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Chair

Ms. Candice Hoepfner

Standing Committee on Human Resources, Skills and Social Development and the Status of Persons with Disabilities

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• (0850)

[English]

The Chair (Ms. Candice Hooppner (Portage—Lisgar, CPC)): I call to order meeting number 32 of the Standing Committee on Human Resources, Skills and Social Development and the Status of Persons with Disabilities.

Pursuant to the orders of the day, we are continuing to look at Bill C-343, an act to amend the Canada Labour Code and the Employment Insurance Act (family leave).

We will have one witness before us today.

We welcome you and thank you for being here, Mr. Marcel Bolduc. Can you hear us all right?

[Translation]

Mr. Marcel Bolduc (As an Individual): Good morning.

The Chair: Good morning.

Mr. Marcel Bolduc: May I start?

[English]

The Chair: If you can give us a seven-minute presentation, then we'll have time for one round of questions. If you're ready to begin, please go ahead.

Thank you.

[Translation]

Mr. Marcel Bolduc: Thank you very much.

I want to start by saying that I am here in a private and individual capacity. I am not here on behalf of any association or in support of any political party. My opinions have nothing at all to do with politics.

I want to say that this is a bill whose time has come. It is long overdue. As you know, it had the support of the chairman of the Association of Families of Persons Assassinated or Disappeared, who is now unfortunately against the bill.

When you experience the kind of tragedy I and a hundred or so others have, your life falls apart. In my case, I lost my business. I was forced to give up the business I was starting. I also went through some personal trouble. I lost my spouse. And all of that happened because when a tragedy of this nature hits, your world is thrown into total disarray, and there is very little assistance to help you through the difficult times.

Even though some provinces, such as Quebec, may have assistance programs for victims of crime, it takes so much effort to access that assistance that doing so is just another burden.

It is important for those who experience these kinds of situations to be able to put the pieces of their life back together and to resume normal life, especially their working life. Do you know that Canada spends nearly \$300 a day to keep a single criminal in prison but not even 25¢ to help victims cope after a tragedy?

The bill sponsored by Ms. Bonsant of the Bloc Québécois is a very important piece of legislation, in my view, because it gives victims the opportunity to stop working and to seek out helpful resources, without having to worry about going back to work and dealing with everything they are struggling with at the same time.

When it happened to me, I was working with the public. As someone who was already known to the public at the time because of my social involvement, I definitely had a hard time because whenever I saw someone, I was forced to relive the tragedy. So it became extremely tough to cope. I even had to leave Sherbrooke at one point, for seven years, which helped me get my life back on track. It took five years after the tragedy before I was able to do that. So I spent all that time dealing with the challenges of putting my life back together and achieving enough peace of mind to participate in society and, above all, to be productive at work.

This bill could, at the very least, help the families of murder victims get their lives back on track and start contributing to society once again. And, at the end of the day, that is a lot more beneficial than someone who ceases to contribute and who needs help on top of that, to deal with the challenges that result from such a tragedy.

It is my hope that the government will carefully consider passing this bill, which seeks to keep those affected by these tragedies in the workforce.

I also want to point out how unfortunate it is that the government is spending so much on the industry of death: warplanes, helicopters and so forth. It wants to do away with the Canadian Firearms Registry. Such measures are deeply offensive to victims.

•(0855)

Obviously, bills are commonly used to get voter support come election time. Increasing jail time for criminals is certainly very popular. Of course, that makes victims happy, but how does it help them cope with their situation? How do you think longer jail terms will necessarily help victims reintegrate into society as contributing members?

That is basically what I wanted to say.

[English]

The Chair: Thank you very much for that.

We will now begin with a round of questions. We'll have time for a five-minute question from each of the parties, beginning with the Liberals.

Does anyone have a question?

Hon. Maria Minna (Beaches—East York, Lib.): I understand the importance of looking after victims and families. It's not that different from some of the things we have just announced with respect to caregiving. This goes to a different aspect of a family's crisis.

