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OFFICIAL REPORT  
(HANSARD)

**Tuesday, May 30, 1995**

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**Speaker: The Honourable Gilbert Parent**

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# HOUSE OF COMMONS

Tuesday, May 30, 1995

The House met at 10 a.m.

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*Prayers*

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## ROUTINE PROCEEDINGS

[*Translation*]

### GOVERNMENT RESPONSE TO PETITIONS

**Mr. Peter Milliken (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, pursuant to Standing Order 36(8), I have the honour to table, in both official languages, the government's response to two petitions.

\* \* \*

### STANDING COMMITTEE ON GOVERNMENT OPERATIONS

**The Acting Speaker (Mrs. Maheu):** Pursuant to Standing Order 81(4)(a), the following motion, standing in the name of the Leader of the Opposition, is deemed adopted: "That, pursuant to Standing Order 81(4)(a), consideration of Privy Council votes 1, 5, 10 and 35 of the Main Estimates for the fiscal year ending March 31, 1996, by the Standing Committee on Government Operations, be extended beyond May 31, 1995".

\* \* \*

[*English*]

### COMMITTEES OF THE HOUSE

#### PROCEDURE AND HOUSE AFFAIRS

**Mr. Peter Milliken (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.):** Madam Speaker, when the House last sat on Friday I presented to the House the 78th report of the Standing Committee on Procedure and House Affairs regarding associate membership of the Standing Committee on Finance.

I believe it would be appropriate that I move that the 78th report of the Standing Committee on Procedure and House Affairs, presented to the House on Friday, May 19, be concurred in.

(Motion agreed to.)

**Mr. Peter Milliken (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.):** Madam Speaker, I have a second motion.

There is a change in the membership of the Standing Committee on Procedure and House Affairs with respect to associate members. If the House gives its consent, I move:

That the name of the following member be added to the list of associate members of the Standing Committee on Procedure and House Affairs: Mr. Alcock.

(Motion agreed to.)

**Mr. Peter Milliken (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.):** Madam Speaker, I move:

That pursuant to subsection 7.(7) of the Referendum Act, chapter 30, Statutes of Canada, 1992, the Standing Committee on Procedure and House Affairs be the committee to undertake the review of the regulations proposed under subsections 7(3) and (4) of the act.

(Motion agreed to.)

\* \* \*

• (1015)

### PETITIONS

#### RIGHTS OF GRANDPARENTS

**Mr. Randy White (Fraser Valley West, Ref.):** Madam Speaker, I have two petitions to present today to the House. In the first residents within my riding of Langley, Abbotsford and Aldergrove ask Parliament amend the Divorce Act to include a provision similar to article 611 of the Quebec civil code which states that in no case may a father or mother without serious cause place obstacles between a child and grandparents and failing agreement between the parties the modalities of the relations are settled by the court.

#### HUMAN RIGHTS

**Mr. Randy White (Fraser Valley West, Ref.):** The second petition, Madam Speaker, requests that Parliament not amend the human rights code, the Canadian Human Rights Act or the charter of rights and freedoms in any way which would tend to indicate societal approval of same sex relationships or of homosexuality, including amendment the human rights code to include in the prohibited grounds of discrimination the undefined phrase sexual orientation.

*Supply*

## ASSISTED SUICIDE

**Mr. Bill Gilmour (Comox—Alberni, Ref.):** Madam Speaker, pursuant to Standing Order 36, I am pleased to present the following two petitions from my riding. The first containing 53 signatures requests that Parliament ensure the present provisions of the Criminal Code of Canada prohibiting assisted suicide be enforced vigorously and that Parliament make no changes in the law which would sanction or allow the aiding or abetting of suicide or active or passive euthanasia.

## RIGHTS OF THE UNBORN

**Mr. Bill Gilmour (Comox—Alberni, Ref.):** The second petition, Madam Speaker, containing 50 signatures requests that Parliament immediately extend protection to the unborn child by amending the Criminal Code to extend the same protection enjoyed by born human beings to unborn human beings.

## JUSTICE

**Mr. Chuck Strahl (Fraser Valley East, Ref.):** Madam Speaker, I have the honour to present three petitions protesting Bill C-41 today. One hundred and eight additional constituents of mine protest that Bill C-41 will establish a dual standard of justice by punishing identical crimes with different sentences. They also protest the inclusion of the undefined phrase sexual orientation in federal legislation because they feel it will lead to some people being given special legal rights.

## GUN CONTROL

**Mr. Chuck Strahl (Fraser Valley East, Ref.):** Madam Speaker, I also have the honour to present two additional petitions against Bill C-68, the gun control bill. Three hundred and seven more petitioners feel existing gun control laws are doing the job in Canada, that new laws will be ineffective and expensive and that money and resources ought to be diverted toward fighting crime instead of fighting responsible gun owners.

I am pleased to agree with both of these petitions.

**Mr. Jay Hill (Prince George—Peace River, Ref.):** Madam Speaker, pursuant to Standing Order 36, I am today presenting petitions signed by constituents of Prince George—Peace River. They feel that no amount of gun control has ever succeeded in preventing criminals from acquiring guns by illegal means.

Furthermore, the petitioners feel that many existing firearms regulations were brought in for a matter of public policy with no regard to future effectiveness and potential benefit.

Therefore they ask Parliament to support laws which punish criminals using firearms, support, recognize and protect the rights of law-abiding citizens to own and use recreational

firearms, and abolish any existing gun control laws which have proven to be ineffective.

\* \* \*

## QUESTIONS ON THE ORDER PAPER

**Mr. Peter Milliken (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.):** Madam Speaker, I ask that all questions be allowed to stand.

**The Acting Speaker (Mrs. Maheu):** Is it agreed?

**Some hon. members:** Agreed.

## GOVERNMENT ORDERS

[English]

## SUPPLY

## ALLOTTED DAY—EMPLOYMENT EQUITY

**Mr. Chuck Strahl (Fraser Valley East, Ref.)** moved:

That this House deplore the government's employment equity policy as unnecessary, ineffective, costly, unpopular, intrusive, discriminatory and harmful to designated and non-designated groups; that this House recognize the equality of all Canadians by affirming that hiring and promotion be based solely on merit rather than on gender and race; and that discriminatory employment practices be more vigorously pursued on an individual, case by case basis.

● (1020)

He said: Madam Speaker, I appreciate your reading that through to its very logical conclusion. I appreciate the way you put the emphasis on the right spots and so on. It was well read.

Employment equity is really the last gasp effort of an old government style brought forward from the 1960s and 1970s that says governments need to be involved in every little aspect of Canadian life.

When one finds an area in which the government is not involved it seems this government is still hanging on to the residual of an idea that perhaps what we should do is interfere wherever we can in the marketplace, in people's lives, in intrusive legislation; employment equity probably being the last serious effort to intrude in corporate and individual lives from coast to coast.

Employment equity is a road paved with good intentions. It is an idea that perhaps by enforcing certain racial goals, numerical goals and targets on employment hiring practices we can somehow make Canada more discrimination free and that we will all live in the utopia the Liberals would have us believe is just around the bend.

Employment equity and affirmative action have fallen on hard times lately around the world. Employment equity is being challenged and being defeated in the United States courts, including the Supreme Court, one case after another.

There is a proposition in California that will banish affirmative action plans from its law books probably within the year. In Canada, however, instead of following the lead of around the world which is to get away from social manipulation, for some reason the government has decided to expand the employment equity program.

It has brought in Bill C-64 which will expand it to include not only people regulated by the federal government but the entire public service, the RCMP, the Canadian Armed Forces, CSIS and so on. It is a very intrusive bill. It smacks of social engineering of the worst kind. In the bottom line, it is very discriminatory and that is why the Reform Party opposes it.

In the last week I clipped two or three pieces from a newspaper. I am wondering whether we are in tune with the Canadian people; are we reflecting the things that concern them? Recent opinion polls say that 74 per cent of Canadians oppose employment equity in Canada. In my province of British Columbia, 81 per cent oppose employment equity. The government, instead of retrenching and rethinking this idea, has decided at this time to expand it.

What are the newspapers saying lately? Is it on people's minds? It certainly is on people's minds in Ontario where there is a provincial election going on. The *Globe and Mail*, hardly a radical paper, in talking about Mr. Harris says he will do away with the employment equity program if given a chance as the premier of Ontario.

The paper asked: "Is it radical to propose that Canada's only quota base affirmative action program", meaning the employment equity program, "which effectively requires discrimination in employment against white males be dropped along with the requirement to track employees by race, sex and disability?" No, the *Globe and Mail* says that is not radical at all, that it only makes common sense.

A May 27 article from the *Globe and Mail* says employment equity is no way to run a railroad or a newspaper. I might add that it is no way to run a country.

The article goes through the litany of problems with the employment equity program, everything from how expensive it is to how it is discriminatory, intrusive and gives a lot of power of invasion. It is so intrusive in Ontario it had to be exempt from the Ontario human rights act because one cannot be in compliance with the human rights act at the same time as one is forcing employment equity. That is how discriminatory it is.

• (1025)

Also interesting is the way much of this argument rests on a few words. The government says numerical goals are really not

### Supply

coercive and that numerical targets are not really quotas. The government says not to worry, it has numerical goals; they are not quotas, don't worry, be happy.

It is interesting because that is not according to what all Liberals say. The federal and provincial wings of the Liberal Party are divided. We saw a senior federal Liberal saying a Liberal is a Liberal is a Liberal. We have had numerous statements in the House from federal Liberals endorsing the provincial Liberal program of Lyn McLeod. What did Lyn McLeod say about employment equity?

**Mr. Abbott:** Lyn who?

**Mr. Strahl:** She is the leader of the Liberal Party in Ontario. On May 18 there was a major television debate which started off with a question on employment equity, what would all three of the major parties do with employment equity.

The provincial Liberal leader repeatedly attacked the NDP premier of Ontario about the language of employment equity. I quote from the Liberal leader of Ontario: "For me employment equity means ensuring that there is real equal opportunity in the hiring process, in the promotion process. That to me means that we do not support a quota approach by any other name, including numerical targets. To me a quota approach in employment equity is a violation of the principle of equal opportunity".

She went on to say numerical targets by any other name are an approach to quota because it focuses on the end goal. It does not deal with where the efforts should be, which is to ensure at the start of the process that real barriers should be removed.

What does Bill C-64 propose? The government is now trying to ram the bill through committee. One of the first sections of the bill relates to numerical targets. It says not to worry, it is not a quota, it is a numerical target. Numerical target is a harmless little thing meaning, according to Lyn McLeod, a quota. That is exactly what it is. It is a quota and hon. members know it. That is why this kind of legislation is repugnant to people looking for equal treatment for all Canadians and not special treatment for some which causes discrimination against others.

She was talking about equality of opportunity. If I were to take her position on this issue, she talks an awful lot like a Reformer. I almost hate to admit that, but that is the Reform Party position. The Reform Party position is we should ensure equality of opportunity but we cannot guarantee equality of results.

I do not understand why the federal Liberals and the provincial Liberals do not get their act together on this. They should look through the two red books. They both have a red book. One is more discredited than the other because the other one has not been around for quite as long. The provincial red book says they

*Supply*

will abolish the numerical targets. That is why they are to do away with it; it does not foster equality.

The leader of the provincial Conservatives says he will do away with the whole program. The federal Liberals seem to be eye to eye with the NDP. They are the only ones in the provincial election who are saying numerical targets are admirable. They along with the NDP seem to think it is a good idea. Even the provincial Liberals say it is not a good idea.

The Liberals probably have honourable intentions. They believe they are trying to foster an attitude of equal opportunity. Unfortunately it is based on a series of wrong assumptions which I will go through at this time.

To begin with, the idea we can somehow have numerical parity, that numbers will somehow make things non-discriminatory or more just is false.

• (1030)

There are all kinds of reasons why people are involved in different occupations: cultural, geographic, economic, historical. People have put other priorities in front of certain types of jobs and people sometimes do not even want to enter the workforce or do not want to work full time. There is never going to be a precise numerical target equalling the representation of the workforce in any one occupation. It is not possible. It will never be possible, no matter how you try to legislate it.

The entire legislation is based on a false assumption. The assumption is that Canadian employers are somehow systemically discriminatory; they are bad. The assumption is that they systemically discriminate against people, they are guilty, and we must force them to jump through hoops. And even if they are not guilty, their parents or grandparents probably were, so we will force them to jump through the hoops and go through a book of instructions. If they do not do as they are told we will jump down on them with the compliance police in order to make sure they do it.

It is wrong to assume that employers are discriminatory. I realize we do not live in a perfect world, but where we have examples of discrimination I say the courts and the human rights tribunals should come down on them like a ton of bricks. We have no patience on this side of the House for people who have discriminatory practices toward anyone. All people should be treated equally. When they are not, then the courts and the tribunals should do their job and make sure that those employers are punished properly. That has always been our position.

We also have big problems with the statistical base this whole thing is founded on. For example, 10 per cent of aboriginals refused to even be enumerated in the 1991 census. Also, we will be working with 1991 statistics until the year 2003. In other words, we are going to try to mesh current employment practices

with 12-year-old statistics at a time when the demographics of Canada are changing so fast. It just is not going to work. Also, broad statistical generalizations do not take into account that certain groups, even if one believes in group rights, do not need any help.

Not that I like to do this, but Statistics Canada breaks down the Canadian population based on ethnicity and income. If we take the top earning group in Canada by ethnicity, which I think is a repugnant thing to even ask, the people of Japanese origin have the highest per capita income of any group in Canada, followed by Jews and Egyptians, if we take it by ethnicity.

Why would we want to put together an employment equity program that favours, in this case, the highest per capita income group in Canada? If we want to fulfil the letter of the law, if not the spirit, all we have to do is say we will hire this group or that group. Of course we should be hiring based on merit, not on ethnicity. However, if we are filling our quota we may be filling it up with people who do not need assistance, leaving others aside and hiring those who already have a good job or a good statistical average, if that is what matters.

It is interesting that the biggest problem with this statistical base is that in 1991, 765,000 people refused to say what their ethnic background was. Do you know what they put down? They put down "Canadian". Statistics Canada said it would get to the bottom of this by changing the next one so that people will have to answer what their ethnic background is, because we cannot have this dangerous trend where people are starting to call themselves Canadians; we must have hyphenated Canadians. Stats Canada is going to change its forms to ensure we get more hyphenated answers in the next go around. I am so pleased to hear that. That is disgusting.

We are also very concerned about the coercive nature of this. Bill C-64 and the current employment equity practice says that people must self-identify their ethnicity and whether they are one of the four designated groups: a visible minority, a woman, a disabled person, and what is the fourth one? Anyway, they must self-identify. What happens if they do not self-identify? The legislation and the courts say they cannot be forced to do it.

• (1035)

It is interesting that DND must now take part in the new process and it has started the identification process. It sends around a questionnaire, which is in two parts. It says on the top: "You must fill out the top"—the top being your name, rank, serial number, and so on. Part two is optional—wink, wink: "You do not have to fill out the second part about your ethnic background. You will not be discriminated against if you do not. Do not worry about it. Just fill out the top. And if you do not fill in the bottom part, that is fine. Do not worry."

*Supply*

Let us get serious. Once our name is on the piece of paper we are not one of the players in the game. It is left up to the personnel manager or the promotion officer or whoever to say: "Is this guy playing by the rules or not? I am going to ask him to fill out the bottom part and then we will get the ethnicity on this piece of paper if it kills us." That is a very dangerous trend.

We think the whole system is wrong. It is very open to abuse by those who might lie on a form. For example, what would happen if we just encouraged everybody to put down that they consider themselves a member of a minority group? Everybody in Canada, let us all self-identify as minorities. In the end there could be a whole program designed around totally false statistical information, which of course is wrong.

I mentioned that there are only four designated groups. Although the government has no plans at this time to admit other groups, it is interesting how others can be read into it. We know that the courts can read other groups into the charter of rights. Last week, for example, although it did not actually say that homosexuals are included under section 15 of the charter, the federal court said they should be, doggone it, and they will be in future court references. Therefore, the idea that there are only four designated groups could well be expanded.

In the United States one New York firm had to do an entire survey of its workforce, with special attention being given to Canadian Americans, to find out if they had been discriminated against. I guess I should be grateful for that. Maybe we will get employment opportunities in the United States. It just shows how ridiculous it can be when it is taken to its logical extreme.

Employment equity is also very expensive. In the United States, where it has been in place for some 30 years, estimates from *Forbes* magazine say that it now takes up almost 4 per cent of GDP per year. Billions and tens of billions of dollars in the United States are used up, wasted, instead of helping individuals who need help. Money is wasted on government programs that have not proven effective in helping these groups at all. In Canada it is just starting, so it is not nearly as intrusive and not nearly as expensive; still, it is estimated that about 1 per cent of GDP is wasted on employment equity programs. That is \$6 billion or \$7 billion a year that is not even helping the people the government wants to help. It is being wasted in book work, reporting, jumping through the hoops, making it look good and so on and not really helping people based on need.

Reform sees this very much as a drag on our economy and a hidden tax on businesses that we cannot afford. It also hurts the designated groups. Many studies have shown how people feel patronized when we say we must have a program to make sure, for example, that we must hire women at this particular place of employment and we must have a special program. The inference

is that somehow women are not qualified. Well that is just ridiculous. Fifty-five per cent of people who graduate from universities today are female. I am pleased to see that women have taken a leadership role in all avenues of our country and are continuing to expand as we move from a culture that was basically a home based job of rearing children and looking after the house and so on. We have evolved from that to a culture where women are accepted and should be accepted in all areas of the economy.

• (1040)

To say they somehow cannot compete on an even footing is very patronizing, not only to women but to the other designated groups as well. We have a role in government to ensure equality of opportunity. We should challenge everyone to compete equally. It is the role of government to ensure that and not to dictate the results on the employment side.

There are many other things my colleagues will be bringing up dealing with what is wrong with this whole idea. I look forward to the debate as it unfolds.

**Mr. Maurizio Bevilacqua (Parliamentary Secretary to Minister of Human Resources Development, Lib.):** Madam Speaker, I am shocked and deeply saddened, as I am sure most Canadians are, by the appalling lack of knowledge and the insensitivity shown by the hon. member's motion. It would be laughable were it not so lamentable.

Discrimination is no laughing matter. This mean-spirited motion adds insult to injury for millions of Canadian women, aboriginal peoples, visible minority members and persons with disability who already know all too well the disadvantages of being a member of these designated groups.

It is patently clear that this attempt to kill Bill C-64 is nothing more than a desire to turn back the clock to the days when men were men and everyone else knew their place. Canada cannot afford the anachronistic attitudes embodied in this opposition motion to stand in the way of progress.

To those who are members of the designated groups employment equity is about human decency and democracy. It is the freedom to exercise constitutionally guaranteed rights, to participate in the political process and to make contributions to the economic and cultural fabric of Canada.

Employment equity means simply that everyone is treated equally, not preferentially and not to the detriment of non-designated Canadians. It means only that qualified candidates, regardless of gender, race, or physical or intellectual capacity, will be given equal consideration for recruitment and will be promoted on the basis of merit.

