and staff are our first priority and we are monitoring radon levels. Monitoring — because there is a difference between monitoring and testing. We are monitoring radon levels in 100 percent of the buildings under our custody and control.

Our commitment was to install, as you said, 50 percent one year and 50 percent the next. We felt it important that we did 100 percent of our schools for 2017. We took the monitoring results and they were sent away to a lab, and, as I indicated in my first remarks, we received the reports back.

To be clear, we are looking at our schools in terms of the monitoring and the required remediation. If you have a school that has a monitoring level of less than 200 — and I'm going to do Bq/m³. I'm not sure about what all of the data is — I would say it's parts per million. Under 200 is an acceptable level. Between 200 and 600, it requires remediation within two years. Above 600 requires remediation within one year. I would be happy to share here with the Committee what we put on our website because it has the explanations. We have the three schools, as I indicated, that are above 200: Nelnah Bessie John is 209, the Teen Parent Centre is 230, and Jack Hulland is 427. Jack Hulland had remediation done in 2016, and we're doing it again. Remediation has been — if I'm not mistaken — undertaken already at the school for the coming year.

Mr. Adel: Understanding from your earlier remarks that the report on all of these things has been completed, is now available — and you will make sure that the Committee gets that.

Ms. Arnold: Absolutely.

Mr. Adel: That's the end of my questions, Mr. Chair.

Mr. Cathers: I also have some questions about radon testing. The Department of Health and Social Services, in their response to the Office of the Auditor General's recommendation, said the department "... will arrange for radon testing to be done in the facilities for which it has custody and control." However, the radon levels were also found to exceed Canadian guidelines in some private, licensed day homes and childcare centres. If I understood correctly from Ms. Doyle's comments before, there is a work plan in place that is looking at options for exploring how to address this, in terms of licensed childcare centres and private day homes. Is that correct?

Ms. Doyle: Yes, that is correct. The radon working group was established within the department to develop a plan to follow up with the childcare centres and the day homes that

tested above the acceptable levels in the 2008 radon pilot. This was completed in terms of the fall of 2016.

The radon working group also did a survey of all of the jurisdictions across the country to determine whether or not radon testing was a requirement of licensing for childcare facilities, so we now have that information that came back. We prepared an option paper to explore that, and we had some conversations with the minister and she has asked for more information. It is part of our work plan that we will have a decision on that by the fall of 2017.

Mr. Cathers: What is the status of arrangements for radon testing at facilities that are actually owned by Health and Social Services?

Ms. Doyle: Currently there are two series of testing that are happening. The Workers' Compensation Health and Safety Board is re-testing Health and Social Services buildings that were tested above the acceptable level during the radon pilot of 2007-08. These include — previously it was the old Sarah Steele Building, which has now been demolished, but they are re-testing the new Sarah Steele facility. There is also No. 2 Hospital Road, the Mayo Health Centre, and two residential youth treatment facilities.

The department has completed radon testing in all the remaining 24/7 facilities for which we have custody and control. A certified radon measurement professional was contracted to do this. Devices were collected and sent to the labs and we just received the results two days ago.

Of the 12 facilities we tested, two of the group homes have one or two rooms that have tested slightly above the 200 level. One room was in the facility and the other was in the basement. The process has already been initiated to request remediation within the required time frame, which is two years according to the Canadian guideline, and a work process has been initiated to Highways and Public Works to address that.

The remaining Health and Social Services buildings will be tested in the order of identified priority. For example, we will test all our health centres in the winter of 2017-18. All other Health and Social Services buildings will be tested in follow-up cycles.

Mr. Cathers: Just revising my questions based on what I've heard so far, I understand the work plan is in place for options for licensing childcare centres and that has been looked at. Perhaps I should take this opportunity just to note that we have a relatively new director of Family and Children's Services. I think this is probably your first time in the Legislative Assembly, so welcome to where the magic happens — probably the first time it has ever been described as magic.

Mr. Chair, has Health and Social Services taken any steps to date to manage radon found in privately licensed day homes and daycare centres, or is that type of working pending approval of the work plan and options contained within it?