I just wondered if you could tell me very briefly—this is really the only question I have, because I think the bill is going in the right direction—why the bill asks for different lengths of time. There are different timelines for different situations, whether they involve a child or a husband. Maybe you could explain that a little bit more.

[Translation]

Mr. Marcel Bolduc: It is hard to say how much time every person would need, because everyone is different. What is important is that when the person does not have to go back to work right away, they can seek out resources. And those resources can go a long way towards helping the person re-enter the workforce.

The timeframe can certainly vary. One person may be able to deal with the brunt of the shock in a few weeks or months. So the period needs to be long enough to give people the opportunity to put their life back in order and re-integrate into the workforce.

[English]

Hon. Maria Minna: Thank you very much.

The other question was very simple. I know why, but I just want to ask. Maybe I should ask the proponent of the bill this rather than you, but why did you choose to go through the EI section, as opposed to say having a separate victims' bill that would not so much go through the Employment Insurance Act? I'm just curious about that one.

That is probably for the proponent of the bill. Is it okay to ask...? No?

The Chair: Just ask the witness.

Hon. Maria Minna: Maybe I'll ask her on the side. That's fine, thank you.

The Chair: Do you want to comment on that, sir?

[Translation]

Mr. Marcel Bolduc: My comment on that is simple. Ms. Bonsant's bill fills a total void in terms of any measures or suggestions from the government. If you have any better ideas, put them on the table and, above all, put them into action as quickly as possible. That is what is necessary.

[English]

Hon. Maria Minna: I'm done.

The Chair: All right. Thank you.

Then we will go to Madame Bonsant.

[Translation]

Ms. France Bonsant (Compton—Stanstead, BQ): Good morning, Mr. Bolduc. Thank you for being here. I know that, even after all these years, this could not have been easy for you to talk about.

Would this bill, as it stands today, have been helpful to you when your daughter disappeared?

•(0900)

Mr. Marcel Bolduc: Yes, it definitely would have helped. I had to go back to work a few days after my daughter's body was found, just to make ends meet. If I could have stopped working back then, I may have been able to access resources. When you have to keep working, it is very hard to access resources and to continue receiving the support you need to help you get your life back on track. I think it is important to take time off so the measure is effective in helping you rebuild your life.

Ms. France Bonsant: So you are saying that it still would have been difficult to cope, but at least you would have had the option to stay home and receive financial assistance to help you through it all, without having to worry about paying the electricity bill, which does not stop coming.

Mr. Marcel Bolduc: Yes, but it is not just the whole idea of staying home, but also being able to seek out resources right away. For me, it is not about staying home, but about continuing to contribute to society and wanting to put your life back together in order to do that. That is important, because tomorrow still comes for a victim's family, and it is that tomorrow we need to look after.

Ms. France Bonsant: When I talked about staying home, what I meant was having the ability to not go back to work and to do things without having to agonize over paying the bills. They would still get the money, which would help them through the tough times.

In your opinion, what percentage of crime victims described in the bill would exercise their right to receive employment insurance benefits?

Mr. Marcel Bolduc: Clearly, it would not be 100% of the people affected. It could be less than 50%. Some people are not badly off. It is not just low-income individuals who are affected by these crimes. They also affect the wealthy, who have an easier time sorting out their finances. The financial aspect is not an issue for them.

Ms. France Bonsant: I wanted to give people the choice. I, too, lost a niece as a result of a car accident. My sister-in-law had the option to stay home or go back to work. But not everyone has that choice. I know that you agree in that regard.

Would you agree that the bill gives people the option to either continue working or take time off?

Mr. Marcel Bolduc: Absolutely. This bill is necessary because it ensures people are well protected. As you said, some people do not need it, but others do, and it will enable them to put their lives back in order. As you know, events like these destroy people. My daughter will have been gone 15 years next summer, but I still go through tough times. I run into people in the street who say they recognize me. They think about it for a few minutes and rehash the whole experience. You relive the nightmare when that happens. So you have to be ready for that.