*Supply*

I would like to point out to the House the flawed thinking at the foundation of this motion and to clarify the obvious advantages of the proposed employment equity amendments. Let me address the litany of complaints about Bill C-64 one by one.

First let us look at the suggestion that the legislation is unnecessary. Tell that to the Canadian human rights commissioner, who in 1994 alone fielded a total of 1,372 complaints based on either disability, race, colour, national or ethnic origin or sex.

I challenge the hon. member to test his thesis on persons with disabilities in this country who are being hired in proportion equivalent to about one-quarter of their representation. Along with aboriginal peoples, they experience the highest unemployment rates in this country, at 18.5 per cent, which is double the national average.

Perhaps he might explain to young, visible minority Canadians, who are generally better educated and trained at higher levels than the general population, why they too experience significantly higher rates of unemployment. Let him tell the women of Canada there is no need for employment equity when although they may prove themselves to be eminently qualified for jobs they are often still unable to break through the glass ceiling.

To quote Madam Justice Rosalie Abella, the former chair of the royal commission on employment: "For every woman in the thousands whose glass ceilings have been melted, shattered or raised, there are women in the millions who think a glass ceiling is just one more object to polish".

• (1045)

I want to remind the members of the Reform Party that white male Canadians make up just 45 per cent of the workforce yet they land 55 per cent of all jobs. Men account for roughly 90 per cent of all senior managers. They also earn on average about 20 per cent more than women workers.

The recent Wannell and Caron report which looked at employment equity groups among recent post-secondary graduates found that even if men and women start out on an equal basis in the labour market, a change occurs as they progress in their careers. The earnings gap tends to grow over time within a group of graduates. The report's authors discovered the female-male earnings ratio dropped by 5 per cent over a five year period.

I ask the House: Does any of this suggest members of designated groups enjoy preferential treatment? The figures speak for themselves.

Speaking of numbers, the opposition's claim that employment equity is too costly just does not add up. This initiative has been

designed to minimize the regulatory burden and cost to business by streamlining and simplifying the requirements into a single legislative approach. To ensure any new regulations result in the least burden possible, consideration is being given to using a business impact test developed by the Department of Industry.

Coverage of the Employment Equity Act has not been extended to include small business, nor has coverage of the federal contractors program been expanded. The threshold remains at 100 employees.

There will be some cost to private sector employers for responding to audits under the act but they will be offset by the savings resulting from the proposed amendments in the Canadian Human Rights Act. Costs to government have also been carefully calculated.

I can assure the House that the Department of Human Resources Development will not experience any additional expense as a result of this legislation. The Canadian Human Rights Commission has also indicated it can undertake the compliance related activities in Bill C-64 within its current budget.

These cost considerations do not begin to take into account the many economic benefits of employment equity. Progressive employers report employment equity gives them a competitive advantage. They say the legislation helps them attract, retain and motivate employees from all backgrounds, not only an advantage in terms of human resources but also in tapping the more diverse marketplace. It is clear that on this front the Reform Party is seriously misinformed, as it is with respect to employment equity's popularity.

I remind the hon. member that the Standing Committee on Human Rights and the Status of Disabled Persons conducted broad consultations, hearing from over 50 witnesses representing the interests of business, labour and designated groups. The vast majority of those witnesses indicated they were in favour of employment equity. Needless to say, so are the millions of Canadian women, persons with disabilities, visible minorities and aboriginal people who make up more than half of the country's population. It is hard to argue with numbers like those.

I must confess I have the most difficulty trying to comprehend the opposition's argument that employment equity has been discriminatory and harmful to designated groups. While there is undeniably a lot of work yet to be done, members of many of the designated groups have seen substantial progress since the original Employment Equity Act was introduced.

Women's representation in the workforce is now in line with their availability, although many continue to be ghettoized in low paid and part time work. Movement into management positions is improving. Women's representation in middle management positions increased from about one-third in 1987 to



over 43 per cent in 1993, while their share of senior management jobs more than doubled to just under 11 per cent.

• (1050)

Visible minorities have also made slow but continuing progress in all occupational groups, including management. The representation of visible minorities in the actual workforce increased from 5 per cent in 1987 to more than 8 per cent in 1993. That is close to their 9.1 per cent availability rate. The really good news is in the banking sector where visible minorities enjoy their highest representation at 13.4 per cent.

It is important to point out to the House that these gains have not come at the expense of other Canadians. In a statement accompanying the 1994 annual report of the Canadian Human Rights Commission, chief commissioner Max Yalden said: "Far from falling behind, able bodied white males appear to be getting more than a proportionate share of hiring. Such data hardly convey a convincing portrait of reverse discrimination".

The very real danger of this motion is that it could cause serious damage. If adopted, it would recreate in law an unacceptable working standard for millions of disadvantaged Canadians. It would tacitly condone racism, sexism and other forms of discrimination which we know already exist in the workplace.

It would permit prejudice to go unchecked and might even encourage the outright acts of physical or sexual harassment of the most vulnerable. Now that I have outlined what is wrong with the opposition's motion, let me talk about what is right with the actions this government has taken in the area of employment equity through Bill C-64.

As we promised in the red book, the new employment equity act will broaden its coverage to include both the public service and the private sector. The revisions to the legislation will establish the same core obligations on public and private sector employers to develop and implement equity plans and programs.

The present act covers roughly 5 per cent of all people employed in Canada. Extending coverage within the public service will add another 2 per cent. When one considers that there are roughly 230,000 employees among the 80 federal departments, boards and agencies, the changes represent a substantial number of new opportunities for members of designated groups.

Inclusion of the public sector is a fulfilment of our pledge in the red book to have a federal workforce representative of the public it serves. For the same reason, federal contractors will also be obliged to comply with the principles of the Employment Equity Act.

Another key improvement to the legislation is the increased authority of the Canadian Human Rights Commission. Its mandate is being broadened to allow it to conduct audits of public

### *Supply*

and private sector employers to verify and gain compliance with the act.

The changes will clarify the commission's enforcement powers to ensure that employers pay more than lip service to the principle of employment equity. I can assure the House however, that the amendments are not meant to be heavy handed. The fact that an enforcement mechanism will be established is a guarantee. The legislation is intended to achieve a balance. The act will not set out to solve one set of problems for employees by creating another one for employers. Changes to the regulations will be minimal and developed in full consultation with business.

This government is committed to creating an environment conducive to economic growth and job creation. We are convinced that the proposed amendments which will not increase the paper burden will allow us to do just that. We are working to do everything possible to ensure that every Canadian, regardless of gender, race or physical attributes, has a chance to fulfil his or her potential, to get a rewarding job and to contribute to the social and economic health of Canada.

Employment equity is not an impediment to progress. It is a catalyst for improvement in the workplace. Workforce diversity will enhance Canadian companies' competitiveness in the global economy at very little cost.

• (1055)

I ask members of this House how any of us can put a price tag on personal fulfilment and the dignity that comes with having a job. Ultimately, the amendments to the Employment Equity Act are not about counting numbers or instituting new rules and regulations. They are about providing enhanced opportunities for self-sufficiency and self-satisfaction for women, aboriginal peoples, persons with disabilities and members of visible minorities. They are about giving meaning to the lives of millions of work ready Canadians, men and women seeking the respect and recognition, the salary and enhanced lifestyle that comes with work.

The proposed changes are designed to promote the optimal use of our rich human resources. They are intended to act as a stimulus to our national economy. They are a reflection of the progressive way this government is addressing the employment equity issue.

The misguided motion put forward by the opposition misses the point. Bill C-64 is an affirmation that hiring and promotion should be based on merit rather than special designation. The bill is designed so those decisions are based solely on the bona fide requirements of an occupation and not on any other non-job related criteria.

The legislation clearly states that the obligation to implement employment equity does not require an employer "to hire or promote unqualified persons". With respect to the public sector I will quote again: "to hire or promote persons without basing the hiring or promotion on selection according to merit". That

*Supply*

of course begs the question: What could anyone possibly find discriminatory about that?

I can only conclude, as did the Canadian human rights commissioner in the annual report last year, that occasionally the tone of the opposition to employment equity seems more than a little shrill. For all who believe in the principles of democracy and the noble ideas of this institution, the Employment Equity Act is a welcome reminder of the values we hold dear as a nation. It is an affirmation that Canadians are just and honourable people who passionately believe in fairness and dignity for all.

I am proud to count myself among those individuals who support employment equity. I urge members of this House to defeat this draconian motion.

**Mr. Chuck Strahl (Fraser Valley East, Ref.):** Madam Speaker, I am glad the member counts himself in support of employment equity. In my province he joins 11 per cent of the population who would agree with him, and only 11 per cent.

I was on a talk show last week about the issue of employment equity. The host of the talk show asked me a couple of questions which may be similar to what the hon. member mentioned. For example, one question was: How will we make sure that employers hire the best? The member talked about progressive employers attracting the best employees. It may possibly be that because this legislation was designed in Ottawa that this whole concept is so flawed.

Members should take the time to come out to Vancouver sometime because there is actually a country that exists beyond the Rocky Mountains. They should come out and see what British Columbia looks like. British Columbia, especially Vancouver and the lower mainland, is the most cosmopolitan area in Canada.

Hundreds of thousands of people from all different ethnic backgrounds live in harmony together in the lower mainland and work well together. By the year 2000, 85 per cent of all new job applicants will come from those four designated groups. What employer in Vancouver is going to say: "I am going to refuse to hire the best people I can get". That is an employer who is on the way out and is going broke.

• (1100)

In Vancouver if employers are not prepared to hire the best people, regardless of gender, visible minority status and so on, they will not be able to compete on the west coast of Canada. They must hire the best. Employers in the lower mainland find this laughable. That is why there is only 11 per cent support in the entire province. They look at this and say: "We are hiring the best. I do not care what gender they are, what colour they are or

what background they have. We want to hire the best people we can".

Although they talk about the progress since employment equity was brought in, the old Employment Equity Act, employers who have been covered under the act for the last eight or nine years have done absolutely no better in hiring people from the designated groups than employers who are not covered under the act. In other words, they have done all the paperwork, gone through the motions, done the surveys and spent the money but it has not made a lick of difference. If it helped maybe I would be persuaded, but it has not made any difference because employers in the non-covered areas have done equally as well in hiring people from the designated groups.

In Toronto, if we were to take the low income people by ethnicity, Portuguese people have some of the lowest per capita incomes, the lowest employment rates and one of the lowest graduation rates from high schools. It is a problem in that community. The ironic part is that they could live across the street from someone who fits in a visible minority group and the visible minority would be covered under the program but the Portuguese people would not be covered. Why? Because they do not fit the right criteria.

They have demonstrated need. They have historical disadvantage. They have low per capita income. They have poor job opportunities. They have less education. They have need of assistance based on need, not based on ethnicity, but they cannot get assistance because they are not in the right group. That is totally unfair because that group needs help as much as or more than any other person who might be living on that street.

I would like the member to respond to any of the comments I have made and to give me examples from his list of employers who have been using poor employment practices. As I mentioned earlier, nowadays the people who refuse to hire the best are the companies on the way out. That is good. If they are not hiring the best they deserve to go broke. However they should not have to hire based on a quota. If it is 80 per cent female, what is the difference? If those are the best people they can find for the job, great.

I would like him to tell me about his list of discriminatory employers who he will whack into line with this coercive legislation.

**Mr. Bevilacqua:** Madam Speaker, I am wondering whether the hon. member listened to the speech I delivered or paid enough attention to the great number of people who appeared before the human rights and status of disabled persons committee to understand that the Employment Equity Act is a positive measure by the government to ensure that some of the inequities in society are addressed in the fairest possible way.

One of the exercises the hon. member should do, if he is serious about bringing about positive change to society, is to look at the power structure in the country, whether political or economic, to see whether the cultural diversity present in the population is reflected within the power structure. He could perhaps read *The Vertical Mosaic* by Porter, which will enlighten him a great deal about the sort of things we have to do to make society a fairer and more just society than it is today. I cited a few statistics during my speech that clearly illustrated it was a very fair act that was trying to address some of the existing inequities.

• (1105)

I know where the hon. member and the Reform Party are coming from. They are concerned a great deal about the white male relationship to the economy. I understand their instinctual response to that because obviously intellectually it is very poor.

I want to tell them again, so they can get it straight once and for all, that while white Canadian males make up 45 per cent of the workforce they land 55 per cent of the jobs. When Reform members are speaking to their constituents they should present them with the facts of life as they relate to the Canadian reality. They should try to tell them that discrimination unfortunately exists in the country. It does affect aboriginal people, persons with disabilities and visible minorities who are not given fair treatment in our economic system.

We as a society could close our eyes to that reality, or we as a government could open our eyes to the reality and try to address it. Through Bill C-64 the government is heading in the right direction.

I say to the Reform Party that it should not kid itself. Canadians understand where that party is coming from.

**Mr. Abbott:** Oh, yes.

**Mr. Bevilacqua:** They understand exactly what the motion is all about. They read between the lines. The hon. member can couch it in elegant language but we know what it is all about. The Canadian people know what it is all about.

Reformers will have to go to the people of Canada and talk to over 50 per cent of the Canadian population who have not been given a fair deal. They will have to explain their stand and tell them that the hiring practices existing in the country are fair to all. When the Reformers have those answers they can come back here. They can speak to the people with disabilities, to visible minorities and to all the groups that appeared before the committee. They can give them the right answers and not play cheap politics with something that is extremely serious to our economic system.

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[Translation]

**Mr. Réal Ménard (Hochelaga—Maisonneuve, BQ):** Madam Speaker, I thank you for allowing me to take part in the debate. Once the House has returned to normal, you will permit me to say what is obviously a fact and what I am proud to point out: that the Bloc Québécois supports the bill on employment equity.

You will understand my concern that we should be dealing, in this House today, with a motion that is, in my opinion, ultraconservative. It is very backward and has a major strike against it because it fails to take into account a basic premise, which has been brought to our attention by a number of witnesses since December. The Standing Committee on Human Rights of which I am the vice-chairman has been working for almost seven months on employment equity.

I can assure you that we have had a number of people come and remind us that one would have to be completely blind and particularly obtuse not to understand that, when it comes to dealing with the labour market and finding one's niche in an organization, people are not all equal before the law.

Permit me to point out that the notion of employment equity is not new. In the early 1970s there was a movement in Canadian society and people demanded that legislators intervene to promote greater equality among individuals.

• (1110)

There are, in the area of employment equity, two major types of discrimination. There is discrimination, which is more at the individual level in our society, which takes the form of prejudice and stereotypes and which is found in interpersonal relationships. There is another broad type of discrimination, which is systemic. This means that the system, the labour market, left on its own, would generate inequality of itself, and we would find ourselves in a situation created by a set of practices and procedures. The most obvious example of this, which we all know, is that women do not have the same career options.

These arguments could also apply to politics. We must acknowledge that women interested in a political career face additional requirements because there is a social division of labour which takes for granted that women should be responsible for child care. The same goes for the labour force. It is much more difficult for a woman to reach management levels because of the social pressures that still exist in our society.

That is why in 1983 the Liberal government then in power asked Judge Rosalie Abella to lead a commission of inquiry and recommend what could be done to achieve greater equity in the workplace. What is interesting about this commission, which made 31 recommendations—including some that have become

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law and some that are included in Bill C-64—is that the Isabella Commission defined discrimination right off the bat. The commission defined discrimination as the arbitrary barriers that deny some people the opportunity to demonstrate their abilities.

This definition underlines the early link between the desire to end discrimination and the notion of ability.

What I find most appalling, most disgusting in the Reform rhetoric is that, throughout committee proceedings, they tried to establish a false link between employment equity and ability. As if public or private sector employers promoting employment equity had to hire incompetent people.

Right from the start, the Abella Commission made it clear that the two employment equity laws did not require employers in any way to hire incompetent people.

There is something very loathsome as well as some dishonest associations in the Reform Party's arguments.

What was the situation? Now that the Employment Equity Act has been in effect for nearly seven years, we see that some progress has been made. Let us look, for example, at the four designated groups. As members know, employment equity is a requirement for private sector employers with 100 or more employees. At the present time, the Employment Equity Act affects roughly 5 per cent of the labour force and 350 employers. We have not done nearly as much as we could to provide greater coverage for the labour force.

So, any employer who employs one hundred or more employees and does business under federal jurisdiction is required to develop employment equity plans indicating how he will ensure that his workforce better reflects the representation of various groups in the Canadian workforce. This is the purpose, the basis for the Employment Equity Act. Employers are asked to pay special attention to four groups which have a harder time finding a place in our society.

• (1115)

Which are these four groups? They are, as you know, visible minorities, members of ethnic communities; women of course, to whom you are very sensitive and who make up 52 per cent of the Canadian population; aboriginal people and people with disabilities.

Figures show that progress has been made. There are certainly more women and members of visible minorities in the workplace today than before. Let me give you some figures.

In 1987, one year after the Employment Equity Act was first passed, visible minorities represented five per cent of the labour force; in 1993, they represented 8.09 per cent of the labour force. So, there have been gains; there has been some progress. But can we reasonably assume that, without legislation to sensitize employers to visible minority integration, without

influencing the labour market in any way, this would have happened anyway? I think not.

As for women, in 1987, they represented 40.93 per cent of the labour force and, a few years later, in 1993, 45 per cent. There have indeed been gains, but we must never lose sight of the fact that women make up half of the Canadian population and that it would be unacceptable for the workplace not to reflect this reality.

As for the other two designated groups, namely aboriginal people and persons with disabilities, they may well be the greatest source of concern to us parliamentarians. While the situation is relatively positive for women and for members of visible minorities, aboriginal people and persons with disabilities still have a long way to go.

In 1987, it will be remembered, aboriginal people accounted for 0.66 per cent of the workforce, compared to 1.04 per cent in 1993. This is not even a one per cent improvement. It is important to recognize the need to make room for more aboriginal people on the labour market.

Persons with disabilities account for 13 per cent of Canada's population, something which cannot be overlooked as we are about to enter the 21st century. There are more and more persons with disabilities in our society. These people want to work, and they can be part of the labour force. In 1987, persons with disabilities accounted for 1.59 per cent of the work force, compared to 2.56 per cent in 1993. This represents an increase of just under one per cent.

These figures are a reminder that, when it comes to employment equity, we can certainly not say "mission accomplished". There is still work to be done. I take exception to the comments made by the Reform Party.

Throughout the proceedings, we heard Reform members shamelessly and unacceptably claim that, in 1995, there existed what they called reverse discrimination. They said that, in our society as well as in the workplace, those who are discriminated against and for whom policies are required are in fact white men with no handicap, a group which the neoconservatives of the Reagan era called the silent majority. This is the simplistic argument used by Reform members.

Yet, we see—according to the figures released by the Canadian Human Rights Commission—that white men with no handicap hold 55 per cent of available jobs, while accounting for 45 per cent of the workforce.

Given these figures, how could we possibly agree with the simplistic views of the Reform members and their comments on reverse discrimination?

