

## FINANCE & AUDIT COMMITTEE

### Agenda Item 2.3.8

#### Annual Attestation – Forced & Child Labour in Canadian Supply Chains

##### **Recommendation**

EORLA outsources its procurement function to the Ottawa Hospital (TOH). Consequently, it relies on TOH to ensure compliance with procurement regulatory requirements including the Broader Public Sector Accountability Act.

As per the TOH Procurement Policy ADM V 110 and Bill S-211, the purpose of this report is to seek Board approval and attestation of the attached report to the Ministry of Public Safety. To support this, we have already received the board-approved attestation from TOH.

##### **Strategic Priorities**

Compliance to the Supply Chains Act supports financially responsible stewardship and sustainability and EORLA's responsibility to ensure that exploitative practices are addressed and eradicated from our supply chains. EORLA is defined as an "Entity" under the Supply Chains Act and, therefore, must comply with the obligations to report under the Act. Failure to properly report or publish is an offence, as is false/misleading statements leading to fines up to \$250,000 for EORLA, and potentially its Directors and Officers.

##### **Background**

In 2023, the Canadian Federal Government introduced new regulatory requirements to deal with the occurrence of forced and child labour risks primarily through the global supply chains of businesses. The measures introduced through former Bill S-211, An Act to enact the Fighting Against Forced Labour and Child Labour in Supply Chains Act and to amend the Customs Tariff (the Act), aim to increase industry awareness and transparency and drive businesses to improve practices.

EORLA is defined as an Entity under the Supply Chains Act and must submit an annual report to the Minister of Public Safety by May 31 of each year. The report must be approved and attested to by the Entity's governing body. Reports must detail, among other things, the steps taken during the previous financial year to prevent and reduce the risk that forced labour or child labour is used by EORLA in our supply chains.

All reports will be made available to the public in two ways:

- In a prominent location on EORLA's website
- In an electronic registry on Public Safety Canada's website.

It should be noted that to comply with the Supply Chains Act, EORLA must comply with the obligation to report and is not required to action any of the risk mitigation measures outlined below.

##### **Update**

The attached report is in the format of the Ministry's online questionnaire and includes the following measures that TOH on EORLA's behalf has implemented in the 24/25 fiscal year, in addition to maintaining the practices reported in last year's report:

- TOH has partnered with Mohawk Medbuy Corporation (MMC) for supply chain services who has:
  - standard contract language to include the following in Representation and Warranties:
    - The goods and any services provided by the Supplier under this agreement are not the result of, and in no way involve, forced labour or child labour (as such terms are defined in Canada's Fighting Against Forced Labour and Child Labour in Supply Chain's Act).

- competitive procurement templates to include the following language that suppliers/vendors bidding for hospital business must attest to:
  - Warrants that the goods and services that the Proponent is proposing to provide to the Purchaser are not the result of, and in no way involve, forced labour or child labour (as such terms are defined in Canada's Fighting Against Forced Labour and Child Labour in Supply Chains Act).
- provided training to all relevant employees which highlights obligations, Request for Proposal (RFP), and contract language relevant to the Act and guides the employees to not allow removal of that language through any negotiations.
- TOH Chief Procurement Officer represents EORLA on the MMC ESG Council and advises on initiatives that address forced labour and/or child labour issues.
- TOH has implemented voluntary Environmental, Social and Governance (ESG) training to all EORLA staff.

In the next fiscal year EORLA with TOH is planning to focus on:

- developing our Vendor Code of Business Conduct to further reinforce standards and expectations of vendors, including the elimination of forced and child labour and,
- procedures to assess our effectiveness in ensuring that forced labour and child labour are not being used in our supply chains.

### **Risk / Opportunity Analysis**

**Risk:** EORLA has only to comply with the obligation to report under the Act. There is a very low reputational risk associated with reporting, given the transparency some public opinion may be that EORLA is not doing enough to mitigate the risk of forced/child labour in our supply chains. This is mitigated by maintaining the measures taken in every report and introducing further measures to improve our practices.

**Opportunity:** The measures taken to support ethical suppliers and mitigate risk of forced and child labour in the supply chain supports vulnerable populations, EORLA's strategic direction to nurture our social responsibility and reputation.

### **Additional EORLA Actions**

- Obtain signature and submit annual report to Ministry of Public Safety
- Publish report on the EORLA website before May 31, 2025

### **Future Board Action Required**

Approve and attest to the following fiscal 2025/26 report, in April/May 2026

**APPENDIX – Government of Canada Online Questionnaire & Responses**

#	Question	Response
1	This Report is for....	An entity
2	Legal Name	Eastern Ontario Regional Laboratory Association Inc
3	Reporting Year	May 31, 2025
4	Financial year covered by the report	April 1, 2024 to March 31, 2025
5	Is this a revised version	No
6	Business number	889236907 RT0001
7	Is this a joint report	No
8	Is the entity subject to reporting in another jurisdiction	No
9	Which categorizations applies to the entity	<p>Canadian business presence:</p> <ul style="list-style-type: none"> <li>• Has a place of business in Canada</li> <li>• Does business in Canada</li> <li>• Has assets in Canada</li> </ul> <p>Meets size-related thresholds:</p> <ul style="list-style-type: none"> <li>• Has at least \$20 million in assets for at least one of its two most recent financial years</li> <li>• Has generated at least \$40 million in revenue for at least one of its two most recent financial years</li> <li>• Employs an average of at least 250 employees for at least one of its two most recent financial years</li> </ul>
10	Which sectors or industries does the entity operate in	Health care and social assistance
11	In which country is the entity headquartered or principally located	Canada
11.1	In which province or territory is the entity headquartered or principally located	Ontario
12	Government institutions only	Not applicable