Ms. France Bonsant: Mr. Bolduc, my colleague, Mr. Lessard, would like to ask you something.

Mr. Yves Lessard (Chambly—Borduas, BQ): Good morning, Mr. Bolduc. Thank you for being here. No doubt, all of these questions trigger painful memories for you. I was working in Sherbrooke when your family was struck by the tragedy. I know what a shock it was not only for your family, but also for the whole city of Sherbrooke. I remember that it shook the entire city.

Earlier, you very rightly talked about the need to support people who experience similar situations. Are there other ways that the bill or some other measure could support families dealing with these kinds of situations?

Mr. Marcel Bolduc: When it comes to obtaining services or assistance in this country, there are always issues around the division of powers. I am not trying to make a comparison, but when a tragedy like this happens in the U.S., as soon as the police get to the crime scene, resources have already been made available to help victims and their families.

As far as I know, that kind of service is not provided in Canada, and even less so in Quebec. Including a measure like that in the bill would give it added value. It would make resources available to victims promptly or immediately following the tragedy. Their needs would be addressed, and they would receive support early on.

• (0905)

Mr. Yves Lessard: Thank you very much, Mr. Bolduc.

[*English*]

The Chair: Thank you very much.

We'll now go to Mr. Martin, please.

Mr. Tony Martin (Sault Ste. Marie, NDP): Thank you very much.

I'll recognize off the bat that I haven't been here for the beginning of this bill, but I do have a couple of questions flowing out of it, from what I've been able to read and gather.

This bill seems to be zeroed in on a very specific criminal activity that affects the family and time off. Was there any thought, or any thought in your mind, to maybe expanding this to cover other family events that create stress or difficulty? For example, under the EI bill there is provision for people to be off for compassionate care and sickness, but it's for a much shorter period of time. What is your advice to us on making sure that we're dealing equitably with all families as we try to organize our workplace in a way that allows people to not only work, but take care of themselves?

[*Translation*]

Mr. Marcel Bolduc: As you know, the very definition of the term "employment insurance" is quite broad. When a person loses their job, they are entitled to receive employment insurance benefits to which they have contributed. In fact, situations other than those covered in Ms. Bonsant's bill could be considered. I do not necessarily have the skills to do that, but it is important to bear in mind one thing, and I mentioned it at the very beginning of my presentation: Canadians need to continue contributing to society.

I believe that the bill talks about that, but if not, it should be added, because people who contribute to society help a country develop and grow. With any type of tragedy, if you do not support the victims and give them the assistance they need, they stop being active members of society.

I was 45 years old at the time. If I had not been able to get past everything, I would not have been an active member of society, and I would have cost society a lot of money.

That is important. Do not lose sight of the fact that the whole point of this bill is to ensure that victims receive the support they need and once again become active members of society.

[*English*]

Mr. Tony Martin: I think you make an excellent case, Mr. Bolduc, certainly if you look at some of the information being gathered and some of the studies being done on the issue of poverty in our country, for example, and the fact that it costs us as a society—or it costs the economy—about \$90 billion a year. Food Banks Canada, which is coming out with a report this morning, made a report last year indicating that if we were courageous enough to look at a way in which we might spend that money more effectively, perhaps we would do exactly as you're saying. We would help people during those difficult times, so that they don't fall off the wagon altogether and end up not being able to come back to work or to get a job because of the cumulative effect of tragedies in one's life, for example, and end up being a drain as opposed to being a contributing member.

I guess that's what you're asking for here: that we give people this support in that difficult time so they can deal with their personal issues and then get back to work and become contributing members and participate in the economy. It seems to me that it would be a far more effective way of spending that up to \$90 billion. Perhaps we would be spending less if we did more of what you're suggesting.

• (0910)

[*Translation*]

Mr. Marcel Bolduc: You are absolutely right. If we invest in helping people become active members of society, we will end up saving money. Clearly, the government should not keep making the same kinds of decisions it is making now, in other words, spending billions of dollars on warplanes and helicopters. Those are not measures that help Canadians remain active members of society. We do not need that in Canada. Invest in Canadians, instead of votes. That is crucial.