Another study, conducted by the Pearson Institute, is very enlightening. Two years ago, this institute estimated that, of the people in the top 500 positions in Canada, the movers and shakers who make the most important decisions and have

enormous influence on the government's decisions, less than 1 per cent were aboriginal people, less than 4 per cent belonged to a visible minority and less than 12 per cent were women.

• (1120)

And there are nevertheless still people around who say that there is no need to legislate a more even distribution of influence, power and management positions in our society, than what currently exists.

If they would only make the effort to methodically write up the profiles of the members of each designated group, they would see that there are still some extremely unsettling problems and inequalities. Of course, we are not saying that nothing good has come of the legislation in the seven years since it was passed. We realize that women and visible minorities have made advances. But we can in no way sit back and exclaim: "Mission accomplished".

Let us look a little closer at the realities of the designated groups. In 1994, even 1995, it is downright awful that the average woman working in the private sector, doing exactly the same job, reporting at exactly the same level in the management chain, and holding exactly the same responsibilities as her male counterpart earns approximately 66 per cent of what the man earns. It is statistics like that which should make us all indignant. Why should we tolerate, as parliamentarians, the fact that, as our society prepares to enter the 21st century, a woman and a man with the same responsibilities and qualifications are not paid the same salary?

It is odd that the Reform Party does not mention this reality. This is absolutely incredible, given the large-scale awareness campaigns led by Treasury Board. So, how is it that, during the course of our work the Reform Party never concerned itself with this reality? What about visible minorities? If we conducted a little experiment and put ten members of visible minorities and ten Caucasians—and I say Caucasian because this is the expression used in the Act—in the same room, we would realize that there were more university graduates among the members of visible minorities than among the Caucasians. And yet, half the time, members of visible minorities are limited to jobs that require little education, pay little and involve manual work.

Who is going to tell me that we, as parliamentarians, should not be concerned about this injustice? This is the reality. And then, what about native people? A report was recently tabled in the House on social problems among the native population. The rate of suicide is extremely high among native peoples. My colleague, the hon. member for Saint-Jean, could speak much more movingly and more expertly than I on this subject. However, the latest statistics have revealed that, in 1993,—and

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we are not talking about 300 B.C.—the rate of unemployment among native people was still double the national average.

Native people are concentrated in jobs requiring less knowledge and fewer skills and even more in so-called manual jobs. You would not be surprised to learn, Madam Speaker, that the annual employment income of native people is lower. If you have a job, earn a salary and are a native person you, in all likelihood, will be earning \$10,000 less than your white counterpart. This is unacceptable, as you will understand.

As regards persons with disabilities, this is perhaps where the Employment Equity Act has made the least progress. This is understandable, because integrating a person with a disability requires employers to make alterations, what the courts have called reasonable adjustments.

• (1125)

It is because of these realities that we must support a bill like the one tabled by the government. I am not saying that, as the official opposition, we do not have a few reservations about this bill. As the committee members know, we put forward a number of amendments. I would have preferred the employment equity plan to be developed jointly by the workers' representatives and the employers, but such is not the case.

What is the Reform Party so worried about in this bill? Why must we spend our time trying to convince our Reform colleagues that a law such as the Employment Equity Act is necessary in Quebec and Canadian society?

Bill C-64 provides for something that we have been demanding for six years: it will now apply not only to 600,000 private sector workers but also to the Canadian public service. This means that, at a single stroke, 200,000 additional workers will enjoy greater protection. I see this as a positive development, since we must recognize the absurdity of asking private sector employers to promote employment equity while exempting the government. We have waited several years for this amendment.

Another positive point is that there will now be an entity in charge of enforcing the act. While employment equity was previously under the jurisdiction of the minister and the human resources branch, the Canadian Human Rights Commission will now be responsible for enforcing the act. The commission may audit reports and establish an employment equity review tribunal. From now on, when employers do not submit their reports in time or when compliance officers discover violations, a quasi-judicial tribunal will have the power to investigate. That is an achievement, a very positive development, that must be applauded.

What is also very positive, as I think we pointed out earlier, is that we used to ask employers to make a quantitative assessment of their efforts.

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In conclusion, the Bloc Québécois is very much in favour of this bill, although we do have a few amendments. But I cannot understand how the Reform Party can take such a small—conservative, reactionary and deplorable position on human rights.

**Mr. Nick Discepolo (Vaudreuil, Lib.):** Madam Speaker, I listened to what my hon. colleague for Hochelaga—Maison-neuve just said and I was shocked by his criticism of the motion and of the Reform Party for having moved it.

I was shocked because he said that the Reform Party was almost taking the stand that you had to be white, male and without a disability to participate fully in the labour market without being discriminated against. Upon analysis, we realize that the separatist option supporter said basically the same thing; you must be either pro—sovereignty or white and you must absolutely be an old—stock Quebecer to participate in this option.

I would like to quote a few statements that were made. Taking part in a debate in this House on January 27, 1994, the hon. member for Longueuil clearly stated that multiculturalism “is something that has created ghettos”. In an interview for the daily newspaper *Le Devoir*, the Quebec Deputy Premier said that Quebec would not use public funds to subsidize difference, stating that his government was against multiculturalism.

• (1130)

Minister Louise Beaudoin said that she wanted to live in the society she wanted and was wondering why she could not live in the country to her liking rather than to the liking of English Canadians. “Canadians want a multicultural society, she said, but I do not. This would leave the door open to social ghettos. I am for integration and against the wearing of the Islamic scarf at school”.

So far, Bloc Québécois supporters and the Quebec government have not shown that they were open to visible minorities and, I might add, to anyone who does not share their political views. We will recall how these minority groups were treated during the public consultation process on the future of Quebec.

I would like the hon. member for Hochelaga—Maison-neuve to tell me how he envisages their proposed society, their nation—building project. How can he justify the position taken by his party and the Quebec government? The fact that aboriginal people must give in to the Premier currently responsible for this issue was raised as an example. What assurances can he give young Quebecers that their future will be brighter? How can he tell aboriginal people in Quebec that their future will be brighter? How can he tell visible minorities that, as he said himself, their future will be brighter? All those minorities.

So far, no matter how hard they criticize the Reform Party, they have done no better. They have clearly demonstrated as much intolerance as the motion before the House this morning.

**Mr. Ménard:** Madam Speaker, I thought you would have availed yourself of the rule of relevancy. I do not know whether the term “stupid” is unparliamentary, but it spontaneously comes to mind.

I cannot understand how someone can be as confused, as blind and as mixed up as the member for Vaudreuil. You should ask one of the pages to bring him some aspirin, because there is definitely something wrong with him.

I have been working with the government party for seven months to improve employment equity, and the member has the nerve to rise today and speak against the Bloc Québécois. There is something wrong with him.

Let me kindly remind him that the issue being debated today is whether or not the motion tabled by the Reform Party against the actions of his government is supported by the official opposition. We made a speech in which we expressed our concern about the ethnocentric attitude—the member may not understand that term, but we will send him a dictionary—of Reform members, and the member finds a way to rise and be disrespectful towards me.

I will conclude by telling him this: As for sovereignty, if he wants to debate the issue, I am prepared to do so anytime, anywhere.

I will also tell him that, if he looks at the way the Parizeau government, and the previous Quebec governments, particularly the PQ governments, have treated the English—speaking minority, to which I think the member fully belongs, he will realize that he need not worry at all and, also, that we have no lesson to learn from him, given the respect which we have always shown towards the English—speaking community in Quebec.

The members’ comments are shameful, unacceptable and totally irresponsible, in my opinion. I am sure that the Minister of Human Resources Development and his secretary of state are outraged by the fact that a government member would rise to make such irresponsible comparisons.

As for the issue of a better future for sovereignists, the hon. member has come up with a rather stupid and meaningless argument, and I would remind him that when Mr. Lévesque held the referendum in 1980, the federal debt stood at \$75 billion. Consequently, when the member rises in this House, he should never forget that the debt now stands at \$600 billion.

I am not worried about Quebec’s future, but I certainly am concerned about the future of Canadian federalism.

• (1135)

[English]

**Mr. Chuck Strahl (Fraser Valley East, Ref.):** Madam Speaker, I agree with the hon. member that we are getting off topic in a very serious way.

I would like to bring the discussion back on track by saying to the member that he knows full well that the Reform Party is not in favour of any particular ethnic group in Canada. We are fully in favour of equal rights and equal treatment for all Canadians.

One reason the Reform Party opposed the Charlottetown accord was because of the unequal treatment of people based on their ethnicity and background. We said that was wrong.

One trend that has been noted over the last little while is that hearing individual cases of discrimination before the Canadian Human Rights Commission takes an average of a year and a half. I agree there is still discrimination and prejudice and we must fight against it. However the time to hear individual cases has now expanded to a year and a half. The number of cases is dropping year by year because people have given up coming before the commission asking for redress.

I guess my question to the member is this. What does he think we should ask the human rights commission to stress? Should we try to get the time period for the commission to hear cases down from a year and a half to a more reasonable length of time? Should we be spending more and more of our time and energies on the group rights cases, some of them six and seven year cases? I just wonder what he thinks we should do.

Should individuals have quicker access and more resources committed to their individual cases of discrimination? Personally I believe that is what should happen.

[Translation]

**Mr. Ménard:** Madam Speaker, I much appreciate the member's logical and far-reaching question. He will perhaps share my point of view when I remind him that the human rights commissioner appeared before our committee this morning. As you know, the Canadian Human Rights Commission has a budget of close to \$14 million. We learned that the backlog to which my hon. colleague is referring represents almost 600 cases.

Of course, the ideal situation for any such organization would be no backlog at all. I agree with my colleague. From what I understand of the workings of the Canadian Human Rights Commission, a body whose work I follow rather closely, it is fairly diligent, and the backlog is, in my opinion, in the acceptable range, not ideal, but acceptable.

Our colleague is right to remind us that, as parliamentarians, we must never accept a situation where the Canadian Human Rights Commission simply processes applications; it must also

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play a proactive role in developing policy. And it is my understanding that Commissioner Yalden reiterated this morning that that was also part of the commission's action plan.

[English]

**Ms. Jean Augustine (Parliamentary Secretary to Prime Minister, Lib.):** Madam Speaker, I will share my time with the member for Halifax.

My colleagues in speaking to Bill C-64 have eloquently stated the numerous reasons why Canada must strengthen the Employment Equity Act. The changes are clearly necessary on moral, social and economic grounds.

I want to oppose this opposition motion and to demonstrate to the House that employment equity is good for the country. Let me remind the proposer of the motion that we brought forward Bill C-64 as progressive legislation that when enacted will quickly prove to be advantageous to both employers and employees.

This initiative has been especially designed to improve the plight of disadvantaged Canadians while at the same time enhancing the country's economic performance. It strikes the right balance between the legitimate needs of the designated groups and the concerns of industry about excessive government intervention, because that is what equality is all about; achieving equilibrium.

• (1140)

If the intent of the opposition motion is to satisfy business and industry concerns, the legislation will actually minimize the regulatory burden and cost to business by simplifying and streamlining procedures. All that is within the bill.

The Employment Equity Act that is before the House will not tip the scales in anyone's favour but instead will serve the best interests of everyone in the country. Quite simply, employment equity is good for Canada.

Canadians are proud of Canada's linguistic and multicultural diversity, so much so that we have enshrined equality in this country's Constitution. We believe firmly in ensuring the protection of individuals' rights, especially those most vulnerable to overt and systemic discrimination.

Report after report, research study after research study, prove that discrimination is a disturbing fact of life for too many Canadians, marginalized from the mainstream because of their race, gender or physical attributes.

I could go on to give the statistics because they disprove the suggestion that these individuals enjoy preferential treatment under the existing legislation. I would ask the opposition to support Bill C-64 because it incorporates constructive contributions of the many Canadians who appeared before the Standing Committee on Human Rights and the Status of Disabled Persons

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to ensure that they achieve a reasonable balance. Good employment equity deals with workplace problems in a fair and even handed way.

Let me address some of the misconceptions that some people have about Bill C-64. First, we want to be quite clear that the government has no intention of legislating quotas. In fact the act specifically states that quotas cannot be imposed.

Under the legislation, a quota is defined as a requirement to hire or promote a fixed and arbitrary number of persons during a given period. What the act calls for are numerical goals, goals based on the availability of qualified people to do a given job. That is because the philosophy underlying the act is merit, not tokenism.

Under the provisions of Bill C-64, employers are responsible for setting goals and timetables to achieve greater equity in the workplace. The new law would oblige them to make reasonable efforts to achieve that objective.

The legislation recognizes that employers are in the best position to develop meaningful and realistic equity targets. The role of government is to assess whether the employer's numerical goals constitute substantial progress and whether the organization is truly making reasonable efforts to fulfil them.

The bill clearly states that if employers make a genuine effort to achieve greater equality in the workplace they will be found in compliance. The legislation also stipulates unequivocally that directions or compliance orders will not cause undue hardship for an employer, nor will it force firms to hire and promote unqualified people or create new positions in the workplace to satisfy numerical goals.

I should point out as well that the creation of employment equity review tribunals to hear appeals will ensure the interest and concerns of all parties are properly addressed. Good employment equity means equality for all.

There is no going back. We must move forward, removing the barriers to full involvement in Canadian society that have for too long been insurmountable and both a moral and economic imperative.

Employment equity is not about instituting new rules and regulations that will result in so-called reverse discrimination. Neither is it an impediment to business. Good employment equity is instead a catalyst for progress.

Workforce diversity allows us to capitalize on the under utilized talents and skills of more than half the country's population. That in turn enhances Canadian companies' competitiveness in the global economy.

The fundamental issue at stake is far more important than the bottom line on the balance sheet. Only when each Canadian

regardless of his or her country of origin, skin colour, gender or physical attribute is free to participate fully in the economic, social and civic life of the nation can we truly say we live in a just and caring society. Our world is far from ideal but with progressive legislation like Bill C-64 we can help to reshape society in a way which will give visible minorities, aboriginal people, women and persons with disabilities hope for the present and confidence for the future.

• (1145)

Ultimately the employment equity challenge comes down to you and me, Madam Speaker. We cannot legislate attitudes. Progress depends on the willingness of each one of us to uphold the principles of equality enshrined in the Canadian Charter of Rights and Freedoms.

The motion today would almost reverse Bill C-64 and it should be strongly opposed.

**Mr. Jim Abbott (Kootenay East, Ref.):** Madam Speaker, I was very interested that it is not a quota when we set a numerical goal. I am having a little difficulty with that concept.

I came to the House with what I call coffee shop common sense. If I were to take this into any coffee shop in any town in my constituency and ask the people the difference between a numerical goal and a quota, I can imagine the same kind of stunned look which must be on my face would be on their faces. I do not understand.

I find it astounding the way the Liberals have taken to wordsmithing. They say it is not a quota, they do not want anything to do with quotas but they will have numerical goals. I am missing something.

**An hon. member:** You are.

**Mr. Abbott:** The Liberal members are telling me I am missing something. However, maybe I could inform the parliamentary secretary of something that happened to me as revenue critic.

I was in the Toronto airport going through the customs section being toured around by a black woman from Jamaica. She was telling me how concerned she was that the government seemed to be so set on the idea of creating the problem that she would be in a different category, someone special.

That is the coffee shop common sense of more than 80 per cent of Canadians who are saying the government does not know where it is coming from. The government does not have a clue what is happening as far as the people in Canada are concerned. The people in Canada, including the woman who gave me the tour around the customs section, simply want equal opportunity. They do not want something legislated in which there are to be some kind of numerical goals. She does not want numerical goals.



I report to the parliamentary secretary that this woman said: "I am a capable person. I have my position because I am a capable person, not because I am a woman and not because I am black. I do not want anything to do with numerical quotas or anything else like that".

I do not understand. Maybe the parliamentary secretary can help me and help this wonderful woman who gave me the tour to understand why a numerical goal is not a quota. Explain that, please.

**Ms. Augustine:** Madam Speaker, I rest my case on the member's statement. I am reminded of a verse I learned when I was very young: "There is none so blind as those who will not see. There is none so deaf as those who will not hear. A man convinced against his will is of the same opinion still".

I wonder if there is a will to understand. I wonder if there is a will to comprehend the whole notion of equity, equality and diversity, ensuring everyone in society who for various reasons is taken to the starting line with the word go cannot make the same progress because of various institutional, systemic and other things built into the system.

• (1150)

As an educator I can define quota and numerical goals to the member who I think is convinced against his will and will be of the same opinion.

**Mr. Keith Martin (Esquimalt—Juan de Fuca, Ref.):** Madam Speaker, I have a question for the hon. member, with whom we have had this discussion before.

I still do not know the difference between a numerical goal and quota. Perhaps the member would like to explain that again.

**Ms. Augustine:** Madam Speaker, this is 1995. We have done several things in society to ensure we address equity issues. The member and his party should have a day or a few hours of work with someone who would spend some time taking them through the process. It is a red herring and a waste of House time to be addressing those two items.

**Ms. Mary Clancy (Parliamentary Secretary to Minister of Citizenship and Immigration, Lib.):** Madam Speaker, I make an offer to the Reform Party if it is serious.

In my former profession one of the things I did was gender sensitivity training, particularly for large organizations. I explained concepts such as this to St. Francis Xavier University. I am sure the members for Fraser Valley East and West would be happy to attend. I would be happy to do this if hon. members could afford me because my fees were fairly high in those days. However, we can always negotiate.

It is wonderful to be back after a week's break and share in the cloud cuckoo land sometimes perpetrated on us by our hon. friends in the third party. They seem to be saying by this motion

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that there is no discrimination in Canadian society except for specific and regrettable incidents here and there.

To hear them talk, we have reached a state of blissful equality. They tell us that after a few decades of human rights law any of the many and obvious differences in representation in the workplace are now really a matter of personal choice. By their logic, visible minorities, aboriginal people and people with disabilities like being unemployed more, to the tune of sometimes more than twice the national average.

They talk about women. There are a lot of us sitting on this side. We want to make less money than men. Maybe we as members of Parliament should suggest women members should not make as much money as men. That might be a good idea. Women want to make 67 cents for every dollar men make.

**Mr. Abbott:** In your case they will make an exception.

**Ms. Clancy:** They certainly would not. They are telling Canadians they are to blame for whatever fate befalls them in the labour market unless they can prove a specific act of discrimination.

When I come to give my seminar to the Reform Party—in the interest of the Canadian way I might even do it for free—I will be happy to explain the concept of systemic discrimination, what it means and how we differentiate between quotas and numerical goals. We have learned that change does come but it comes slowly and needs regular reinforcement and constant support by government and legislation.

As the Parliamentary Secretary to the Prime Minister has already said and I can only reinforce, one cannot legislate attitudes. If members need an example of this, look across the way.

Many employers have taken their role in employment equity quite seriously. They have taken a hard look at their practices and they see they are not fair. They have moved from simply trying to eliminate blatantly unjust policies to developing ones that correct problems.

• (1155)

People like my hon. colleagues have brought forth in their idea of jest the question in so far as it relates to women and employment equity. They ask about men's groups, are there any men's groups? Yes, there are. It is called western civilization. There is a long way to go. There are still inequalities that deserve to be addressed.