Ms. Doyle: Primarily, our work since 2008 has been around providing information. Letters have gone out to childcare centres, and FAQs and materials to discuss that with parents — as well as recommendations. Health and Social

Services was also part of a project with Yukon Housing Corporation — basically sending out materials to all facilities as well as homes. Over 1,250 free kits were sent out. We have been following up with childcare facilities around encouraging them to continue to test.

Mr. Cathers: Is it a requirement currently for licensed facilities, particularly the day homes and daycares, to have radon testing done? If it is not currently a requirement, is that one of the options currently being considered?

Ms. Doyle: It is not a requirement at this stage. They have to follow the law. They have to follow the occupational health and safety code, but at this point it is not a requirement as per licensing. We are exploring that at this point.

Mr. Cathers: I understand that steps have been taken to date to communicate with childcare centres and family day homes about radon testing. Has the department communicated with all childcare centres and family day homes about radon and radon testing?

Ms. Doyle: Yes, we communicated to all daycares as well as day homes in November and provided them with information about radon testing as well as talking about the free kits, and we gave them lots of information. There were also follow-up conversations at the recent workshop around childcare about radon.

Mr. Cathers: Has Health and Social Services developed specific guidelines related to managing and testing for radon in privately owned childcare centres and day homes, or are you relying on other guidelines for the use of that — from national standards or federal guidelines in those areas?

Ms. Doyle: We are following the guidelines of Health Canada, which is around the limits and also around the testing protocols.

Mr. Cathers: I think the other questions have already been answered, so I will conclude and thank you for your answers.

Mr. Adel: I have just a quick question. I was wondering — when you send the work orders off to HPW for remediation, who follows up on that? Two years is a long timeline to get it done and get lost in the shuffle. Is there a mechanism in place that keeps tracking that to make sure that it gets done?

Ms. Doyle: That would be part of facility management. We have a manager of facility management within Health and Social Services, and it is part of her role to reach out to Highways and Public Works. There is a team. As Mr. McConnell noted, there is an electronic system.

Ms. Hanson: I would just like to come back to the issue of the work that is being done — and I appreciate the fact that there has been the working group and some encouraging of the private day homes and private daycare centres with respect to the testing of radon. I would just ask the deputy: Are you familiar with the day home assessment checklist for health-related concerns?

Ms. Doyle: Yes.

Ms. Hanson: So when I look at that, we have 72 items on that checklist that go from everything like the water supply meeting the health parameters of the guidelines for Canadian

drinking water quality, to thumb tacks and staples are not used in infant-toddler play, to pest control, to food services and to play areas. It has the expectation that drains and plumbing fixtures meet national building codes. Why wouldn't we simply put — in our daycare assessment checklist for health-related concerns — a check saying that not only are we assured that there is ventilation and that radon testing has been completed?

Ms. Doyle: That is one of the areas that we are considering. As part of our research to look at all the jurisdictions across Canada and how they are using their licensing, we have found that none of them have required radon testing. For Yukon to go forward, we would be the first and we would want to work very cooperatively with childcare centres around the testing as well as around potential remediation, because we know there are costs involved as well.

Ms. Hanson: There is an occupational health and safety concern here for the staff of those daycares, as well as the children who are spending six to eight or more hours a day in a daycare, regardless of if it is a public or private daycare. It is a health issue whether or not it is done elsewhere in Canada. If we have documented evidence — if we expect that drains and plumbing fixtures meet national building codes, why wouldn't we expect the daycares that we're licensing and giving parents the expectation that they are safe — how do we have that understanding? How do we give that undertaking to parents that it is safe for their children to be there?

Ms. Doyle: That will be part of the process that we will look at as we are going forward — around engagement with parents as well as childcare providers on any movement that we go forward. We understand that health and safety is of primary importance and we will want to very much make sure that what we can do is within the system of appropriate. We have been doing some research, and our next step is around kind of the impact of going forward in terms of consultation and eventually in terms of implementation. The decision has not been made yet.

Ms. Hanson: I don't take much confidence in the word "eventually". Can you give the Committee a sense of whether there is a sense of urgency or a timeline for what course of action will be recommended with respect to ensuring the safe operation — the safety of children and workers in private day homes with respect to radon gas testing?

Ms. Doyle: We see this as a very important issue and we expect that we will have a decision by fall 2017.

Ms. Hanson: And reflected in regulations by when?