I commend people like Ms. Bonsant, who are more concerned about the welfare of people than votes. Remember that lesson. This is a perfect example of a member of Parliament who cares about society.

[English]

The Chair: Thank you very much.

We will now go to Mr. Vellacott.

Mr. Maurice Vellacott (Saskatoon—Wanuskewin, CPC): Thank you, Madam Chair.

Thank you for being with us by teleconference, Mr. Bolduc. We much appreciate that. I can't imagine.... I try to put myself in your seat, with the emotions and the experience of having lost a loved one, as you did, and it's difficult to do even that. Our hearts certainly go out to you with respect to this.

I would just pick up on one thing that you did say. I think you inferred it just a few moments ago again as well, but I would frame it this way, Mr. Bolduc. Would you not agree that if our authorities—and in this case, the Conservative government is more aggressive, I guess you might say, in terms of cracking down on crime—are doing that, there should be fewer victims at the end of the day?

I would say that cracking down on crime is preventive. It's pre-emptive. It's proactive. Bringing in measures to assist victims is necessary. It's vital. It's a very important thing to do. It's after the fact, reactive, you might say, and good, but I would say that being proactive is another very important priority or first step. I don't think it's an either-or. I think it's both. In my sense, it would be proactive, preventive, or pre-emptive, if you will, to do the getting tough on crime.

You might want to react to that quickly or respond to that. I don't see it as an either-or and I think it's pretty important to crack down on crime too.

[Translation]

Mr. Marcel Bolduc: Yes, I agree that investing in crime prevention is very important. Nevertheless, it is important to remember everything that happens after a crime has been committed; there are people in jail.

If you were to visit prisons today and took the time to correctly assess the situation, you would see that there is not enough focus on reintegration into society. I believe in reintegration; I believe there is a way to help some individuals—perhaps not all—become contributing members of society once again. But to do that, you need to adopt the right measures and focus the right efforts on the right things, and that is not the case right now.

It is all well and good to invest in policing, but if you think increasing repression is the way to cut crime, you are missing the point: it is merely a drop in the bucket. You need to invest wisely. And I think the government has the resources to clearly identify the right approaches and the right tools to cut crime.

[English]

Mr. Maurice Vellacott: Okay, thank you very much. I don't think we have much in the way of disagreement there. I appreciate your good words there. Certainly I think governments at different levels,

federal, provincial, and municipal governments, need to and certainly do what they can and should be investing in the lives, broken lives if you will, of those who have been perpetrators of crime as well. So I think we have agreement there.

I would like to ask a question along a different line. This question I think is germane to the bill. The person who took your daughter's life—I don't know the circumstances there, but I assume it was somebody taking your daughter's life—in your view, is that person a “victim”? Do you consider that person and their family victims of crime? The person who perpetrated the crime against your daughter, is that person a victim and that person's family also victims of crime?

● (0915)

[Translation]

Mr. Marcel Bolduc: Three people contributed to my daughter's death. Three repeat offenders. I had contact with one of those individual's family members, who does not want the person to ever get out of jail. You can see these situations certainly create some challenges within criminals' families. I am not familiar with those issues, and I have never studied that aspect, but I do know these families go through difficult times. They are not the ones who chose to commit the crime.

So in that respect, it is very hard to establish a yardstick in terms of the difficulties these people experience. It may be worthwhile to speak with them and hear what they have to say about it.

[English]

Mr. Maurice Vellacott: Okay, right. I think we probably both mean a victim in a different sense, possibly in a larger scale of things.

To the point of the bill here, would you say that the other family, the parents, others of the particular three individuals who perpetrated that crime, that murder of your dear daughter, should be able to take time off and receive EI benefits? Because in the wording of the bill—and we checked it out, we actually did get the right wording in the bill, which did make the point that if their presence is required by the employee's minor child, under 18 years of age, “who has suffered a serious physical injury during the commission or as the direct result of a criminal offence that renders the child unable to carry on regular activities”.... In effect it is saying that those parents, if you will, of the individuals who perpetrated the crime against your daughter would be able to take time off and receive benefits.