I bring these to the attention of the hon. members opposite. I will focus my remarks on the cold, hard statistical facts that show we have a problem when it comes to equality. They can bury their heads in the sand but all they will do is get sand up their noses.

Let me start with one piece of good news. Members of visible minorities who graduated from universities and community colleges in 1990 earned approximately the same average salary in 1992 as others who graduated that year but they did not fair as well in the other three measures of disadvantaged. Those

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graduates were more likely to be unemployed, had lower participation rates and were more likely to be concentrated in lower level occupations such as clerical work.

There is plenty of other evidence that members of visible minorities face overwhelming difficulties in employment. The 1991 census showed these people tend to be better educated than the general population. Eighteen per cent reported a university degree compared with only 11 per cent in the general population. Again, they tend to have higher unemployment rates.

The unemployment rate of visible minority university graduates was 9.4 per cent in that census, whereas in the general population it was 4.1 per cent. Does that say something to my friends opposite? Heaven knows.

Among those who were working, visible minority university graduates were twice as likely to be in low levels, clerical, sales and service occupations, as non-visible minority men. That imbalance was reversed when the census looked at employment in upper levels, middle levels and other management jobs.

Some of my hon. friends might argue it was just the kinds of programs these people took. Even here the facts provide no comfort to their narrow view. When we look at the census data for people with degrees in commerce, business or management we are looking at people with degrees in tangible skills regardless of race or colour.

Why were 28 per cent of non-visible minority males with this kind of useful education in management occupations compared with only 16 per cent of visible minority members with similar degrees? Why were the earnings of visible minorities only 60 per cent of what the others made? It is ludicrous for anyone to stand in the House and suggest all this comes back to bad choices.

I hope enough facts will show hon. members of the Reform Party their glib explanations do not work in real life. I remind them, especially those who want to make inroads in my part of the world, that in Atlantic Canada we understand the questions of inequality. If they want to make inroads there perhaps they had better listen to some of this.

**Mr. White (Fraser Valley West):** You'll be thrown out in the next election anyway.

**Ms. Clancy:** Right, you and whose army? The unemployment rate for white males with university degrees was just 4.1 per cent in the 1991 census. Compare that with 7 per cent for university educated aboriginal peoples and 10.9 per cent for persons with disabilities with the same academic background.

The situation facing people with disabilities is particularly bad. They are being hired at a rate that is only one-quarter of the

representation in the Canadian workforce. They experience an unemployment rate of 18.5 per cent, double the national average. Is it any wonder their labour force participation rate is only 60 per cent?

I could go on: the situation facing aboriginal people not just on isolated reserves but in our cities; the situation facing women who are disproportionately found in clerical, sales and service occupations, what the Parliamentary Secretary to the Prime Minister and I in our years as feminists—and proud we are to use that term—know as the pink collar occupations, the job ghettos. Stories of these people have been told eloquently already.

During the recent hearings of the Standing Committee on Human Rights and the Status of Disabled Persons approximately 60 witnesses came forward to share their experiences and expectations. They came from many backgrounds but the vast majority supported this legislation based on their real life experience, not some theory they posit in their group of white males getting along just fine and do not want the hoards of those people knocking at their gates.

Look out, the gates are being knocked on and they are being knocked on hard.

• (1200 )

The committee heard stories of broken dreams. It heard stories of sincere desires to become full participating members of society. Witnesses did not appear before the committee to seek a special deal. Witnesses appeared before that committee to seek fairness. That is what we as members of Parliament have to start giving. Those people on the other side of the House need to learn a little bit about that.

Witnesses did not ask for redress for the wrongs of the past. They wanted attention to the wrongs that are happening right now. These are not the kinds of wrongs human rights commissions can address through individual complaints. These are systemic discrimination that can only be got at by being rooted out and dug out through things like the Employment Equity Act.

The problems have little or nothing to do with evidence of overt discrimination. They have everything to do with removing barriers and implementing innovative solutions.

Mr. Speaker, Reformers seem to seize on the odd statistic that this law has had some impact. They see one improvement in some indicator and declare that the war on inequality has been won: strike down the law and send home the troops. Well not so fast. The battle is not over.

**Mr. Randy White (Fraser Valley West, Ref.):** She is Madam Speaker. Let us have a little equity here.

**Ms. Clancy:** I know she is Madam Speaker. She is not going to get upset with that. We know each other very well.

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This law is an effort to address problems that are still very much with us as one last fact will prove. Max Yalden, the Canadian human rights chair, recently noted that while white male Canadians make up just 45 per cent of the workforce, they account for 55 per cent of all the hirings. I think that is discriminatory.

I urge my hon. friends to put away their ideological blinders and listen, really listen to the needs of all Canadians. I reiterate my offer to help.

**Mr. Chuck Strahl (Fraser Valley East, Ref.):** Madam Speaker, I am glad the hon. member had a chance to sit down to collect her thoughts because she obviously did not before she started to talk.

Would she tell us the difference, a last time, between a numerical target and a quota? Lyn McLeod, the Liberal leader in Ontario says there is no difference between a numerical target and a quota. She says there is no difference and that is why when she gets to be premier, heaven forbid, she will eliminate numerical targets. She says they are the same as quotas. That is what the Liberal leader in Ontario says.

Would the hon. member like to correct her Liberal provincial colleague or does she agree with her?

**Ms. Clancy:** Madam Speaker, I am delighted to deal with the hon. member's question. I have not been following the election in Ontario perhaps as closely as I should because with the greatest of respect to my colleagues from Ontario, some of whom are here in this Chamber now, Ontario is not always the centre of the universe for those of us from Atlantic Canada.

If Mrs. McLeod has indeed made these comments that is Mrs. McLeod's outlook. I suggest the hon. member for Fraser Valley East should discuss that with her.

**Mr. Abbott:** She is a Liberal, a provincial Liberal.

**Ms. Clancy:** But I am from Nova Scotia and we do not have a problem with these questions in Nova Scotia as Premier Savage could tell the member. We have employment equity on the books in Nova Scotia and it is working well.

As to the difference between quotas and numerical targets, let me do this very, very slowly so there will be no difficulty with comprehension. Let me remind them again that I used to get paid to do this for groups like theirs but the afflicted need assistance and I am happy to help.

A quota. Do we understand percentages? A whole can be turned into 100 per cent. Do we understand that? Let us say we decided we needed a quota of Reformers to be allowed to go and see a movie. Let us say there are 100 seats in the movie theatre. We will give 25 per cent of those seats or 25 seats to the Reform Party. There will be 25 Reformers there and the other 75 people will not be Reformers. That is the quota, okay?

On the other hand, consider a target. I understand why you gentlemen have difficulty with this. The concept is, to a degree, a bit more intellectual, a bit more inspirational than a hard and fast, let us cut the block out of the square.

• (1205)

The answer is to look at the whole picture and say, there are all sorts of Reformers who need the education that this movie can give. Let us look at the number of Reformers that we feel through their merit could understand what it is we are trying to teach. Rather than saying Reformers will get 25 seats, it may well be that only 18 of them will get in because only 18 of them will have the wherewithal to handle it.

**Mr. Jim Abbott (Kootenay East, Ref.):** Madam Speaker, I find the attitude just expressed to be absolutely the most condescending pile of brown smelly stuff. I just find it absolutely astounding.

**The Acting Speaker (Mrs. Maheu):** I would request that the member rephrase his comment. The time has almost expired.

**Mr. Abbott:** Madam Speaker, I apologize to you and to the House for my indiscretion.

However, I still find it absolutely astounding that the member has not explained the difference. Now she has added to it, if I understood her explanation, that she or the government will be the judge of who is going to be competent and capable of being able to do this. I do not understand this.

**Ms. Clancy:** Madam Speaker, I am awfully glad I have the opportunity to address this. There are employment equity commissions, not the government. There are employment equity officers and there is an entire set up. Read the bill.

I am sure that the hon. member for Fraser Valley East would not be caught this way because I am sure as the author of the motion he understands what the bill is doing and what, indeed, the history of employment equity in his province is.

I am somewhat shocked that my hon. colleague for Kootenay East would be this way. Again, in closing I reiterate my offer. If they would like to call my office, I would be happy to set up a seminar but I think maybe we ought to do it on a pay as you go basis.

**Mr. Randy White (Fraser Valley West, Ref.):** Madam Speaker, some of the comments are indeed condescending. I would like to get back to some of the more practical aspects of what we are talking about in employment equity today. I would remind you, Madam Speaker, that I am dividing my time with my hon. colleague.

I would like to begin by quoting Booker T. Washington who said: "I have always been made sad when I have heard members of any race claiming rights and privileges or certain badges of distinction on the grounds simply that they were members of

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this or that race, regardless of their individual worth or attainments". I suppose that says a great deal to what this debate is all about.

I have always struggled with the employment equity situation in terms of whether or not it is right or wrong or how it is applied. I think to a great degree we are trying to accomplish fairness and equality in the country regardless of race, colour, creed or religion. I am not entirely satisfied that we can legislate equality and attitudes or legislate how best to achieve the results of a fair and caring society.

We get into all kinds of issues with employment equity. I want to relate two. First, in my past life I happened to be the chief executive officer of operations for a fairly large organization, a school district of some 1,500 employees. I often wondered how we could legislate hiring equity with 1,500 employees. If we look at the area I come from, there is a very large number of Indo-Canadian people.

• (1210)

If we were to take that ratio and a ratio of male-female which is probably around 50:50, I wonder how that kind of equity would be applied to the organization I ran. Within that organization a large number of employees were female and I would suggest that they were white and of younger ages.

To turn around and apply employment equity ratios, numerical goals or quotas which are one and the same, to that organization, I do not believe would practically work. The ratio has to be applied back at the universities, in the bachelor of education courses taught at university. Then that ratio would have to be applied back at the high school level, to the graduates for acceptance into university.

**Mr. Strahl:** That is what they do in the states.

**Mr. White (Fraser Valley West):** As my colleague says, that is what they do in some states, and it does not work practically.

What has to be done when bringing people into organizations like the one I managed is to bring them in as they were on the basis of the career they chose a long time ago, based on their ability to pass courses, on their personal desire to teach young people and so on and so forth. To legislate employment equity in an organization like that would be near impossible. It just does not work.

People from all over the world reside in my community. Many businesses and companies I have visited even recently have almost exclusively been owned and operated by people from Laos, Cambodia and other countries. We could look at that and say if we want to enforce or legislate numerical goals or quotas, it could actually work in the reverse. There are some people

missing out of here from the community so let us go back and change all of the ratios. That is not practical.

I do note from the community I live in that I do not see the bias we are talking about here from the Liberal ranks. I do not see the necessity of having that quota, that numerical goal. I am sure people in my community would be quite opposed to the thought that might happen.

A number of times we have heard Liberal members talk about numerical goals. They say that numerical goals in employment equity are not quotas, that they are something else. We just pick a number and say this many people have to be hired.

If we look at something like the supply management system in this country, we should say that there are no quotas in supply management, just numerical goals. I do not think the folks across the way really know what the heck they are talking about when they talk about numerical goals and quotas. They are legislating something here that the rest of Canada is going to have to live with for a long time. They are making a very grave mistake.

We only have to look as far as the official bilingualism program to see what they are trying to legislate. They tried to legislate a country into an attitude that everything shall be equal. In fact, they would hire a number of investigators to ensure that the official bilingualism policy would be fulfilled and put into place. If not, there would be penalties.

That is exactly what the Liberals are talking about here. They are talking about a large number of people within a department to make darn good and sure that employment equity is put in place. If it is not put in place, maybe they should be given a fine.

My experience is that we cannot legislate attitudes. One cannot legislate that which people will not do. What we have to do in this country is make fair and reasonable application to all people. We must have a country where all people are equal, regardless of race, colour, creed or religion. That is what has to be done and we have to have it up here. We do not legislate or mandate it.

• (1215)

I am reminded of two young fellows who came into my office not long ago holding a piece of paper. It was an application for a scholarship from a very large company in British Columbia. It had to do with scholarships for pre-apprentice electricians. What these young fellows were concerned about was that it was only available to aboriginal people, visible minorities, the special needy and women. I had to explain to them that my feeling was the company was trying to increase its employment equity. They did not understand that. They truly did not. They thought things were based on abilities, skills, work experience and so on.

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Once the bill goes through and we have more employment equity rules and regulations, I am not sure how we can explain that to them. I sincerely hope the Liberal government will have an answer because the people do not understand. It is not as easy as chalking it off, as the Liberals would say, to a bunch of dumb Reformers. That is not the case. We should get off that kind of rhetoric. I think Liberals have some explaining to do as to how the legislation will really work.

There are a lot of examples in society in which governments get too far involved in what they think is right and they legislate it, which is exactly where this government is going. I often comment in the House about the arrogance of a party much resembling the arrogance of the Conservative Party when it held a large majority. I would caution the government very closely that it not get carried away with its arrogance in its legislation. It should look at the employment equity legislation and consider that all Canadians today consider themselves equal, regardless of race, colour, creed or religion. Do not try to legislate it. Put it in your hearts and in your minds.

**Mr. Jim Abbott (Kootenay East, Ref.):** Madam Speaker, I noted in my colleague's speech that he made the comment that it is impossible to legislate attitude. I found it rather instructive that when the Parliamentary Secretary to the Prime Minister was on her feet speaking today she made exactly the same comment: it is impossible to legislate attitude.

I cannot help but wonder why it is that the Liberals have difficulty understanding that they cannot legislate attitude when the parliamentary secretary says it and it is obviously agreed to by my colleague from Fraser Valley West. In fact, they are getting involved in social engineering to try to redress a situation by way of legislation when 80 per cent of the people in the coffee shops across Canada say they do not want any part of it.

The problem I am having is when I raised the question with members opposite, asking them to explain why the leader of the Ontario Liberal Party says that goals are the same thing as quotas, I have not yet had one explanation from the other side as to why there seems to be such a discrepancy in this never-never land that these people in Ottawa are in, bringing forward legislation that 80 per cent of Canadians do not want. They do not seem to understand.

• (1220)

I wonder if my colleague could help me understand why the Liberals in Ottawa seem to be so grossly out of touch with reality and certainly out of touch with the attitude of the majority of Canadians on this issue.

**Mr. White (Fraser Valley West):** Madam Speaker, this was not a loaded question at all.

I think most people who come here from all regions of the country understand that there is a certain amount of being out of

touch with Canadian reality in Ottawa. I think it prevails where there is a majority government, which is less and less in touch with the people. The reason for that is that for five years those in power do not have to work as hard as the party in opposition to get things accomplished. They come into the House and say "this is what Canadians want, because they elected us, and this is what we are darned well going to give them". There is a certain amount of hypocrisy and arrogance in what we see in the legislation passing through this House.

I do not think for a moment that what these folks are trying to push off onto the rest of Canada, and which we are going to have to live with for the rest of our lives or until they are removed from office, is representative of what many people in this country are seeing. What we have here again is an attempt to legislate what people will be given not necessarily what people want.

[Translation]

**Mr. Nick Discepola (Vaudreuil, Lib.):** Madam Speaker, I will be very brief. I listened to what the hon. member had to say and, like the rest of us, was also invited by the member for Fraser Valley East to cross the Rockies and visit the rest of the country. I must tell him that I have already done so.

I would like to return the favour and invite the Reform member to visit my fair province, Quebec. I found the hon. member's statement a little irresponsible.

[English]

We are speaking of employment equity. The member refers to employment equity and brings biculturalism and bilingualism into the debate.

I would like to put him on the defensive. The proof is in Quebec, where being bilingual gives more job opportunities. With the emerging economy today and with North American free trade there are now schools in Quebec offering Spanish as a third or fourth language. So how can he bring that into the debate and say that he is against bilingualism when he is for employment equity and opportunities for all people, especially the youth of today? It is ironic.

**Mr. White (Fraser Valley West):** Madam Speaker, the member totally misunderstood what I was talking about. The fact is I mentioned the bilingualism issue not as an issue that fits in with employment equity but as an example of how the government challenges the strength of the Canadian fabric by issuing law to its people when it gets a majority government. They have totally misunderstood what I was talking about.

**The Acting Speaker (Mrs. Maheu):** I am sorry but the time has more than expired.

**Mr. Keith Martin (Esquimalt—Juan de Fuca, Ref.):** Madam Speaker, employment equity is discriminatory. It is also

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illegal. Subsection 12(3) of the Public Service Employment Act states: "It is illegal to discriminate on the basis of race, gender and colour".

Employment equity seeks to institutionalize what we seek to avoid. We seek to avoid discrimination, but instead it brings it right into the workplace. It tells a minority group: "You cannot compete on the basis of merit. Therefore, we in the government are going to create opportunities for you to advance on the basis of your demographics and not on the basis of merit." It makes an issue of gender and it makes an issue of race and geographic location when none ought to exist. In fact when we speak to minority groups we find it is an insult to them.

• (1225)

The purpose we have in this country is to give minority groups and disadvantaged groups the opportunity to become the best they can become. This legislation tries to enable them to have a fair share of jobs, a fair share based on numbers.

We have had this discussion in the House. The government says it is in favour of numerical goals, not quotas. Quotas and numerical goals are synonymous. There is no difference. As I said before, it is discriminatory. All we need to do is look at the fine institution of the Royal Canadian Mounted Police to see that white males need not apply.

What we want to have in this country is equal opportunity. We must have a country in which everybody has an equal chance to become the best they can be, to employ the talents, the drive and the initiative they have in their hearts to do whatever they can. Canada is one of the few countries in the world that has enabled us to do that.

If someone chooses not to do this of their own will, if they choose not to take the opportunities that are provided for them, then it is not the government's role to do this through other means. That is where we have a significant departure in logic and understanding. We feel it is not the government's role to go out and push people when they do not have the initiative, push people to get skills for something they choose not to do. We are in favour of providing everyone in this country with the opportunity to get those skills.

Many people came to this country as immigrants, including myself. We came to get away from countries where preferential policies existed. The idea of preferential treatment, being treated unequally, has occurred in many countries. People have left that to come to our fair shores. In fact the idea of treating people equally on the basis of merit is something that is new and it is something we should all try to strive for.

Some view employment equity as a way of decreasing discrimination but in fact the opposite is true. Employment equity

increases discrimination causes animosities, plays up differences and creates resentment.

Madam Speaker, imagine if you will if you were going to apply for a job and people said that you would not get this job on the basis of your merit, but because you are a woman or a minority group or an aboriginal person you are going to get this job. Imagine what that would say to you and your feelings about your own credibility. It is, as I said before, an insult.

I would just like to say to minority groups—and I am a mixture of many different minority groups—that we cannot legislate against people's prejudices. If people call you derogatory names, that is their problem, not yours. However, we must ensure that those prejudices do not interfere with a person's ability to get a job and function in society.

We must look at real life examples too with employment equity. Why is this government pushing employment equity when California, a state of numerous ethnic groups, ethnically heterogeneous as it can be, is throwing it out? They have found it is costly and ineffective.