#	Question	Response
1	Which of the following accurately describes the entity's structure?	Not-for-profit incorporated organization
2	Which of the following accurately describes the entity's activities?	Importing into Canada goods produced outside Canada.
3	What steps has the entity taken in the previous financial year to prevent and reduce the risk that forced labour or child labour is used at any step of	Engaging with supply chain partners on the issue of addressing forced labour and/or child labour.

	the production of goods in Canada or elsewhere by the entity or of goods imported into Canada by the entity	
4	Please provide additional information describing the steps taken (if applicable).	<p>TOH on behalf of EORLA has partnered with Mohawk Medbuy Corporation (MMC) for supply chain services who has:</p> <ul style="list-style-type: none"> <li>• Standard contract language to include the following in Representation and Warranties: <ul style="list-style-type: none"> <li>○ The goods and any services provided by the Supplier under this agreement are not the result of, and in no way involve, forced labour or child labour (as such terms are defined in Canada’s Fighting against Forced Labour and Child Labour in Supply Chain’s Act).</li> </ul> </li> <li>• Competitive procurement templates to include the following language that suppliers/vendors bidding for hospital business must attest to: <ul style="list-style-type: none"> <li>○ Warrants that the goods and services that the Proponent is proposing to provide to the Purchaser are not the result of, and in no way involve, forced labour or child labour (as such terms are defined in Canada’s Fighting Against Forced Labour and Child Labour in Supply Chains Act).</li> </ul> </li> </ul> <p>MMC has provided training (including that specific to Bill S-211) to all relevant employees which highlights obligations, Request for Proposal (RFP), and contract language relevant to Bill S-211 and guides the employees to not allow removal of that language through any negotiations.</p> <p>TOH Chief Procurement Officer represents EORLA on the MMC ESG Council and advises on initiatives that address forced labour and/or child labour. The Council were engaged on the MMC Environmental, Social and Governance (ESG) training project and TOH has since made this training available to all EORLA staff.</p>
5	Does the entity currently have policies and due diligence processes in place related to forced labour and/or child labour?	Yes
5.1	If yes, which of the following elements of the due diligence process has the entity implemented in relation to forced labour and/or child labour?	Embedding responsible business conduct into policies and management systems
6	Has the entity identified parts of its activities and supply chains that carry a risk of forced labour or child labour being used?	No, we have not started the process of identifying parts of our activities and/or supply chains that carry risks of forced labour or child labour being used.
7	Has the entity identified forced	None of the above

	labour or child labour risks in its activities and supply chains related to any of the following sectors and industries?	
<b>8</b>	Please provide additional information on the parts of the entity's activities and supply chains that carry a risk of forced labour or child labour being used, as well as the steps that the entity has taken to assess and manage that risk (if applicable)	Not applicable
<b>9</b>	Has the entity taken any measures to remediate any forced labour or child labour in its activities and supply chains?	Not applicable. We have not identified any forced labour or child labour in our activities and supply chains.
<b>10</b>	Has the entity taken any measures to remediate the loss of income to the most vulnerable families that results from any measure taken to eliminate the use of forced labour or child labour in its activities and supply chains?	Not applicable. We have not identified any loss of income to vulnerable families resulting from measures taken to eliminate the use of forced labour or child labour in our activities and supply chains
<b>11</b>	Does the entity currently provide training to employees on forced labour and/or child labour?	Yes
<b>11.1</b>	If yes, is the training mandatory	No, the training is voluntary
<b>12</b>	Does the entity currently have policies and procedures in place to assess its effectiveness in ensuring that forced labour and child labour are not being used in its activities and supply chains?	Yes
<b>12.1</b>	If yes, what method does the entity use to assess its effectiveness?	Setting up a regular review or audit of the organization's policies and procedures related to forced labour and child labour.  Working with suppliers to measure the effectiveness of their actions to address forced labour and child labour, including by tracking relevant performance indicators.

**Attestation:**

This report has been approved by EORLA Board of Governors on May 22, 2025.

In accordance with the requirements of the Act, and in particular section 11 thereof, I attest that I have reviewed the information contained in the report for the Entity listed above. Based on my knowledge, and having exercised reasonable diligence, I attest that the information in the report is true, accurate and complete in all material respects for the purposes of the Act, for the reporting year listed above.

Full Name: **Cholly Boland**

Title: Chair of EORLA Board of Governors

Signature:  \_\_\_\_\_

I have the authority to bind EORLA.

Full name: **Dennis Garvin**

Title: CEO and President, EORLA

Signature:  \_\_\_\_\_

I have the authority to bind EORLA.