Ms. Doyle: It will depend on the consultation process that's involved. Again, it's before the minister and we'll have to take it to the government at that stage.

Mr. Hutton: In paragraph 71, the Office of the Auditor General "... found that the Department of Education and the Department of Health and Social Services had considered the health and safety of building users as well as costs in their decisions about building maintenance projects." This certainly sounds like good news and good work. How does Yukon compare to other jurisdictions across Canada?

Ms. Doyle: Yukon is comparable to other jurisdictions. I have worked in a number of other jurisdictions — very similar practices.

Ms. Arnold: Having worked in both Ontario and British Columbia in the education systems in both provinces, I would find that we are consistent with what is out there in other jurisdictions in relation to education.

Mr. Hassard: In paragraph 59 of the report, it says: "... the Department of Highways and Public Works had developed a process to prioritize building maintenance projects, and that this process included consideration of project costs and the health and safety of building users. However, the Department did not follow this process. As a result, about \$6.6 million worth of projects completed in the 2015–16 fiscal year were not prioritized according to criteria such as health, safety, and costs."

The OAG recommended, in paragraph 72: "... the Department of Highways and Public Works should, in consultation with other departments, exercise its authority and follow its established project prioritization process, including prioritizing only projects that meet the definition of building maintenance."

The department's response says: "The Department of Highways and Public Works will follow established prioritization processes where it has the authority and obligation for planning and implementing capital maintenance projects. The Department has commenced work to update Policy 2.8... in the General Administration Manual, which will clarify roles and responsibilities and better define program-specific equipment."

Can you tell us what prioritization process is being used to plan and implement capital maintenance projects, and is this planning and implementation on track for completion?

Mr. McConnell: Each year we receive approximately 500 project identification documents that are generated from Property Management division staff or clients in buildings. Property Management division follows an internal procedure for each identification document received and ultimately assigns each with a priority score.

There are five scoring categories that are used to generate the final project priority score: health and safety, importance to client, feasibility, remaining service life, and positive impact. The Auditor General has highlighted that we did not always follow this process consistently. From our perspective, many of the projects that fell outside of the scoring process were still a high priority and, in some cases, emergency projects, as noted in paragraph 70.

We also acknowledge that a few projects did not meet the criteria for building maintenance. Moving forward, we are committed to scoring 100 percent on our building maintenance projects.

Chair: Even though the Auditor General talked about how, in 10 years, this hasn't been happening, do you feel that policy 2.8 is being implemented properly now?

Mr. McConnell: The *General Administration Manual*, 2.8, has not been formally approved. That said, we have been working closely with client departments to have a better

understanding with them in terms of roles and responsibilities and definitions around what is building maintenance versus a program cost. I believe that great progress has been made on that. We still need to have that policy advanced and formally approved.

Chair: Do you have a timeline on when you feel that policy 2.8 will be formally approved?

Mr. McConnell: What I can say is — in the final approval phase within the Department of Highways and Public Works, at which time it will be advanced outside of the department for formal government approval. As discussed earlier, that would require both Management Board and Cabinet approvals.

Mr. Gallina: Capital development planning process and overall condition of building portfolio — paragraph 78 of the report says: "As part of an annual planning exercise, the Department of Highways and Public Works is supposed to coordinate with program departments in preparing a list of proposed capital development projects for the Government of Yukon."

The OAG found that, while the process the Department of Highways and Public Works used to prioritize proposed capital development projects worked, the department did not have a well-defined process for working with program departments to identify those projects.

In paragraph 83 of the report, it notes: "... the portfolio of the Department of Highways and Public Works has developed at a greater pace than has the Department's ability to maintain it..."

The report recommends in paragraph 86: "The Department of Highways and Public Works should verify the accuracy of the data it gathers in building condition assessments and use it, along with information from other reports, to identify buildings considered for capital development. It should use this information to develop a long-term action plan to prioritize the replacement, consolidation, and demolition of government-owned buildings."

The department's response says: "The Department of Highways and Public Works will integrate data that has been collected through building condition assessments into its long-term capital planning process. The Department is currently working with the Department of Education and the Department of Health and Social Services on long-term capital plans. A comprehensive, portfolio-wide process for long-term building asset management planning, including the replacement, rehabilitation, consolidation, and demolition of government-owned buildings, will commence in the 2017-18 fiscal year. This process will use building condition assessment data and other relevant analyses and assessments."