We have 11 programs in this country that are sanctioned by the Treasury Board. They are called special measures initiatives. Between 1985 and 1988 they cost between \$11 million and \$15 million per year. In 1992 the pass rate for women was 63 per cent and visible minorities 79 per cent. This year the pass rate is 30 per cent for women and 52 per cent for minorities. It is a failure and it is costly. Why do we continue to pursue this endeavour which has proven not to work?

I have heard this government claim it is against discrimination and it is for justice and caring. Employment equity does not do this. It does the exact opposite. It also does that at the expense of what should be the primary guiding role in getting a job, and that is merit. It also does this at the expense of minority groups, as I said before, and it is insulting to them. When we speak to the rank and file of Canadians who are of minority groups in this country, they all say that they do not want employment equity. They want to be treated fairly, equally and without discrimination.

• (1230)

The leaders of minority groups often take a different role, but their role is the role of politics not necessarily the role of fairness. I would listen to the silent minority not to the verbose leaders of some groups who do not necessarily represent the people they are supposed to represent.

Let us look at the facts. As government members have said, there is no difference between minority groups and non-minority groups. We need to work toward everybody with the same qualifications being paid the same amount of money for doing the same job. These are the rules we have in the country and

these are the rules we need to strongly support. The Reform Party is vehemently in favour of these rules.

There are differences between employment statistics and the types of jobs of various minority groups. As I asked before, is this the fault of discrimination or is this the fault of differences in qualifications and societal determinants? We have laws and regulations with respect to qualifications in Canada. A qualification from another country may not be recognized in this country in the same way. That is not unfair. A doctorate or a bachelor of science or a trade from another country may not have the same merit as the same program here regardless of whether or not it involves a minority group. We ought to keep that in mind.

I would like to give an example of drive. Recently I was on an aboriginal reserve wracked with a lot of tragedies: high suicide rate, high unemployment rate and depression. However, when these people were asked to do the simplest things for themselves they continually put forth that they wanted us to do it for them. I asked them to teach their own children some of their history and culture which they were capable of doing, but they chose not to do it. They wanted somebody else to do it for them. By doing things for themselves and by taking the initiative they could build pride and self-respect, which would go a long way to decreasing the societal duress in many of these groups.

We in the Reform Party are vehemently opposed to discrimination. We believe in creating a strong, level playing field for all people regardless of their colour, race or gender. We want to create laws, have laws and enforce laws that are anti-discriminatory. Discrimination is a cancer within our midst that needs to be stepped on wherever it is found. We need to build bridges between people. We need to cherish our differences. We need to learn from each other. We are very lucky in Canada to have over 165 different ethnic groups. What a joy and a privilege for all of us to learn from other people and other cultures in a safe environment.

I am glad we are a lot like the United States. I am glad we are not like many of the other countries in the world that do not enjoy the freedoms we have. However we fight against employment equity because it flies in the face of fairness and equality. It separates people rather than bring them together.

Canada is a model at bringing people together. I ask the government to reconsider its role and views on employment equity and to reconsider the idea that it is not up to government to elevate people to a standard they are not capable of achieving or choosing to do themselves. It is the role of the government to enable people to have an equal playing field free of discrimination.

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We do not live in a perfect society, but we must continue to work toward a fair and equitable society with peace and fairness for all.

**Mr. John Cannis (Scarborough Centre, Lib.):** Madam Speaker, I have a couple of comments to make after listening to the member.

I found it very ironic, if I may say so, because often we hear from the Reform Party how it compares Canada to the United States. In the member's presentation he compared us to California and the United States. Not too long ago the leader of the Reform Party visited Mr. Gingrich of the United States, at which point he said: "We don't do things the way you do in the United States". Yet all of a sudden they want to compare us to California.

I want to go beyond that point because it seems to me they want to suck and blow at the same time.

• (1235)

I refer to an article about Reform in the House that states: "Reformers cast themselves as the official opposition but they have a few flaws". I believe the flaws keep flopping back and forth.

In my private life I came from the employment industry. I would like to give a specific example of some problems that had to be overcome. A major retailer wanted to hire a computer operator. In that area there were rotating shifts, sometimes eight-hour shifts, sometimes twelve-hour shifts three days consecutively or five days a week.

The employer indicated to my firm that he was adamant he did not want to hire a female simply because there were rotating shifts. Somehow or some way we convinced the employer to hire a female. I am proud to say today, six years down the road, the female is still with the company. She has been promoted three times and is doing an excellent job. What would have happened if the placement agency decided to listen to the employer and be swayed by him that because she was a female she could not work shift work?

I am proud to say the legislation will open avenues, allowing people to go ahead, move forward and compete for jobs equally. I believe employers will hire based on merit, not just on the fact that someone is oriental, black, male or female.

I encourage the party across the way to stop posturing and being intellectually dishonest with the people of Canada. Reformers cannot have it both ways. They either compare us to the United States or they do not. They cannot keep flip-flopping.

**Mr. Martin (Esquimalt—Juan de Fuca):** Madam Speaker, employment equity is about hiring people on the basis of colour, gender and other demographic characteristics.

Who cares if one is female or male, black or white, brown or polka-dotted? We do not. We only want to make sure that when

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people go for jobs they are treated on the basis of merit. That is all that counts in getting a job. That is all we care about other than providing and ensuring there are laws against discrimination.

Regarding what I said about the United States, California has employment equity laws. We do not want them. I point out to the hon. member that we should learn from the mistake they made in the United States. They are trying to rectify it. We should learn from their enforcement of employment equity in California that it did not work. Let us learn from them. We should show Americans that we are different from them and better than them by not partaking in it.

Our goals are the same. In some ways the goals of the government and the Reform Party with respect to the overarching theory are the same. We do not want discrimination. We are vehemently opposed to discrimination on any ground.

The flaw in the government is that employment equity engenders discrimination. By its very nature it is saying that one group of people cannot compete on the basis of merit and should be elevated over another group. That is discrimination against the other group. That is unfair. We cannot right the wrongs of historical injustice by creating discriminatory laws now. We cannot right the wrongs of the past by tipping the scales in favour or against a group.

We must create a level playing field, treat people on the basis of merit and have anti-discriminatory laws to create a country of which we can all be proud.

**Mr. Elwin Hermanson (Kindersley—Lloydminster, Ref.):** Madam Speaker, the Reform Party put forward today the following motion:

That this House deplore the government's employment equity policy as unnecessary, ineffective, costly, unpopular, intrusive, discriminatory and harmful to designated and non-designated groups; that this House recognize the equality of all Canadians by affirming that hiring and promotion be based solely on merit rather than on gender and race; and that discriminatory employment practices be more vigorously pursued on an individual case by case basis.

I come from a family farm in rural Saskatchewan. Whenever work was available it did not matter much what one's gender or colour was. My sister was involved in the work on the farm. It did not matter what task was at hand. She was able to do it as ably as anyone else on the farm. We are proud of her abilities to tackle any task at hand.

• (1240)

It is with that approach we should be looking at employment opportunities. We should be looking at the skills of the applicants rather than at the colour of their skin, their gender or some other distinguishing mark or blemish, if one would be so bold as to use that word.

It gives me pleasure today to speak on the issue of employment equity or what I would rather call preferential hiring or affirmative action, a concept that is failing around the world

wherever it has been tried. The specific area I should like to address is the government's definition of equality. Equality has been loosely defined as equality of numerical representation in the workforce.

For example, if 5 per cent of our available workforce is made up of visible minorities each employer's workforce should reflect the 5 per cent. In order for the government to move toward equality of numerical representation, it must obtain an accurate statistical base showing the representation of designated groups.

However, accuracy of statistical base depends on self-identification and here we have a huge problem. The government has stressed that self-identification is the backbone of the employment equity program. There are a number of problems, however, with the self-identification process.

The Stentor group, testifying before the human rights committee, stated that employee data collected by means of the self-identification process was unreliable. Many employees are reluctant to participate in the self-identification process because often there is a loss of legitimacy in the eyes of fellow workers. Most individuals would rather have their promotions and benefits based on merit than on gender or race.

I will use an example that is very close to home. The Clerk of the House of Commons appeared before the committee on April 27 and stated that a voluntary self-identification survey was sent to 1,700 House of Commons employees. Shockingly, only 23 per cent of the employees returned the survey. Of that number less than 50 identified themselves as belonging to a designated group. From these numbers it would be next to impossible to implement an accurate employment equity plan.

It does not work. It does not work on the Hill. How will it work across the country? Yet the Liberals are committed to employment equity. They think they can legislate it. They are absolutely wrong.

Difficulties also arise in determining who should belong to the designated groups. For instance, should a person of mixed parentage be counted as a visible minority? Why? Why not? Should a third generation visible minority Canadian be thought of as disadvantaged as a new citizen from the third world? Why? Why not? These questions need to be addressed by the government.

There are also problems in defining what constitutes a disability. If I were to wear glasses I would be considered disabled. It is ridiculous. This list goes on and on. It shows how complicated and interwoven the problems surrounding the whole employment equity affirmative action programs become. Yet the Liberals in their red book are committed to this terrible policy, this impossibility.

Another concern is with regard to intrusive behaviour in the identification process to know who are the minorities. To get the statistics surveys have to be done, which means employers and employees have to comply. Yet the right of individuals to refuse



self-identification is an important privacy right. The boundaries of consent to self-identify are already being blurred.

In March 1995 the Department of National Defence issued a diversity questionnaire to all employees. The first section was compulsory, requiring personal information such as name and address. It was pretty basic stuff. The second self-identification section was voluntary. By requiring partial information the department obtained knowledge of all those who refused to self-identify. It is a serious problem. It is an invasion of a person's privacy.

They already know now who refuses to identify themselves as being in a visible minority, a group that might qualify for special assistance under any kind of equity employment program. It is intrusive. It is wrong. It is a violation of some basic rights as Canadians. Some members of designated groups can now be approached by the national defence managers and be pressured to respond or asked to agree to be identified under the authority of section 17(3) of the proposed Liberal legislation, Bill C-64, where only those employees who agree to be identified are to be counted.

• (1245)

Employers can use a variety of informal methods and pressure to persuade employees to give consent for self-identification. To make any part of a self-identification questionnaire compulsive is coercive. The use of personal information for anything other than department wide statistics should be unacceptable. Any that are made necessary by requirement are inherently wrong and are another weakness of employment equity.

The government is saying that if a person is a visible minority there is a greater likelihood that person will be disadvantaged. I do not accept that. I think that is wrong. Why should certain visible minority groups which earn some of the top incomes in the country qualify for employment action programs? It does not make sense when others who are not visible minorities are passed over.

I would like to give the House an example of how ludicrous the whole concept of employment equity, gender equity or race based equity can become. A law program at a university in the province of Ontario undertook what it called an equal opportunity approach to education. Essentially it was trying to get a certain number of visible minorities into the law profession, which is an admirable goal. However, what it did was not so admirable. On the law school application was a question whether the applicant was a visible minority. I am not too certain why being a visible minority would make someone a better candidate for law school. I do not understand why that would be the case.

That is just the tip of the iceberg. The students in the law school are segregated during exams between those who are

### *Supply*

visible minorities and those who are not visible minorities. Those individuals who are visible minorities are given eight hours to write exams, while those who are not visible minorities are given four hours. In addition, visible minorities are given special access to tutors that is not available to other students. To make matters worse, those who were not visible minorities were kept in the dark about the university's policies.

The type of approach taken by the university is doing visible minorities a disservice. Can you imagine getting a law degree from that university and it becoming common knowledge that you had twice the time to write the exam or that you were given special tutoring? I am sure the demand for those students would be half as great as for those who followed the regular course. Employment equity or equal opportunity, when it becomes based on gender, race or some other distinguishing mark of a visible minority, it is ludicrous and ridiculous.

It is insulting to visible minorities that the only reason they are in law school or they are hired is because of their skin colour, their gender or any reason other than their ability and their merit. Instead they should be given the message that they are qualified to be there, that they have skills, intellect and the determination to get the job done, whether it be to get a law degree or to get a job.

In conclusion, I would like to talk a bit about something which is important to me, results. In the last election a bunch of nonsense went around that somehow the Reform Party was male dominated and that the party was only interested in the male segment of the Canadian population. Actually the statistics do not bear that out.

It is very interesting to find out that of our candidates, the female candidates had a higher success ratio than the male candidates. We had no equity program. We did not demand that half of our candidates be female. Maybe if we had we would have had twice as many members here.

We left the choice of the selection of candidates up to the local constituencies, which looked for the best person for the job. They did not look at the colour of their skin or their gender. They looked at their ability to represent their constituents. They looked at their ability to come to this place to try to change it. We were more successful at electing women candidates than we were male candidates. A lot of Canadians do not know that because they have been given misinformation by the Liberals and by others who have a vested interest in the whole issue.

• (1250)

As employers, let us choose people based on merit. As government, let us promote a policy that will let people succeed because they deserve to, not because they are pampered on some unreasonable grounds that forms the basis for employment equity programs.

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**Mr. Art Hanger (Calgary Northeast, Ref.):** Madam Speaker, if ever there was a better example of government doing all the wrong things for all the right reasons in employment equity, I do not know of it. If ever there was an example of government making a bad decision worse in its attempt to make it better, I do not know of one.

Today in our universities students who take economics classes study the example of rent control, for instance, to learn how government can make a problem worse by adding what appears to be simple tools to make it better. With rent control government tried to make housing more affordable by imposing rent increase restrictions on those nasty landlords that, in government's opinion, wanted to take the shirts off the backs of their tenants. Unfortunately, as history and economics have shown again and again, it simply does not work.

Instead of rent control creating more affordable housing it creates less. By imposing rent restrictions the government takes the incentive away from developers to build new homes, thus limiting the number of homes on the market and ensuring that the under class never gets affordable housing.

Are there no benefits from rent control? Sure there are. The wealthy and the upper middle class people who have secured an apartment are guaranteed artificially low prices for their homes. Who benefits? The middle and upper classes. Who pays? Business and lower classes. It is a prime example of what happens when government creates a system to help one sector of society at the expense of another. It does not work. The market takes over and makes its own decisions that more often than not fly in the face of the good intentions of government.

I am convinced that a couple of decades from now students studying economics will no longer be examining rent control examples. They will be studying employment equity because employment equity as well as being fundamentally unjust, fundamentally unfair and fundamentally discriminatory, does not work. That is what the classes will be centred on.

Some will benefit: principally lawyers, the middle class minorities and women who are artificially moved ahead in the market by employment equity. But not the lower classes, not immigrants, not those the program is supposed to help. By placing artificial restrictions on hiring practices, by placing quotas on institutions that hire people, government limits the productivity of those organizations. Government makes them less productive and less productive organizations hire less people and fire more.

The first to be let go will always be those with the fewest skills, those who have spent the least time in the market or part time workers. Those people are disproportionately members of the very group that employment equity is supposed to benefit.

It is a classic example of government not working. It is a classic lesson for government. However this government, like its ideological cousins in the NDP, do not get it. It has been too blinded by rhetoric to understand reality and too influenced by special interests.

Employment equity is a failure. It does not do what it is intended to do. While attempting through employment equity to cure some alleged wrongs of the past, as a society we have sold our souls. We have made a pact with the devil. We have abandoned the principles of fairness, justice and equality.

Liberals used to love George Orwell's *Animal Farm*. They would cite the slogan: "All are created equal but some are more equal than others" with a bit of glee, thinking this was a criticism of the politics of the so-called establishment and that they were above such satire. Well, no more. Employment equity is the embodiment of the slogan: "All are equal but some are more equal than others".

That slogan does not make sense of course. It is illogical and so is employment equity. However it does not stop special interests from demanding more employment equity. I say special interests because there is no question that special interests are at work in the debate. When there is no empirical evidence of a white male cabal actively discriminating against more than half of the population and when the majority of Canadians oppose employment equity, what can we conclude except that special interests once again have the ear of the party across the way? Only special interests could force the promotion of a policy that is so illogical and so unfair.

• (1255)

The Minister of Citizenship and Immigration is fond of citing statistics, with which we agree, saying that immigrants to Canada outperform native born Canadians in the workforce. The minister attempts to take credit for the fact that immigrants tend to be very hard working and self-reliant.

At the same time employment equity in the public service discriminates against men and white Canadians and discriminates in favour of minorities, many of whom are immigrants. Even though immigrants are outperforming native born Canadians, native born Canadians are punished by employment equity because immigrants are presumed to be disadvantaged.

No other bit of data shows the absolute folly of employment equity like the data on performance of immigrants. Look at the performance in the economy of recently arrived immigrants from Asia. These immigrants are new to the country. They often face difficulties with language. They are typecast as ethnic minorities. Yet they do better than the white males that are alleged to be discriminating against them and thereby are allowed to receive an undue and unfair benefit from employ-

ment equity programs. Does this make sense? Is this justifiable by anyone with a grain of common sense? Of course not.

Special interests are tickled about the state of affairs because special interests do not care about justice. They do not care about facts. They do not care about the national interest. They care only about their interests and they have the ear of the government.

The Reform Party has faced labelling. It has had to shield itself against rhetorical attacks unlike any ever faced by a major political party in Canada. Among those attacks have been the cry of racism, despite the fact that the Reform Party is the only party that has on its books a totally colour blind immigration policy.

We want Canada to accept immigrants on the basis of their ability to contribute to Canada and fill needs in the workforce. Imagine what would happen if the Reform Party changed that colour blind immigration policy. Imagine if ethnic fairness was our goal. Here is what would happen. The majority of immigrants coming to Canada are typecast as visible minorities. Using the logic of fans of employment equity that could only mean that there is a systematic institutional discrimination against non-visible minorities in the immigration system.

Again using the illogic of the employment equity program it would be fair, proper and just to establish quotas for immigration to Canada of more white Europeans. Imagine the backlash that would occur if that program were instituted, despite the fact that this hypothetical scenario would be based entirely on the exact same logic that the proponents of employment equity use.

Discrimination occurs in many quarters. It occurs against young men who have good grades but still cannot get into university or get a scholarship. It occurs in increased ethnic and racial awareness as government forces everyone to declare themselves a member of a racial group instead of just being Canadian. It occurs when there is job loss due to ridiculous demands placed on industries that do business with the government. It occurs as the stigma attached to minorities and women who are called "EE hires". The list goes on.

I urge the members of the House to think carefully. Do not toe the party line. Use your heads and think about the effect of this misguided policy. Think about the human costs. Think about the non-existent benefits. Then support our motion. Restore fairness, and stop discrimination of all kinds.

• (1300)

**Hon. Ethel Blondin-Andrew (Secretary of State (Training and Youth), Lib.):** Madam Speaker, I take this opportunity to speak to the Reform Party's motion which I believe to be predicated on a lot of misinformation, half truths and generally misdirected with a great deal of pomposity. Some rather unfortunate ethnocentric views are being perpetrated on the basis of what is a very logical piece of legislation with very reasonable

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goals being set by the government to deal with overwhelming inequities that already exist.

