

TO THE HONOURABLE THE LEGISLATIVE ASSEMBLY OF MANITOBA

Your Standing Committee on LEGISLATIVE AFFAIRS presents the following as its Sixth Report.

Meetings

Your Committee met on the following occasions in the Legislative Building

- August 27, 2018 (3rd Session – 41st Legislature)
- May 9, 2019 (4th Session – 41st Legislature) (*in-camera*)

Matters under Consideration

- Recommendation for the appointment of the Ombudsman for the Province of Manitoba

Committee Membership

Committee Membership for the August 27, 2018 meeting:

- Mr. ALLUM
- Mr. CURRY
- Hon. Mr. FIELDING
- Ms. FONTAINE
- Hon. Mr. GERRARD
- Mrs. GUILLEMARD (*Chairperson*)
- Mr. JOHNSTON
- Mr. LAGASSÉ
- Mr. MARTIN (*Vice-Chairperson*)
- Hon. Ms. MAYER
- Mr. SWAN

Committee Membership for the May 9, 2019 *in camera* meeting:

- Hon. Ms. CLARKE
- Mrs. GUILLEMARD (*Chairperson*)
- Ms. KLASSEN
- Mr. LAGASSÉ
- Mr. MARCELINO (Tyndall Park)
- Mr. MARTIN
- Mr. NESBITT
- Mr. SMITH (Southdale)
- Hon. Mrs. STEFANSON
- Mr. SWAN
- Mr. WIEBE

Your Committee elected Mr. SMITH (Southdale) as the Vice-Chairperson at the May 9, 2019 meeting.

Motions:

Your Committee agreed to the following motion at the August 27, 2018 meeting:

- *THAT a sub-committee of the Standing Committee on Legislative Affairs be struck to manage the process of hiring a new Ombudsman for the Province of Manitoba, under the terms and conditions as follows:*

(a) the sub-committee consist of four Government Members, two Official Opposition Members and one Second Opposition Party Member;

(b) the sub-committee have the authority to call their own meetings, the ability to meet in camera, and be able to undertake duties it deems necessary in order to fulfil its responsibilities in the hiring process;

(c) the sub-committee must report back to the Standing Committee on Legislative Affairs with a recommendation that has been agreed to by all members; and

(d) the Committees Branch staff as well as the Legislative Assembly Human Resource Services staff be authorize to attend all meetings of the sub-committee.

Your Committee agreed to the following motion at the May 9, 2019 meeting (*in camera*):

- *THAT the report and recommendation of the Sub-Committee be received.*
- *THAT the Standing Committee on Legislative Affairs recommend to the President of Executive Council that Jill Perron be appointed as the Ombudsman for the Province of Manitoba.*

REPORT FROM THE SUB-COMMITTEE

Your Sub-Committee presents the following as its First Report.

Meetings:

Your Sub-Committee met on the following occasions:

- November 5, 2018 at 10:00 a.m.
- December 18, 2018 at 2:00 p.m.
- March 5, 2019 at 3:00 p.m.
- April 16, 2019 at 8:30 a.m.

All meetings were held *in camera* in Room 255 of the Legislative Building.

Matters under Consideration:

- Recruitment and Selection of the Ombudsman

Sub-Committee Membership:

Sub-Committee Membership for the November 5, 2018 meeting:

- Hon. Mrs. COX
- Mrs. GUILLEMARD
- Mr. LAGIMODIERE
- Ms. LAMOUREUX
- Mr. MARCELINO (Tyndall Park)
- Hon. Mrs. MAYER
- Mr. SWAN

Your Sub-Committee elected Mr. LAGIMODIERE as the Chairperson and Mrs. GUILLEMARD as the Vice-Chairperson during the meeting on November 5, 2018.

Sub-Committee Membership for the December 18, 2018 meeting:

- Mr. ALLUM
- Hon. Mrs. COX
- Mr. LAGIMODIERE
- Ms. LAMOUREUX
- Hon. Mrs. MAYER
- Mr. SMITH (Southdale)
- Mr. SWAN

Prior to the proceedings on December 18, 2018, Mr. LAGIMODIERE resigned as the Chairperson.

Your Sub-Committee elected Mr. SMITH (Southdale) as the Chairperson and Mr. LAGIMODIERE as the Vice-Chairperson during the meeting on December 18, 2018.

Sub-Committee Membership for the March 5, 2019 meeting:

- Mr. ALLUM
- Hon. Mrs. COX
- Ms. KLASSEN
- Mr. LAGIMODIERE (*Vice- Chairperson*)
- Hon. Mrs. MAYER
- Mr. SMITH (Southdale) (*Chairperson*)
- Mr. SWAN

Sub-Committee Membership for the April 16, 2019 meeting:

- Hon. Mrs. COX
- Ms. KLASSEN
- Mr. LAGIMODIERE (*Vice- Chairperson*)
- Mr. MARCELINO (Tyndall Park)
- Hon. Mrs. MAYER
- Mr. SMITH (Southdale) (*Chairperson*)
- Mr. SWAN

Staff present for all Sub-Committee meetings:

- Deanna Wilson, Director, Legislative Assembly Human Resource Services
- Monique Grenier, Clerk Assistant/Committee Clerk

Agreements by the Sub-Committee:

Your Sub-Committee reached the following agreements during the meeting on December 18, 2018:

- The Legislative Assembly Human Resource Services will deal with all the logistics and paperwork involved with the hiring process of the Ombudsman, which includes the Advertising Plan, Selection Criteria, Advertisement and Interview Questions.
- The Legislative Assembly Human Resource Services will conduct the paper screening of applications received and report to the Sub-Committee, five (or more) qualified candidates for review.
- The Sub-Committee will review the list of qualified candidates and determine which applicant(s) to be interviewed by the Legislative Assembly Human Resource Services.
- The Legislative Assembly Human Resource Services will conduct interviews and report to the Sub-Committee, the interview rating results for consideration and selection.
- The Sub-Committee will review the interview rating results and determine the candidate to be recommended for the position of Ombudsman.

Your Sub-Committee reached the following agreements during the meeting on March 5, 2019:

- The Sub-Committee agreed to interview the top six candidates that held screening results of 11 and above.
- The Sub-Committee agreed that in the event the number of candidates drops below four, the next two candidates that held screening results of 10 will be interviewed.

Your Sub-Committee reached the following agreements during the meeting on April 16, 2019:

- Pending successful reference checks, the Sub-Committee agreed to recommend to the Standing Committee on Legislative Affairs that Jill Perron be appointed as the Ombudsman for the Province of Manitoba.
- In the event the successful candidate declines or is no longer available, the Sub-Committee agreed to meet again to discuss further options.

- The Sub-Committee reviewed and adopted a document entitled “*Terms of Reference for Hiring of Independent Officers of Assembly*” dated April 16, 2019, prepared by the Legislative Assembly Staff. The document is set out in the Schedule to this report.

Legislative Assembly Human Resource Services Activities:

As agreed to by the Sub-Committee on December 18, 2018, the Legislative Assembly Human Resource Services was tasked with all the logistics and paperwork involved with the hiring process of the Ombudsman.

On March 5, 2019, the Legislative Assembly Human Resource Services reported to the Sub-Committee a list of thirteen qualified candidates for review and selection to be interviewed.

The Legislative Assembly Human Resource Services considered applications for the position of the Ombudsman as follows:

- Two hundred and twenty-two were received for the position.
- Three individuals were interviewed for the position on March 13, 2019.
- Three individuals were interviewed for the position on March 14, 2019.

On April 16, 2019, the Legislative Assembly Human Resource Services reported to the Sub-Committee the interview rating results of the six candidates.

SCHEDULE

Legislative Assembly of Manitoba Terms of Reference for Hiring of Independent Officers of the Assembly April 16, 2019

Purpose:

On August 27, 2018, the Standing Committee on Legislative Affairs passed a motion to strike a Sub-Committee to manage the process of hiring a new Ombudsman for the Province of Manitoba. The Sub-Committee, consisting of four Government Members, two Official Opposition Members and one Second Opposition Party Member, has the authority to call its own meetings, the ability to meet in camera, and be able to undertake duties it deems necessary in order to fulfil its responsibilities in the hiring process. The Sub-Committee must report back to the Standing Committee on Legislative Affairs with a recommendation that has been agreed to by all members.

The Sub-Committee will be assisted in their duties by the staff from the Committees Branch and the Legislative Assembly Human Resource Services who are authorized to attend all meetings of the Sub-Committee.

Roles and Responsibilities:

1. The Sub-Committee assigns the Legislative Assembly Human Resource Services to deal with all the logistics and paperwork involved with the hiring process of the Ombudsman.
2. The Legislative Assembly Human Resource Services will:
 - (a) devise a hiring process which includes an advertising plan, a paper screening process, an interview process and a selection process;
 - (b) draft an advertisement, paper screening criteria and selection criteria;
 - (c) print the advertisement as set out in the advertising plan;
 - (d) conduct the paper screening of applications received;
 - (e) report to the Sub-Committee, five (or more) qualified candidates for review and selection to interview;
 - (f) conduct interviews on candidates selected by the Sub-Committee;
 - (g) report to the Sub-Committee, the interview rating results on the candidates selected by the Sub-Committee; and
 - (h) conduct reference checks on candidate(s) and report to the Sub-Committee any issues or concerns identified.
3. The Sub-Committee Members will individually have the ability to view the list of qualified candidates along with their background paperwork confidentially at the Legislative Assembly Human Resources Services Office prior to the Sub-Committee's review.
4. The Sub-Committee will review the list of qualified candidates and select which applicant(s) to be interviewed by the Legislative Assembly Human Resources Services.
5. One representative from each recognized political party shall be entitled to observe the interviews while having participation in the scoring process.
6. The Sub-Committee will review the interview rating results and pending successful reference checks, determine the candidate to be recommended for the position of Ombudsman.
7. The Sub-Committee must provide a report to the Standing Committee on Legislative Affairs that includes a recommendation for a new Ombudsman for the Province of Manitoba.

All of which is respectfully submitted,

Sarah GUILLEMARD, Chairperson