One of my questions is: When will the work on the comprehensive portfolio-wide process for long-term building asset management planning be completed? What are the steps that will be taken to complete this plan?

Mr. McConnell: We're currently working with the Department of Education on the first departmental long-term capital plan. As well, we are also developing a long-term capital asset planning framework to be used in planning going

forward. This work will be completed this summer. This fall, we plan to work with Health and Social Services on long-term capital planning, with other departments to follow after that.

In terms of a review of this process, we intend to share the long-term capital plans and review with all departments before finalizing.

Mr. Gallina: It was recommended that Highways and Public Works should verify the accuracy of the data it gathers in building condition assessments to identify buildings considered for capital development. Is this completed, and when will the department integrate the data it has been collecting?

Mr. McConnell: As mentioned earlier, the verification of the data is ongoing and will be completed this fall. That information will be integrated into long-term capital planning as we move forward with our departments in the planning process.

Ms. Hanson: I think that a couple of the questions may have been addressed. I just want to go back and ask the deputy: With reference to the work that will be completed this summer on the long-term asset planning, will that be posted on the website, or how will that be available to people?

Mr. McConnell: As I explained, we're working with the Department of Education at this point in time. We're going to take lessons learned from that, as we develop the long-term capital asset planning framework. We'll be reviewing that this summer. Then we will also be meeting with other departments to discuss our framework with them.

Once we have completed a long-term capital plan and reviewed it with departments to ensure consistency across the portfolio, I would see absolutely no reason why we wouldn't post that on the website, once that work is completed.

Ms. Hanson: A framework of some sort will be completed this summer but, as I understand it, the long-term building asset management plan — although it will get to a certain stage this summer, what's the target for completion of that?

Mr. McConnell: Just for my reference, are we talking about the completion of the long-term capital plan or are we talking about completion of the framework?

Ms. Hanson: The department said that you will be integrating into a long-term capital planning process. You just mentioned that you're talking about a planning process and that some elements of that will be completed this summer, starting with the Department of Education.

Mr. McConnell: We expect the work of the development of the long-term capital plan, as it relates to the Department of Education, to be completed this fall. At that time, we will continue on to work with the Department of Health and Social Services and systematically work our way through the departments. I expect that work will take us well into the next fiscal year.

Ms. Hanson: I just want to confirm that the expected completion date for the collection of data and the implementation of your long-term building asset management planning will be next fiscal?

Mr. McConnell: That is correct.

Ms. Hanson: To confirm again that, once that is complete, that is a document that will be publicly available and evergreen?

Mr. McConnell: I commit to making that an available document, and it will be critical that the plan is constantly kept up to date.

Ms. Hanson: That's fine; thank you, Mr. Chair.

Mr. Adel: Regarding Shakwak funding, the report states that the loss of US funding could potentially lead to funds being reallocated, which could compromise the government's ability to maintain or improve the condition of the whole road and the highway network. Is there any indication of how much longer the government can go on without more US funding?

Mr. McConnell: We expect that there will be a very small amount of money remaining after this fiscal year. It will allow us to do some small projects in 2018-19. We don't believe that this amount of money will be sufficient for significant permafrost restoration projects.

Mr. Adel: When do you anticipate the remaining money from the US running out completely?

Mr. McConnell: I expect that money to be completely expended within the next fiscal year.

Mr. Adel: Did the government provide any update on the status of receiving more funds for this section of the road?

Mr. McConnell: I am not aware of any commitment for additional funds for this section of the road.

Mr. Adel: What level of funding on an ongoing annual basis would be required for acceptable levels of maintenance?

Mr. McConnell: I would say that, currently within our existing budget allocations, we are doing some long-term planning for options to manage this section of road in the absence of funding coming from the US. There will be various options assessed and decisions made going forward.

Mr. Adel: I have a couple of questions for the Auditor General. Did the Auditor General's examination look at safety issues related to the degradation of the Shakwak?

Mr. Ferguson: The Shakwak agreement — as we referred to it in the report and I think as you commented in your opening questions — what we were primarily bringing to the attention of the Committee was that the fact that the US government has decided to stop the funding of the project could compromise the department's ability to do the work. The issue that we raised was a funding issue rather than a safety issue.