I welcome this opportunity to clear up the confusion surrounding Bill C-64 created by some ill informed members of the opposition. I am anxious to explain how this made in Canada legislation will respond to the country's unique workplace needs to ensure fairness for all Canadians.

I have been told repeatedly by Canadians that communications and education are essential to the success of employment equity. It is within this context that I frame my comments today. I believe it is critical for Canadians to understand what Bill C-64 will and will not do. They should be fully aware that Canada is charting its own course with this progressive piece of legislation.

The suggestion has been made by some members of the Reform Party that the United States experience with affirmative action proves workplace equality is unworkable. It is not fair to compare apples with oranges. This is Canada and that is the United States.

In outlining the many merits of Canada's approach to employment equity I intend to demonstrate how, despite misleading comments to the contrary, in Canada we got the legislation right. Let me outline the key differences between the American's affirmative action approach and Canada's employment equity legislation.

With all due respect for our neighbours, the U.S. approach is characterized by a confusing and sometimes contradictory multitude of federal, state and municipal laws, policies and programs.

We also have to understand there is a great deal of competition for jobs. The pressure is great with two million jobs being lost annually in the U.S. As an example of how this pressure is generated in the U.S., look at the global picture and see where the pressure points are.

An article in the *Utne Reader*, the May-June 1995 issue, states: "In the 1950s, 33 per cent of U.S. workers were employed in manufacturing. Today less than 17 per cent of the workforce is engaged in blue collar work. Management consultant Peter Drucker estimates that employment in manufacturing is going to continue dropping to less than 12 per cent of the workforce in the next decade. Although the number of blue collar workers continues to decline, manufacturing productivity is soaring".

Another factor to consider is that changes have also been dramatic in the wholesale and retail sectors. There are pressures there and competitions for jobs. There are a lot of pressures on businesses, on government and on individuals. For instance, typical of the trend of retail giant Sears Roebuck, Sears eliminated a staggering 50,000 jobs from its merchandising division in 1993, reducing employment by 14 per cent.

*Supply*

Intelligent machines is also another issue invading professional disciplines, encroaching on education and the arts, long considered immune to the pressure of mechanization. A robot that will perform hip replacement surgery is being developed in California. Some firms now use computerized hiring systems to screen job applications. Not only are we competing with other humans, we are competing with robotics, new technologies and the mechanization of the workplace.

What do we do? Do we outlaw new and intelligent machines that will help to improve the economy and provide efficiency and effectiveness? With all of our discontent and malcontent we could devise laws and legislation that would discriminate against those and eliminate them, as is being suggested here.

• (1305)

Another interesting factor to consider because of the pressures being generated is that from 1983 to 1993 banks eliminated in the States 179,000 human tellers, 30 per cent of its workforce with automated teller machines.

This is a whole phenomenon far too complicated. I do not believe one can win the argument as the members of the opposition are proposing by taking a single, narrow example of how a university sets up a program or a course and use that to build a case against employment equity. That is very narrow and unjustified. It does not have much validity.

This profusion of legislation we talk about in the States gives rights, protections and remedies to different groups. Understandably this has created problems. Critics point to abuses and growing disenchantment with quotas in the U.S. which have led federal legislators to re-examine affirmative action.

By contrast, Canada has a streamlined legislative framework. Bill C-64 creates a single approach to employment equity at the federal level with clear responsibilities and duties assigned to employers and government agencies. With a few exceptions the approach to employment equity and the groups covered are essentially the same in most jurisdictions with mandatory employment equity in Canada.

Another crucial distinction is the role of the courts. Employment equity in Canada is proactive in nature. The legislation focuses on negotiated solutions arrived at through co-operative employer-employee relations. It does not require prior presumption of discrimination.

Consequently the Employment Equity Act creates an efficient and cost effective framework that minimizes the role of courts. We have a federal contractors program which a lot of regulated businesses participate in. It has become a state of mind. It is good business for those people to have women, visible minorities and disabled people working for them.

I have attended ceremonies at which we award federal contractors' awards. I have done that over the year and it has been very much applauded by the participants. They set an example many federally regulated businesses want to participate in. That includes universities as well as a variety of different private sector businesses.

The affirmative action program south of the border is rooted in executive order and civil rights law. Its objective is to eliminate discrimination against any employee or applicant for employment because of race, colour, religion, sex or national origin. The U.S. approach is characterized by court ordered quotas, preferential treatment to minority owned companies for government contracts and tax incentives to encourage ownership by minority populations.

The American system is also adversarial and litigious, doing little to advance harmony at the work site. It is frequently criticized as a slow and expensive way of achieving equality in the workforce.

Under the Canadian approach to employment equity, employers set their own numerical targets, often reached through consultation with workers and their unions. Bill C-64 specifically prohibits the use of quotas and there are certainly no provisions for preferential treatment to minority owned companies.

It is also good news that the Reform Party elected quite a few women. It might not have been a bad idea to have elected more there. That is an aside and I am sure the Reform member across the way will agree with that.

Merit is still paramount. A vicious rumour is being perpetrated that meritorious applicants, meritorious individuals meritorious successful candidates under employment equity are being maligned as not capable, as having been selected because they are disabled, women or of a visible minority. That is not so. This legislation has merit as its foundation. That remains paramount.

• (1310)

The intent of the Employment Equity Act is not to provide preferential treatment; it is designed to ensure equal treatment of all qualified work ready Canadians regardless of race, physical attributes or gender. It is about removing not erecting barriers to employment. It is about creating equity not inequality and not preferential treatment. It is about improving a system so downtrodden with inequity.

If the Reform Party is willing to do the research it will know the employment figures year after year have on the bottom of the list the disabled, women, aboriginal people and visible minorities. The Reform Party can find a few examples where that is not the case but the government does not build good policy and good legislation on a few examples. The exception is not the rule. That is not the way good policy is developed. That is not the way democracy works best.

*Supply*

It is about removing inequities not erecting barriers to employment. Canada is very fortunate that its legal meaning of equality is unlike that of the U.S. Ours is based on a constitutional guarantee of equality far broader than the U.S. equivalent. In Canada every individual has the right to equality before and under the law and equal protection and benefit of the law. The Canadian Charter of Rights and Freedoms in section 15(2) recognizes special consideration and the accommodation of differences is sometimes necessary in achieving true equality.

Special treatment is not a departure from equality, it is essential in achieving it. Employment equity has come about because of the overwhelming inequities in the labour market, in all fields of employment. That is what it is based on.

It is unique to Canada. The U.S. constitution has no similar provision. In the United States there is a constitutional right to equal protection of the law only. Historically it has been interpreted by U.S. courts to require identical treatment, thus the development of colour blind and sex blind laws.

Members of Parliament who have participated in committees have learned by that valuable process. I have learned through the constitutional process that same treatment does not necessarily express equality. That is a simplistic view and a view which should have gone out with the dark ages. We are into futuristic and very straightforward issues and views about equality which apply to all Canadians.

Canada's approach to equality is progressive and far sighted. Equality means recognizing differences not just identical treatment. This has led to a greater partnership among groups pursuing fair access to employment opportunities and has resulted in far greater success. The wisdom of the Canadian strategy is proven in our progress. The record shows that while Canadians still have some concentrations of under-representation, advances have been significant under the existing Employment Equity Act and will only increase with the improvements provided in Bill C-64.

That speaks volumes about the Canadian approach. We are not interested in overloading the courts with employment equity challenges. We are looking for equal employment opportunities for Canadian women, aboriginal peoples, visible minorities and persons with disabilities.

• (1315)

We want to ensure fairness for all Canadians by assuring everyone has equal access to a job because we all know Canadians will benefit when we do. The best long term investment we can make as a country is in the creation of a more productive economy that fully capitalizes on the wealth of knowledge and skills of all members of society.

I can assure members of this House and reassure all Canadians that this government has no intention of repealing or weakening its employment equity legislation. We will continue to work diligently in the proud tradition of this great nation to assure the dignity of each and every member of our communities and our country. Canadians expect no less. With this in mind, I urge all members of this House to vote against the Reform Party's motion.

**Mr. Art Hanger (Calgary Northeast, Ref.):** Madam Speaker, as I listened to this member I kept reflecting back on the reason the Reform Party came into the House and why we were elected as a new party with 52 members to represent the people in our ridings across the west.

One of the reasons was the existence of so much top down government with the message that it would tell people in the ridings across the country what government thought was best for them. That has been the attitude of government in the past and that is the attitude of the present Liberal government.

I know the majority of people in my riding do not want employment equity. They feel it is intrusive, abusive, discriminatory and certainly that it reflects the negative side of government in the past.

Since the member is speaking on behalf of many of her constituents, how many of her constituents did she poll on this particular matter? How much is the program going to cost the taxpayer? Did she tell that to her constituents?

Another question came up when I was reviewing some of the act. A section deals with organizations or departments that employ 100 people or more. The employment equity aspect does not involve those below 100 employees. Why would it not include everyone in this whole picture? If this Employment Equity Act is so important, why is everyone not included in it?

Those are the reasons many of us on the Reform side are going to vote against any possible amendments that come up on C-64.

**Ms. Blondin-Andrew:** Madam Speaker, through the political process, I have gone through a metamorphosis from a neophyte to a second term member of Parliament now. More than that, I am a human being who literally sits with my constituents. In the north we have very small confines. I live with my constituents. I cannot disappear into a city as one might in cities like Ottawa and Calgary. I live with my constituents.

We did have a poll and it was a great poll. It was won poll by poll. I did have a poll and I have the utmost confidence. I won my election in a landslide in 1988. When I won my election employment equity was part of the red book. In 1993 I won every single poll in my riding, advanced polls, special polls, every poll. Those are the polls that count.

*Supply*

I do not believe we can have a 1–900 democracy or 1–900 governments. That is not the way to run this country. That is being a chicken because they cannot face up to it and make the decisions people elected them to make. They elected me to make the tough decisions. I am here and I will make them with this government.

• (1320)

If the people are afraid in that city, I do believe the member has made it intrusive. He has talked about this legislation as intrusive, as abusive and as discriminatory as Reformers have done with almost every other piece of legislation that has come forward that people have supported.

If the people of Canada did not like employment equity they would not have voted for us. They read about it in the red book in 1993 and we were elected with a full majority. It was clear and it gets clearer by the day what we intend to do.

We are making the federal contractors program and this employment equity legislation as broad, as fair and as all inclusive as possible. It is not intrusive, discriminatory or abusive. It is anything but that. It will be inclusive. It will create for once in the 125 year history of this country the kind of equity that is needed so that all members in this House can participate, all members of this country can participate. For God's sake, even Reform Party members can participate. That is how inclusive it is.

**Mr. John Solomon (Regina—Lumsden, NDP):** Madam Speaker, I listened closely to the minister's eloquent remarks about equity and fairness, even in her response a few minutes ago about allowing all members to be treated equally in this House.

New Democrats govern 52 per cent of the population provincially right now in Canada. We treat everyone equally, as fairly as we possibly can and much fairer than other governments of the Liberal stripe provincially.

Given her years of talk about employment equity and given her comments and concerns respecting equality and fairness, would the minister support treating members of the New Democratic Party caucus in this House with equity and fairness as we have treated the Liberals in Saskatchewan's legislature? Would she do this by giving them at least a role in question period, full membership on committees, a front row seat for our leader and those sorts of courtesies which do not cost anyone any money but do provide a sense of equality and fairness in this House of Commons?

As the minister knows precedents have been set in previous legislatures that show very clearly that New Democrats have exercised fairness and equality. We just do not talk about it. All I have heard so far from the government is talk about equality and fairness. Where does the minister stand in providing a fair and

equitable role for the New Democrats in the House of Commons?

**Ms. Blondin–Andrew:** Madam Speaker, it is most unfortunate. I expect much more from the New Democratic Party members in dealing with this very important piece of legislation than to piggyback their own personal political party agendas on this really important piece of legislation. I am amazed that the hon. member would not only mix in his own personal political party agenda but also would drag in the whole issue of the provinces and the particular arrangements they have.

I expect support from the New Democrats. After all the years of singing the praises of employment equity, I expect the member to support us on this bill. That is what New Democrats say they believe. He should lay aside his own personal agenda and negotiate that in the procedures that are available to him through the Speaker's chambers.

[Translation]

**The Acting Speaker (Mrs. Maheu):** I must interrupt you, as your time is up.

Before giving the floor to the next person, I would like to inform the House that Mrs. Gagnon, the member for Québec, has given her time slot to the Secretary of State for Multiculturalism and the Status of Women.

**Hon. Sheila Finestone (Secretary of State (Multiculturalism) (Status of Women), Lib.):** Madam Speaker, first off, I would like to thank my colleague for Québec for the courtesy. I am convinced that she is a supporter of employment equity.

The motion introduced today by our colleague for Fraser Valley East once again shows the Reform Party's intention to eliminate employment parity and to backtrack regarding Canada's achievements in the area of equality of rights over almost 40 years.

• (1325)

We know that in 1986, the former government passed the current law on employment equity. I congratulate it for this accomplishment. But it was the Liberal government preceding that government which established the principles and set down the cornerstones of employment equity.

In 1986, these principles were even entrenched in the Canadian Charter of Rights and Freedoms, which provides for the creation of laws, programs and activities to improve the situation of disadvantaged people. We built a framework of principles reflecting our vision of society and its future and established values for our society.

This is most of all evident in section 15 of the charter, which discusses non-discrimination regarding employment. The charter also covers the issue of the equality of women in sections 25, 26 and 27, and the issue of multiculturalism in section 28.

*Supply*

I must say that Canadian values are very well expressed in our Charter of Rights and Freedoms and that section 15 covers all rights and gives us the potential to promote those who are disadvantaged in our society.

[*English*]

Madam Speaker, I would like to thank you for the opportunity to make the business case. There is not only the fairness and equality case which is first and foremost as a Canadian value, but there is also the business case for employment equity.

As much as it is statistically justifiable, socially desirable and morally the right thing to do, it is also a fundamental necessity in today's business world. Even a cursory examination of current market conditions makes it abundantly clear that Canadian companies must fully capitalize on this country's greatest resource, its rich and diverse workforce, if they are to remain competitive in an increasingly global economy.

Hon. members of this House need not take it from me nor from this side of the House. Perhaps Reform members and their supporters might take a lesson from the people they admire so much, the independent business people and the large corporations. Take a lesson from what they have to say about the importance of diversity and gender equity to their business and their business values and to ours as well.

Throughout my remarks I will highlight comments of some of this country's most progressive business leaders, people who have found out for themselves that employment equity is not just a matter of common sense but also one of dollars and cents. Private sector firms including Canadian National, Canadian Occidental Petroleum, Bank of Montreal, Hydro Québec, et cetera, see equity as an asset and have seized it as a tool for improving their companies' performances. They have discovered diversity is a value added. We all know how important value added is in the competitive global economy we have to face.

Let me quote just one proponent of employment equity, Bernard Isautier, chief executive officer of Canadian Oxy:

In the global village we must learn to respect, appreciate, understand and value differences, in terms of race, ethnic groups, gender, culture and language. Diversity is a source of competitive advantage. If a company is to be successful in today's business environment, it must develop policies and practices in step with an increasingly diverse workforce.

I would like to briefly outline some of the key business considerations in the employment equity question which includes the fundamental principle of merit. Of course we are going to hire someone based on equivalent capacity and ability to deliver the job and do the task. We may have to train some people but there is certainly a merit principle as well as the ethnocultural reality of Canada's people and the equality of men and women.

• (1330)

Let us look at this. There is the matter of the changing face of the marketplace. People reporting ethnic origins other than Canadian, British or French now account for 40 per cent of the country's population. That number is expected to climb to 50 per cent within the decade. With these people come new markets and demands for new products or services which Canadian companies are finding profitable to satisfy. It is no longer just white rice and white bread, it is the whole range of wheat, grains and cereals that we can enjoy.

Petro-Canada, as one example, saw a 15 per cent improvement in gasoline sales in Vancouver when it started offering services in Mandarin as well as English, as did the Bank of Montreal in the delivery of its services.

Not only are there burgeoning business opportunities at home, but global trade is opening doors to markets with the potential for unprecedented growth abroad. International business, I would remind everyone in the House, is multicultural, multilingual and multiracial. Canada is a global village. That is who we are.

We are reflective of the four corners of the world. Those four corners have been here for a long time. The people are competent and capable and have the potential to meet the challenges of the new global economy. Opportunity knocks and Canada's diverse people are a natural competitive advantage. They may be seen now as a hidden advantage, but let us bring that out into the light and look at it in the clear light of fiscal reality. We cannot afford to exclude anyone nor should we wish to.

The Conference Board of Canada, with the assistance of the multicultural programs which I manage, recently released an 18-month study called "Dimensions of Diversity in Canadian Business" which documented the financial gains to be had from using our diverse workforce to access untapped markets both within Canada and around the world. The study's author, Christine Taylor, noted that the single most significant barrier to change is the belief that diversity is not a business issue.

If there is still any doubt among my colleagues they will be interested to learn that the report from the Conference Board of Canada notes that the gross domestic product rates in Latin America, China and the Pacific rim range from 6 per cent to 12 per cent annually. The purchasing power in these countries is enormous and holds tremendous potential for Canadian business. Let us not forget the business task force which the Prime Minister led to these parts of the world. These fast developing regions require vast investments in infrastructure, in public systems and capital. It takes special people to make such transactions happen.

More and more employers are finding that ethnocultural diversity, including visible minorities, with insider knowledge and contacts within those countries are instrumental in penetrating these new lucrative markets. These people are not being hired because of legislative requirements or simply out of a

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sense of duty or altruism. Progressive businesses are choosing these qualified employees for the value they add to the company.

Unfortunately too many Canadians do not know about our secret power, the hidden asset of Canada. It is about time they did. If enough Canadian companies recognized this new reality there would not be any people looking for jobs. Too many are still bound by the straitjacket of stereotypes. That is why we need employment equity. It will bring better equality and justice and it will also meet the business needs of the community.

I hope Reform members are listening so they might decide to have an open mind. Never mind doing their polling, maybe they should think and talk to their constituents.

• (1335)

If critics are truly concerned about the welfare of corporate Canada, surely they cannot be opposed to employment equity measures that will enhance their ability to compete. As the conference board study notes: "Competing to win in the global economy requires an ability to attract, retain, motivate and develop high potential employees of both genders from a variety of cultural and ethnic backgrounds".

Having an employment equity plan in place eliminates the barriers that may prevent employers from harnessing the full potential of the workforce. I have had the pleasure of working on the Conference Board of Canada study with Prem Benymadhu, a really incredible gentleman who is the vice-president of human resources research. He said that much more than being a nice thing to do it really is essential for Canada. It would be a mistake, however, to assume that increased access to domestic and international markets is the only business advantage of employment equity.

Companies are learning that recruiting, promoting and retaining people who are representative of the Canadian population helps them provide better and more responsive client service. When we walk into a store and see ourselves reflected on the screen as part of the picture, when we see ourselves in the ads, whether we are brown, yellow, white or whatever our skin shade is, we feel that we are included, not excluded, and have a sense of belonging. We feel welcome and know we have our place within the peoples of Canada.