Now, I cite a case. This is not just theoretical stuff—

The Chair: Mr. Vellacott, if you could just do it quickly, your time is actually up.

Mr. Maurice Vellacott: Yes, you bet.

In the paper today, in the Ottawa *Metro* news, where it speaks of an alleged robber who accidentally stabs himself, it makes the point that he robbed a commercial establishment and in his flight, or whatever, he stabbed himself—a serious injury, and he's in critical condition. Would the parents of that individual be receiving benefits under this particular bill? The present wording seems to suggest that if that individual is a minor—I don't know in the circumstance today whether that person was or not—it appears those parents would receive EI benefits. Would you agree with that?

[Translation]

Mr. Marcel Bolduc: I think your question is a bit far-fetched. If the person did in fact injure themselves, they must suffer the consequences; that is the choice they made. As for the person's family, it is not for me to say.

Personally, I have my doubts that they would be eligible. The fact remains, however, that they are members of society who are experiencing circumstances beyond their control. The person who committed the crime, the one who injured themselves, is the one who made the choice. Of course, there may be collateral consequences. Fortunately, in those cases, social programs may be able to meet the needs of certain individuals, who are likely contributing members of society, as well. So they, too, need to keep on contributing.

But I am unsure as to whether these people could necessarily qualify for benefits under the bill.

[English]

The Chair: Thank you very much, Mr. Bolduc, for that.

That completes this portion of the meeting with this witness.

Again we want to thank you very much for being here and sharing your experience and the effect it's had on you. As a committee, we really appreciate your being here, sir. Thank you.

We will suspend for just one minute and give everyone a chance to get all their papers together, and then we'll begin clause-by-clause consideration of this bill.

• (0915) _____ (Pause) _____

• (0920)

The Chair: All right, let's resume. Everybody is ready with the bill in front of them. We'll be going through the bill clause by clause.

We will begin with clause 1.

[Translation]

Mr. Yves Lessard: Madam Chair, we would like a recorded vote on each clause, please.

[English]

The Chair: You'd like to have a roll call on it?

[Translation]

Mr. Yves Lessard: Yes, a roll call vote.

[English]

The Chair: Shall clause 1 carry?

(Clause 1 agreed to: yeas 6; nays 5)

The Chair: Shall clause 2 carry?

[Translation]

Mr. Yves Lessard: Madam Chair, we would like a roll call vote again, please.

[English]

The Chair: You want that one recorded as well? All right.

(Clause 2 agreed to: yeas 6; nays 5)

Mr. Michael Savage (Dartmouth—Cole Harbour, Lib.): There are no amendments, are there?

The Chair: It doesn't look as though there are any amendments.

Do I have unanimous consent to consider clause 3 through clause 9 at one time? Just so you know, if you don't shake your head, then I'm assuming you mean yes. Do I have unanimous consent to put all of the clauses together and have one vote?

Some hon. members: Agreed.

The Chair: Yes. And did you want that recorded as well?

[Translation]

Ms. France Bonsant: Yes.

[English]

The Chair: Then we will present clauses 3, 4, 5, 6, 7, 8, and 9 all together. We'll record the vote.

(Clauses 3 to 9 inclusive agreed to: yeas 6; nays 5)

• (0925)

The Chair: Shall the title carry?

Some hon. members: Agreed.

The Chair: Did you want a recorded vote on the bill?

[Translation]

Ms. France Bonsant: Yes.

Mr. Yves Lessard: Please.

[English]

The Chair: Shall the bill carry?

(Bill agreed to: yeas 6; nays 5)

The Chair: Shall the chair report the bill to the House?

Some hon. members: Agreed.

The Chair: Thank you. All right, that's great.

We will be going in camera now for committee business, so I'll just suspend for one minute.

[Proceedings continue in camera]

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