I would also bring to your attention that, in paragraph 106, we said that in 2009 there was an estimated cost to rehabilitate this section of highway that was approximately \$237 million US. That would have been a number from 2009, so I don't know what work has been done since or what that estimate would be now based on any work that has been done since.

We didn't look at the issue from a safety point of view; we just looked at it from the point of view that, if the department is going to have to deal with that issue on its own, it could have a significant impact on its ability to do all of the

work that it needs to do to maintain the whole road and highway network.

Mr. Adel: Another question for you: Did the OAG examination look at potential impacts on the economy as a result of worse Shakwak conditions?

Mr. Ferguson: No; again, the issue we looked at was the very narrow issue of the impact on the department's budget.

Mr. Adel: I have one more question for the HPW department.

I was wondering if they could let me know what the annual maintenance costs on the Shakwak were before the funding was reduced.

Mr. McConnell: I can tell you that recent budgets, starting in 2013-14, were close to \$11 million and then progressing forward, going to \$17.6, \$10.2 million and \$12 million in 2016-17.

Mr. Cathers: In the Auditor General's examination of the Department of Highways and Public Works' management of bridges, it is relevant to note that not all Yukon government bridges in the territory are actually under the authority of Highways and Public Works. For example, there are a few that are managed and owned by the Department of Community Services, so my question for the Auditor General is: Did the audit look at how those bridges owned by Community Services were managed or was that outside the scope of the audit?

Mr. Ferguson: Thank you, Mr. Chair.

So that would have been outside the scope of the audit. Paragraph 8 in the report identifies the focus of our audit and the way that we conducted the audit was, yes, we were looking at the assessment, maintenance, repair and replacement of transportation infrastructure, which would include bridges, but we were looking at it from the point of view of the particular departments. So in this case, in terms of bridges, it just would have been Department of Highways and Public Works. The way we scoped the work was by looking at what the department was doing and again, related to bridges, what the department was doing for the bridges that it was managing.

Mr. Cathers: Just to confirm then, is it correct to say that the Auditor General was aware that not all bridges were managed by the same department but simply didn't look at those managed by Community Services because of the audit scope?

Mr. Ferguson: I guess I can't really say to what extent we were aware of other bridges. Again, when we're planning these types of audits, what we are doing is trying to manage the scope. In this case, we already had three departments within the scope of the audit, and obviously the Department of Highways and Public Works was responsible for the vast majority of the buildings and the transportation infrastructure. We didn't try to look beyond that to see what other organizations might be involved. What we were doing was focusing in on what the Department of Highways and Public Works was doing and, because that was bringing in some of the Education and Health and Social Services facilities, we

had to scope those two departments in, but that's what we restricted the scope of the audit to.

Mr. Cathers: Thank you, Mr. Chair. That answers all the questions I had. I would just like to thank all the witnesses from the departments and the Office of the Auditor General, as well as the Auditor General himself, for your time here this morning and for the assistance of the Office of the Auditor General and Legislative Assembly staff in preparing for these hearings yesterday and today.

Chair: Are there any other questions from any other Committee member? Thank you.

Before I adjourn this hearing, I would like to make a few remarks on behalf of the Standing Committee on Public Accounts.

First of all, I would like to thank all of the witnesses who appeared before the Public Accounts Committee today and yesterday. I would like to thank the officials from the Office of the Auditor General of Canada and of course the Clerk for their assistance.

The purpose of the Public Accounts Committee is to help ensure accountability for the use of public funds. Public hearings are an important part of this work. The Committee's report on these hearings will be tabled in the Legislative Assembly and we invite those who appeared before the Committee and other Yukoners to read the report and to communicate to the Committee their reaction to it.

I would also like to add that today's hearings do not necessarily signal the end of the Committee's considerations of the issues raised in the Auditor General's report. The Committee may follow up with the departments on implementation of the commitments made in response to the recommendations of the Auditor General and of the Committee itself. This could include a follow-up public hearing at some point in the future. So you may all be back here again.

With that, I would like to again thank everyone who participated as well as all of those who helped organize this hearing and I now declare this hearing adjourned.

The Committee adjourned at 11:51 a.m.