Companies report that there is an increase in market share of 38 per cent when they have changed their advertising and direction. By the way, I refer members to the Advertising Council of Canada study which indicated a tremendous increase in sales and customers when this principle and concept is applied.

The conference board survey showed one-half of the respondents discovered it was necessary to tailor their customer service practices to meet the needs of an increasingly diverse customer

base. Responding to those changing needs is apparently very profitable. There was a very interesting explanation given to us by the Bank of Montreal on how it targeted its various bank branches to the population it was serving.

Therefore, it is apparently very profitable. The majority of companies reported an increase in market share. Seventy-eight per cent showed significant increases in customer feedback and 38 per cent indicated that their revenues had increased. I am sure everyone would love to give a business report like that.

Employment equity proves to be equally beneficial inside organizations too. Among the many advantages are improved workplace morale, higher retention rates and greater productivity. In fact, many managers find that women's work style, which focuses on team work, collaboration and open communications and mutual support, is especially well suited to the communication demands of the workplace in the information age.

Enlightened employers recognize that employment equity gives them improved access to a much larger pool of well informed and qualified personnel, which raises some very pragmatic issues around the whole question of an aging workforce.

Despite current unemployment conditions, demographic projections make it clear that Canada will soon be searching for qualified workers. Within a decade we will start to experience a severe skills shortage because of retiring baby boomers. That will also present other issues with respect to the aging of our population. They are all important social policy and program issues.

Given these population trends, given the decreasing birth rate within Canada, all but one-third of the new entrants to the workforce by the year 2000 will be members of the Employment Equity Act designated groups: women, visible minorities, aboriginal peoples and persons with disabilities. I would suggest that be carefully considered when members are looking at public policy. Maybe when they come out with their revision to what could be a good red book, they would find why and when.

• (1340)

Our country will need every one of these people and the time to prepare for the transition is now. As the report prepared by the Royal Bank of Canada stated, with a labour shortage predicted in the future and a more diverse population, it is very important to get off the mark quickly before the labour crunch hits.

That is why the vast majority of employers, such as the Canadian Bankers Association, the Canadian Association of Broadcasters, the Canadian Chamber of Commerce, federally regulated employers in the transportation and communication industries and other stakeholders affected by Bill C-64, the



employment equity legislation, which as members know the committee has finished reviewing, recognize the need for legislation in employment equity.

It makes good business sense. If one looks at the whole issue employment equity it is designated to promote the optimal use of our rich human resources. Although we have contract compliance, good business practice would not need and does not need it because it is something that you would want to do to improve your access to the market, to invite people into your stores, to place before them merchandise that they like, that they want and that they will buy.

The questions we are looking at and the bill concerning employment equity are intended to act as a stimulus to our national economy while correcting the injustice of discriminatory hiring and promotion practices.

When practicality for business companies is coupled with dignity for individuals everyone wins. I remind the House that for all the business benefits of employment equity—they are obvious and I have enunciated a number of them—it is in the interest of fairness and equality, in the interest of the value system that we have put before the Canadian people. It is a system that is inclusive and not exclusive, that is neither abusive nor unfair. It is one that looks at all people in Canada and says: “You are welcome. There is a place for you with your skills, with your knowledge, with your competence and with your abilities”. It is not smart business to be exclusive.

I remember studying section 15 of the Canadian Constitution. It was delayed three years after the acceptance of the charter of rights and freedoms. That study took a year out of our lives. We examined section 15, the non-discriminatory section, and suggested the changes that were to come before the House in terms of formal laws as different from policies.

Employment equity was one. It had to do as well with the whole question of where the federal government had jurisdiction so that we could have contract compliance. Many of the provinces do the same thing.

Anyone who thinks that it discriminates against what is called the traditional Canadian had better look out there and see who is the Canadian. It is all of us in all of our beauty and in all of our differences.

[*Translation*]

We planted the roots of the employment equity policy 20 years ago. Since then, the successive governments have made an effort to promote it. It would seem that the only people who question the employment equity policy are our Reform colleagues.

I recommend that all members of the House vote against the motion and that they support and speak out regarding the importance of including every single person in this country, in

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all of our society's employment policies and to show what it means to be Canadian.

[*English*]

Diversity is the beauty of this country. This is a global village. We are reflective of the four corners of the world. If members come into the constituency of almost anyone who lives in an urban, semi-urban or metropolitan area they will note those differences. They will note the diversity and will recognize the importance of being inclusive of the ethnocultural and visible diversity as well as gender equity.

• (1345)

I urge all my colleagues to endorse the necessary amendment so that we can get on with the business of building a better Canada, an inclusive Canada, one that looks like all of us in this House.

**Mr. Chuck Strahl (Fraser Valley East, Ref.):** Madam Speaker, I would argue with the hon. member who just finished speaking that a diverse workforce I agree is good for business. A workforce where one hires the best person one can hire is good business.

I certainly do not need a lecture about diversity in the workforce. As I mentioned earlier today, in British Columbia we understand and appreciate the contributions of people of all different ethnic backgrounds. If one does not and they are a business person they will soon be out of business in the lower mainland. My goodness, we are very cosmopolitan out there and very proud of it.

The problem of course is not that we do not appreciate diversity. The thing is we do not appreciate employment equity legislation. By the turn of the century, as the member mentioned, 85 per cent of job applicants will be from the so-called designated groups. Eighty-five per cent will be coming from those four groups. By all means, any business that refuses to hire from this 85 per cent, which is going to form part of the new economy in the next decade, is not going to get necessarily the best people for the jobs. That will mean their business will be less competitive. If they are systemically discriminatory I hope they go out of business because they should obviously be hiring people based on their merit not their ethnicity.

If we have a situation, for example, in Toronto where statistically—this is just statistically, because there are always variations—people of Portuguese background have a lower standard of living, fewer employment opportunities and even a lower graduation rate from high school, which is a fact in Toronto from the Toronto school board, do you design government programs based on need? In this case they are not a visible minority and do not qualify under the employment equity program—

**Mrs. Finestone:** You do not even know what it means, employment equity.

*Supply*

**Mr. Strahl:** Do you design programs based on need or on ethnicity?

From our point of view, we say people should be helped out based on need as individuals. There are some visible minorities, for example, in our program who would receive much help. There are others who would receive no help. It should be based on demonstrated need.

According to StatsCan, Japanese Canadians by ethnicity have the highest per capita income in Canada. Do you design programs to help someone from that background or do you design them based on need? We said government assistance programs should be designed based on need regardless of ethnicity, background or gender. We should not have programs and quotas.

I know the member does not like to admit it, but it was interesting during the leaders debate here in Ontario that Lyn McLeod, the Liberal leader for Ontario, mentioned that numerical targets are just quotas. That is why she is going to do away with numerical targets if a Liberal government is elected in Ontario. In that case she agrees with the Reform Party and most Canadians who say that numerical targets are not to be appreciated and will be eliminated under a Liberal government in Ontario.

The federal Liberals happen to agree with the provincial NDP on this one. The philosophical trend is interesting.

In any event, does one design government programs based on need or based on ethnicity?

• (1350)

**Mrs. Finestone:** Madam Speaker, I just wish the members opposite would stop and think about what they are saying. First, everyone who has chosen to come to Canada to become a citizen or who is a landed immigrant is a Canadian. One does not hyphenate a Portuguese Canadian versus a Japanese Canadian. That is totally antithetical to the Canadian point of view.

Second, the reason for the targets, the goals, no matter what we want to call it, is because we have seen there has been uneven hiring, a systemic racism out there in terms of hiring practices. There needed to be some kind of mechanism to enable people to understand that after decades and decades of anti-discrimination laws nothing was moving. We certainly needed to have some form of mechanism so that those who were perpetually outside of the job stream could be included. It was not because they were low income versus high income. There are people who are low income who can end up being very high income earners. So do not give me that business. All one needs is an opportunity in life. If one is not given an opportunity to be hired because of the colour of one's skin then there is a reason why one is not getting a chance.

This kind of program and policy is to ensure that every Canadian, regardless of colour, creed, race, religion, language, sex or handicap, gets an opportunity.

**Some hon. members:** Hear, hear.

**Mrs. Finestone:** Madam Speaker, I would say that all along the issue has been structural unemployment, systemic discrimination, the vital need for changes to the way one uses our unemployment insurance and the way programs are put into place, which have demonstrated that all people have not had the same kinds of opportunity. The world has changed dramatically. We need new jobs and new kinds of skills.

It may be the children of the very wealthy who may not get the jobs or the PhD who cannot find the opportunity, although the one who has the PhD has a much better chance of getting a job than those who are under-educated.

We have a target population because the system does not work without it. If the member finds that antithetical to his views that is just fine. The people of my riding and the people we represent realize we need a public policy to give people a helping hand. It is not gratuitous. It is good, constructive public policy.

**Mr. Jay Hill (Prince George—Peace River, Ref.):** Madam Speaker, I find the hon. member's comments very enlightening of the Liberals' position. It reminds me of what took place in British Columbia just before and during the Charlottetown accord. At that time the NDP government in British Columbia decided in its wisdom to promote the idea of Senate reform based on gender equality. It decided that if we were going to reform the Senate and make it elected, it would legislate an equal number of men and women senators. However it very quickly found out the people of British Columbia did not support that type of action.

Interestingly enough, one of the sitting women senators was the most outspoken against that. She found it personally demeaning that a government would consider legislating—

**Ms. Clancy:** Name her.

**Mr. Hill (Prince George—Peace River):** If you must know, it was Senator Pat Carney. She said she could get elected to the Senate of Canada on her own merits not because some government took it upon itself to legislate equality.

• (1355)

**Ms. Clancy:** Madam Speaker, I rise on a point of order. I would like to make the point to the hon. member opposite that the Senate in this country is appointed not elected.

**Mr. Hill (Prince George—Peace River):** I am well aware the Senate in this country is appointed because this government continues to fill the other place with its appointments. We are very well aware it is appointed.

The senator was trying to say that if the Charlottetown accord had gone ahead with a provision for an elected Senate, that she would have ran at that time and felt she had a good opportunity to be elected. However, it would not have been because she was a woman but because she was good at her job and would have run on that basis.

I ask the hon. minister to actually cite some statistics and some examples of where the people of Canada support this type of reverse discrimination.

**Mrs. Finestone:** I suggest you read the standing committee report. You will find—

**The Speaker:** Order. The hon. secretary must always address the Chair. I get lonesome sometimes.

**Mrs. Finestone:** Mr. Speaker, I want to remind my hon. colleague that of those who appeared before the standing committee, 90 per cent supported employment equity.

I would also like to bring to the attention of the hon. member that Senator Pat Carney is a very staunch supporter of qualified women. At no time would anyone on this side or anyone who believes in fairness and equity suggest that factors other than quality and merit be taken into consideration. I would like to tell the hon. member that there are as many, if not more, competent, qualified women as there are men.

Last but not least, if someone has reasonable job qualifications, competence and equivalency, there is no discrimination in the ultimate selection. In short, with numerical goals a key ingredient of employment equity legislation is aimed at fighting rather than facilitating unjust discrimination and lack of representation.

Women make up 52 per cent of the population. I guarantee we can find competence among that—

**The Speaker:** It being 2 p.m., pursuant to Standing Order 30(5) the House will now proceed to statements by members.

## STATEMENTS BY MEMBERS

[English]

### INFRASTRUCTURE

**Ms. Mary Clancy (Halifax, Lib.):** Mr. Speaker, as a member from Nova Scotia I rise today to congratulate the Nova Scotia government for demonstrating vision and leadership with its solution for the redevelopment of Route 104.

In these times the Nova Scotia solution to highway 104 offers the safest redevelopment possible and safety is the most important issue here.

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The \$29 million federal-provincial investment will kickstart a \$110 million private and public partnering project that will create over 800 jobs and ensure that this dangerous stretch of highway is developed in only two years, contrasting sharply with the public sector only alternative which would see redevelopment over seven to ten years.

The safety of Nova Scotians cannot be put on hold for 10 years. It is irresponsible to even suggest it can be. However, this is exactly what the western based Reform Party is calling for and so are the Tories, Brian Mulroney's friends in the other place. It is a shame these out of touch parties are willing to play old style politics with the safety of those travelling the Nova Scotia highway system. Nova Scotians want immediate action. They deserve nothing less.

The province should be congratulated on its innovative solution, which offers the quickest, safest and most cost effective redevelopment possible.

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[Translation]

### ACCESS AWARENESS

**Mr. Maurice Bernier (Mégantic—Compton—Stanstead, BQ):** Mr. Speaker, I would like to point out that it is National Access Awareness Week.

One of the things that this event permits us to do is to take stock of the headway made over the past few years in the area of accessibility for handicapped persons. In fact, fortunately, our society has recently taken strides towards the social and professional integration of handicapped persons. There remain, however, many more physical obstacles and wide-spread prejudices to overcome.

We must go beyond merely examining our consciences and actually ensure that concrete measures will be taken to permit these people to take their rightful places in our community, especially at this time when the federal government has committed itself to reviewing the Employment Equity Act.

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[English]

### GUN CONTROL

**Mr. Garry Breitkreuz (Yorkton—Melville, Ref.):** Mr. Speaker, the legislative measures proposed in Bill C-68 imply that gun owners are a risk to both themselves and to others and thereby a threat to public safety.

The Minister of Justice is unable or unwilling to provide empirical evidence to prove that gun owners present a greater risk to themselves, to the people they live with or to their neighbours.

The Library of Parliament has been in contact with the Canadian Life and Health Insurance Association and the Insur-

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ance Bureau of Canada and has learned that insurance companies do not ask their applicants if they own a gun because they are not an identifiable risk group.

If gun ownership represented any risk or liability, insurance companies would charge gun owners a higher premium for life, health, disability, liability and property insurance. They do not.

How can the justice minister say gun owners are an identifiable risk when insurance companies disagree? Unlike the minister who makes his arguments based solely on emotion, insurance companies make their decisions based on empirical evidence because they make their living assessing real risk.

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**YORK REGION SENIOR GAMES**

**Mr. Jag Bhaduria (Markham—Whitchurch—Stouffville, Ind. Lib.):** Mr. Speaker, yesterday I was pleased to attend the opening ceremonies of the York Region Senior Games being held in Whitchurch—Stouffville, the federal riding I have the privilege to represent.

The games are held annually in the York region and provide senior citizens with an opportunity to participate in numerous sporting events. From badminton and bowling to golf, tennis, swimming and even triathlon, seniors from across the region engage in extremely competitive matches. The winners of events at the games will go on to compete internationally in their respective sports.

These games, jointly sponsored by the federal new horizons program and the Ontario Ministry of Culture, Tourism and Recreation, provide many seniors with an outlet for physical fitness as well as the opportunity to establish and maintain friendships with their extended community.

I wish each and every competitor success and, more important, a good time over the course of the senior games.

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**FREDERICTON CHAMBER OF COMMERCE**

**Mr. Andy Scott (Fredericton—York—Sunbury, Lib.):** Mr. Speaker, it is with great pleasure that I extend congratulations to the Fredericton Chamber of Commerce on winning the 1995 Chairman's Award. This award is given to the Atlantic province's chamber of the year.

The award was in recognition for the Fredericton chamber's business development initiatives in 1994–95. The Fredericton Chamber of Commerce contributes annually to the Greater Fredericton Economic Development Corporation. In addition to financial support, the chamber has a member on the board.

Further, the chamber has played a leading role in the commercialization initiative at the Fredericton airport and has contributed generally to the growth of Fredericton's information based economy.

Congratulations to past president Stuart Blair, present president Bill Macmakin and Krista Hamilton and her staff. It is thanks to these people and to these kinds of initiatives that my riding continues to find success in attracting new businesses and providing leadership in the growing new economy.

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**TOURISM**

**Mr. Francis G. LeBlanc (Cape Breton Highlands—Canso, Lib.):** Mr. Speaker, I rise today to congratulate the Nova Scotia government for showing strong leadership in the area of tourism development across the province and in particular on Cape Breton Island.

For the past 37 years the people of Cape Breton have been patiently waiting for the development of an infrastructure system worthy of its international tourist destinations, including the beautiful Cabot Trail, salmon fishing on the Margaree and Canada's best kept secret, the magnificent Fortress of Louisbourg.

Tourism is an \$834 million industry accounting for over 35,000 jobs across Nova Scotia. On Cape Breton Island this translates into almost 7,000 jobs and \$177 million in revenues. The potential for growth here is almost unlimited as new markets are sought.

For a region that has been devastated by a downturn in the fisheries and a 24 per cent unemployment rate, the completion of the Fleur-de-lis highway is more than just about a tourist trail. It is the completion of a transportation system that offers hope, survival and vital long term economic growth to coastal communities which would otherwise disappear. It is a road that paves the way to a self-sufficient and proud future.

As the member for Cape Breton Highlands—Canso I say congratulations to the Nova Scotia government. I invite all Canadians to come to Cape Breton this summer for a vacation to remember for a lifetime.

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**BIKE L.A.**

**Mr. John Richardson (Perth—Wellington—Waterloo, Lib.):** Mr. Speaker, I rise in the House today to pay tribute to a constituent, Elaine Strawbridge.

Presently Ms. Strawbridge is participating with 50 fellow Canadians in Bike L.A., a fundraising bike tour to support the Habitat for Humanity Organization.

The 4,000-kilometre bike trek began in Winnipeg on May 20 and is travelling through six states for 30 days before reaching

the California destination. Local churches along the route are providing meals and lodging to the cyclists.

Through her participation, Ms. Strawbridge hopes to raise \$25,000 for the local Habitat for Humanity Organization. This non-profit organization builds affordable housing for low income families through volunteer work.

• (1405)

I commend Ms. Strawbridge and all Bike L.A. participants for their commitment to helping those less fortunate. On behalf of all Canadians I wish Ms. Strawbridge a safe and successful trip.

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[Translation]

### REPRODUCTIVE TECHNOLOGIES

**Mrs. Madeleine Dalphond-Guiral (Laval Centre, BQ):** Mr. Speaker, the Royal Commission on New Reproductive Technologies issued a report on November 30, 1993, after four years of deliberations which cost the taxpayers of Canada and Quebec over \$28 million.

Despite the promises made by the Minister of Justice and the Minister of Health, the government has yet to determine how it will follow up on this report. The government is waffling, is killing time. Is it waiting for the end of the world to come or is it waiting for brighter days? Hard to say.

In the meantime, the flourishing embryo business is turning a brisker and brisker trade and genetic manipulation is being put to commercial uses. And once this trade has assumed such proportions that it will be increasingly difficult, maybe even impossible, to control the situation, the government will be faced with the loathsome task of justifying its inaction.

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[English]

### REFUGEES

**Mr. Art Hanger (Calgary Northeast, Ref.):** Mr. Speaker, the refugee system does not work. The Immigration and Refugee Board is bankrupt and the government does not have what it takes to fix the problem. However, we do the Reform Party has produced a paper on refugee settlement which contains 13 proposals that would, if enacted, bring genuine refugees to Canada while halting widespread abuse of the system by economic migrants and the immigration industry.

We call for increased co-operation with the UN to bring in more refugees from abroad, tightened airline security, a safe third country list from which people could not make claims, restricted availability of some social services for those who are found not to be genuine refugees, especially legal aid, the dismantling of the IRB and the restoration of accountability in the system, among others. These proposals would bring sense back to the refugee system, would save hundreds of millions of dollars and would protect those most in need.

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I sincerely hope the government has the sense to study and implement these reasonable, common sense proposals. Let us make the system work for everybody's interests, not just special interests.

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### KAMLOOPS BLAZERS

**Mr. Nelson Riis (Kamloops, NDP):** Mr. Speaker, I rise today to congratulate the Kamloops Blazers hockey team on winning the 1995 Memorial Cup and on the extraordinary accomplishment of winning three out of the last four Memorial Cup championships.

For the Blazers it was a Memorial Cup matinee masterpiece before 5,500 enthusiastic fans at Riverside Coliseum in Kamloops. The western hockey league champion Blazers crushed the Ontario pennant winning Detroit Junior Red Wings in an 8 to 2 upset as the Brandon Wheat Kings and the Hull Olympics looked on.

Congratulations to the team players, coach Don Hay, manager Bob Brown and all the others who worked so hard to make the Kamloops Blazers the number one hockey club in Canada.

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### OPTIMIST CLUB

**Ms. Colleen Beaumier (Brampton, Lib.):** Mr. Speaker, for more than 75 years Optimists have found ways to help young people feel better about themselves, learn, feel happy and build solid foundations of character.

Youngsters have gained self-confidence through the oratorical contest, learned about their attributes through Youth Appreciation Week and experienced the power of leadership through their Optimist youth clubs. Recently Optimists have learned that brick by brick they can help young people to build on themselves through positive mentoring and tutoring programs.

On June 3, 1995 Optimist International is celebrating Optimists in Action Day around the world. The theme this year is: "Our Children, Our Future". The Optimist Club of Brampton will be holding an event to mark action day which involves other Optimist clubs in the area, youth clubs and other organizations.

I ask all members of the House to join me in wishing organizers and participants in the Optimist Club of Brampton's Action Day all the best.

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### VANCOUVER PUBLIC LIBRARY

**Mr. Ted McWhinney (Vancouver Quadra, Lib.):** Mr. Speaker, on behalf of the Senate and the House of Commons Joint Standing Committee on the Library of Parliament, I congratulate Mayor Philip Owen of Vancouver and Kyle R. Mitchell, chair of the Vancouver Public Library Board, for the eight years of planning and community effort which have

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culminated in architect Moshie Safdie's imaginative, post-modern Vancouver Public Library.

It is a true symbol of the intellectual vivacity and creativity of Vancouver today.

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• (1410)

**HOUSING**

**Mr. Gurbax Singh Malhi (Bramalea—Gore—Malton, Lib.):** Mr. Speaker, the minister responsible for CMHC recently announced a one year extension of the affordability and choice today program or ACT.

The purpose of the program is to identify, demonstrate and promote changes in planning and building regulations that could help to improve housing affordability, quality and choice and to stimulate regulatory innovations in municipalities across Canada. The extension means that grants for at least 10 more projects will be provided.

Affordable housing is very important to the constituents of Bramalea—Gore—Malton. I commend the minister and CMHC for their actions and initiatives in this area. Anything the government can do to help promote the building of affordable housing is a step in the right direction.

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**ONTARIO ELECTION**

**Mr. Barry Campbell (St. Paul's, Lib.):** Mr. Speaker, in the Ontario election Mike Harris and the Conservatives are claiming they can balance the province's budget while massively reducing revenues through a reckless 30 per cent, or is it now 35 per cent, income tax cut.

In 1993 Mike Harris said he could balance the books in three years. In 1994 he said in four years. Now he says it will take until 2001. That is six years and six budgets. Mike Harris cannot add.

The Tory plan contains billions of dollars of errors, omissions and exaggerations. There are billions not accounted for. Ontarians must know what Mike Harris is afraid to tell them, that he will gut the province's social programs to find the extra money. Mike Harris says: "Vote for me now and I will tell you later what I am going to do to social programs". That is being dishonest.

Lyn McLeod will balance the budget within her government's mandate. Liberals are prepared to be accountable to voters if they fail instead of putting tough decisions off into the future. Only the Ontario Liberals have a realistic plan to balance the province's budget without devastating social programs.

[Translation]

**WORLD REPORT ON HUMAN DEVELOPMENT**

**Mr. Claude Bachand (Saint-Jean, BQ):** Mr. Speaker, Charles Castonguay, mathematician and University of Ottawa professor, denounces the shameful and pernicious use to which the federal government is putting the latest UN world report on human development by claiming that Canada ranks number one in the world in this area.

The government bases its claim on Canada's rank on the human development index. However, the purpose of this index is to measure the gains that developing countries are making on developed countries. A close look at these statistics reveals that Canada's unemployment rate is the fourth highest in the world and that our youth unemployment rate ranks eighth among all countries on the index.

Canada also ranks eighth for the income spread between its richest and poorest citizens. The propaganda campaign of the Prime Minister and his government shows that they are stretching reality to hide the fact that they have given up on the social front.

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[English]

**LIBERAL PARTY OF CANADA**

**Mr. Ed Harper (Simcoe Centre, Ref.):** Mr. Speaker, in the next couple of weeks members across the way face a critical test that will characterize the very essence of their stay in Ottawa. They must decide if they are here to serve their constituents or they are here to serve their party masters.

The Liberal red book promised free votes. The 35th Parliament has yet to have one government bill open to a free vote.

In the next few weeks votes on bills as diverse as the sentencing bill, the employment equity bill and the gun registration bill are all due. Free votes are clearly called. Liberal members have been told their party comes first. History however tells another tale and I urge Liberal MPs to vote with their constituents.

The next few weeks will be interesting indeed. The very definition of parliamentary democracy is at stake. Hopefully the voice of the majority of Canadians will be the one that Liberal members listen to.

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**NATIONAL ACCESS AWARENESS WEEK**

**Ms. Jean Augustine (Etobicoke—Lakeshore, Lib.):** Mr. Speaker, this week is National Access Awareness Week. It was

my privilege yesterday to join with Canadians from communities across the country at the national kick-off ceremony.

This week gives individuals with disabilities the opportunity to celebrate their many accomplishments and allows for the setting of new goals for improving access.

With learning as the focus of this year's celebration, we are reminded that learning is a lifelong process. It is important to ensure that all learning opportunities are available to everyone, including Canadians with disabilities.

We have much to learn from each other. Canada cannot afford to ignore the tremendous talents, abilities and skills that persons with disabilities can contribute to the workplace, to schools and to communities.

As members of Parliament let us commit to removing all physical and attitudinal barriers faced by persons with disabilities to ensure their full participation in all aspects of community life.

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• (1415)

#### PETE MCGARVEY

**Mr. Sarkis Assadourian (Don Valley North, Lib.):** Mr. Speaker, I am pleased to stand in the House and recognize the contributions my friend Pete McGarvey has made to Canada and Canadians for many years.

I have known Pete McGarvey for the last 21 years and he has had an immense influence on my life since first meeting him in 1974. I commend the city of Orillia for inducting him into Orillia's Hall of Fame.

Pete McGarvey was chosen for his continuing service in the community, for being the driving force behind the restoration of the Leacock home and for his accomplishments as a successful writer and broadcaster.

I am confident the citizens of Orillia will agree with me, Mr. McGarvey deserves this honour and much more.

I call on the House to join with me in congratulating Pete McGarvey, his family and the city of Orillia for making him its choice for the Hall of Fame.

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## ORAL QUESTION PERIOD

[Translation]

### BOSNIA

**Hon. Lucien Bouchard (Leader of the Opposition, BQ):** Mr. Speaker, following the meeting of the contact group on Bosnia, Canada's allies decided to respond to the affronts by

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Bosnian Serbs by consolidating the action of the peacekeeping forces through a redefinition of their mandate and a diplomatic approach to obtaining the release of nearly 400 peacekeepers, including ten Canadians. Canada's Minister of Foreign Affairs followed closely in NATO's footsteps this morning, but without, however, setting out Canada's position in clear terms with respect to the consolidation of the peacekeepers' mandate.

My question is for the Prime Minister. In the light of the emergency debate permitted yesterday, would he tell us what definite instructions he sent to his Minister of Foreign Affairs, who will represent us tomorrow at NATO's other meeting?

**Right Hon. Jean Chrétien (Prime Minister, Lib.):** Mr. Speaker, I had an opportunity yesterday in this House to explain the need at this point for the United Nations to establish new directives for the troops in order to avoid a repetition of the hostage taking and, perhaps, to redefine their mandate so that the troops could act more quickly in the event of an emergency than they have been able to in the past.

Today, at the United Nations, the Secretary General is to submit new directives in this regard to the Security Council. We had an opportunity over the weekend to express Canada's point of view. We will see what the Security Council decides. Our troops in Bosnia are under the command of the United Nations, and the UN gives the necessary orders.

The Secretary General confirmed to me that the role of our soldiers needed redefining and that they should be redeployed so as to be in a position to defend themselves more readily. We will see what the UN decides later on this week.

As for the Minister of Foreign Affairs, he is acting on the instructions in the statements issued in this House during yesterday's debate by the Minister of National Defence and my responses in Question Period yesterday.

**Hon. Lucien Bouchard (Leader of the Opposition, BQ):** Mr. Speaker, if the Minister of Foreign Affairs has only what the Prime Minister has just said to go on, he will have to fudge it tomorrow in Brussels, because there is nothing clear in what the Prime Minister has said, it is extremely ambiguous. Other countries are members of the UN forces and have made concrete decisions. France, Great Britain and the United States, for example, have sent additional troops and equipment that is more suitable for over there.

I would ask the Prime Minister to tell us whether his government has sent or will send additional equipment on an emergency basis such as heavier tanks and arms so that our peacekeepers may defend themselves and bring their peace mission to a successful conclusion.

**Right Hon. Jean Chrétien (Prime Minister, Lib.):** Mr. Speaker, we have not yet made any decision in this regard. We believe that our troops, where they are placed at the moment, have what they need in order to be able to react, particularly if

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their mandate is redefined. We have decided not to send additional troops for the time being.

**Hon. Lucien Bouchard (Leader of the Opposition, BQ):** Mr. Speaker, it will be noted that I spoke of heavier equipment and more effective weapons and that the answer remains: “We have not made any decision”. And so we are still in the dark. This is indeed worrisome, Mr. Speaker.

When decisions guiding international action in Bosnia are made by the contact group, how does the Prime Minister explain Canada’s sending the fifth largest contingent to Bosnia and Croatia without being a member of the contact group, unlike the United States and Germany, which are members without having sent a single peacekeeper there?

• (1420)

**Right Hon. Jean Chrétien (Prime Minister, Lib.):** Mr. Speaker, yesterday I explained that 25 countries are represented with troops in the former Yugoslavia, and that most of them are not in the contact group. These countries include Spain, Holland, Denmark, Canada, Pakistan and others that are there.

We are in contact with these people at the moment, and the Minister of Foreign Affairs is in contact with his counterparts in the group. A NATO meeting was held this morning; there will be another one tomorrow, I think. And there is talk of a meeting of defence ministers on the weekend. So the Minister of National Defence will be there, and the Minister of Foreign Affairs is already there. I said that, as regards the Canadian position at this point, there is no need to send new equipment; what we have there now is satisfactory.

**Mr. Jean-Marc Jacob (Charlesbourg, BQ):** Mr. Speaker, my question is for the Prime Minister.

The public is concerned about the fate of the 380 peacekeepers, including 10 Canadians, held hostage by the Bosnian Serbs as well as 45 other Canadian soldiers surrounded by the Serbs. The base in Valcartier has received 1,200 calls from relatives concerned about the safety of the soldiers deployed in the former Yugoslavia.

Given that the public worries about the fate of our peacekeepers in Bosnia and that negotiations to secure the release of the Canadian hostages have yet to produce concrete results, how can the government be so vague—like the Prime Minister’s response—about its position on the current crisis in Bosnia, when France, Great Britain and the U.S. have already announced concrete actions? These soldiers’ families want concrete actions and decisions.

**Right Hon. Jean Chrétien (Prime Minister, Lib.):** Mr. Speaker, I said that we participated in all the weekend discussions. I have been in contact with the leaders of the governments

that have troops over there, like Great Britain and France, and with the Secretary-General of the United Nations.

Some of our soldiers are in a difficult position but they are not very far from the base in Visoko, and we are in contact with those who have been captured and those who are in a non-mobile position, so to speak. Two Canadians are held outside that area, one of them in Pale, and we were able to communicate with him in the last few hours.

Unfortunately, we have not heard recently from Corporal Lapalme, who is in the Bosnian capital of Sarajevo, and with whom we are currently trying to establish contact. So far, however, we can assure the families that we are staying in contact with everyone involved, with the exception of Corporal Lapalme, and we are doing everything in our power to ensure that they remain alive. Our current approach is probably the best way of securing their release as soon as possible.

**Mr. Jean-Marc Jacob (Charlesbourg, BQ):** Mr. Speaker, my supplementary is also for the Prime Minister.

Given that everyone agrees that the peacekeepers’ mandate should be redefined—although the Minister of National Defence was unable to do so yesterday—and that we are waiting for the United Nations’ response, how does the Canadian government propose to redefine the UN mandate of Canadian peacekeepers?

[English]

**Right Hon. Jean Chrétien (Prime Minister, Lib.):** Mr. Speaker, yesterday I said we took an initiative on that. Last week we discussed the mandate with the United Nations.

I will repeat in the House that we have to make sure troops are not spread around like they are at the moment. We would like them to be concentrated in places where they can defend themselves and be defended by other people at the bases. That is the main preoccupation. When they are alone in observation towers, for instance, they are in some difficulty because they cannot readily defend themselves.

That is exactly what the UN is considering at the moment, to give peacekeepers a role more in relation to the means they have. The troops are under the command of the United Nations there and the secretary general is supposed to present new guidelines to the security council possibly later today.

**Mr. Preston Manning (Calgary Southwest, Ref.):** Mr. Speaker, in the last 24 hours the UN’s mandate in the former Yugoslavia is being shifted from a focus on peacekeeping to aggressive peacemaking.

• (1425)

Britain has announced it will be sending 5,000 more troops. France is committing an aircraft carrier and helicopter gun



ships. The U.S. may contribute commandos to the conflict. The UN contact group has also endorsed a plan that would give UN soldiers the power to aggressively attack warring factions.

Does the government support shifting the UN mandate in this direction, shifts which will escalate military activity in the former Yugoslavia?

**Right Hon. Jean Chrétien (Prime Minister, Lib.):** Mr. Speaker, there is no question at this moment of shifting the mandate of peacekeeping to enforcing peace in the way described by the hon. member. They are sending more troops there to protect their own troops.

I explained the Canadian situation. We are not in exactly the same position. Our troops are not as spread out as others. It is not a question at this moment of Canada's sending more troops.

The mandate is not to start a war with anybody but to protect the troops there, which is exactly what we are supporting.

**Mr. Preston Manning (Calgary Southwest, Ref.):** Mr. Speaker, to many observers it appears the UN mandate is shifting. If the government simply passively accepts those shifts, the public will want to know what that means for Canada.

In March the government sent our peacekeepers back to Bosnia without a clear mandate, without firm criteria for staying or withdrawing and without a voice in the decision making contact group.

If the government insists on staying under conditions of military escalation will it now insist on being given a place at the table with the United Nations contact group? In other words, will that be a condition which must be met if Canadian peacekeepers are to remain?

**Hon. David M. Collenette (Minister of National Defence and Minister of Veterans Affairs, Lib.):** Mr. Speaker, there have been concerns on the part of a number of countries about the contact group and membership.

As a result we are now looking at perhaps shifting some of the focus to NATO nations contributing troops. There may be a meeting on Saturday or a few days later in Brussels to deal with that.

Canada is certainly a member of that group. We had one meeting last December—

**Mr. Hermanson:** It is almost June.

**Mr. Collenette:** If the hon. member would listen, I will explain.

We have had continual contact back and forth, personal, one on one and bilateral and other multilateral meetings since last December between the Minister of Foreign Affairs, myself and other ministers of defence of NATO contributing nations.

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The Minister of Foreign Affairs, who is in Europe, has been fully apprised of what has been happening and has given input into the deliberations that went on yesterday.

**Mr. Preston Manning (Calgary Southwest, Ref.):** Mr. Speaker, what continually disturbs us about this discussion is the fuzziness of the government's criteria for remaining and the fuzziness of its strategy in this troubled part of the world.

I will ask the minister again a very straight question, one Canadians want answered. If the government has decided Canadian peacekeepers are to remain in the former Yugoslavia, with their lives even more at risk because of the escalating dangers, will it be conditional on the government's being given a place in the UN contact group, yes or no?

**Hon. David M. Collenette (Minister of National Defence and Minister of Veterans Affairs, Lib.):** Mr. Speaker, I do not know why the hon. leader of the Reform Party is so preoccupied at this late date with the forum for discussion.

Discussions are ongoing. There is nothing fuzzy about the government's position. I do not know how the hon. leader of the Reform Party can make that statement having sat here last night and listened to my speech in which I outlined the number of criteria for our continued participation in a redefined UN mandate. That was outlined again today by our Minister of Foreign Affairs in The Hague.

\* \* \*

● (1430)

[*Translation*]

### EXPORTS OF MILITARY EQUIPMENT

**Mr. Jean H. Leroux (Shefford, BQ):** Mr. Speaker, my question is for the Minister of National Defence.

A study conducted by Project Ploughshares, a research institute in Waterloo, Ontario, shows that in 1993-94, more than US\$200 million in military equipment manufactured in Canada was exported to at least 11 of the 39 countries ravaged by civil war last year, in contravention of the arms exports controls.

How can the Minister of National Defence explain the fact that the government authorized the sale of Canadian-made arms and military equipment to countries like Peru, Turkey and Burma, where human rights are systematically violated?

[*English*]

**Hon. Christine Stewart (Secretary of State (Latin America and Africa), Lib.):** Mr. Speaker, Canada is very clear in the countries that it supports with the delivery of arms and parts for munitions.

Most of our trade is with the United States, with NATO countries or with other countries with which we have a production agreement. We do not send and sell arms to third world

*Oral Questions*

countries that are in a conflict situation or any country that is in a conflict situation either with another state or with its internal population.

We have not yet seen the report to which the member refers. It has not been made public to us but we will be reviewing it as soon as it is made available to the government.

[*Translation*]

**Mr. Jean H. Leroux (Shefford, BQ):** But this was reported in the press yesterday, Mr. Speaker. This study also shows that Canada is the seventh largest supplier of military weapons to third world countries.

My supplementary is for the Minister of National Defence. Are we to understand that this violation of arms trade regulations by the Canadian government is totally in line with its new foreign policy, which puts trade before human rights?

[*English*]

**Hon. Christine Stewart (Secretary of State (Latin America and Africa), Lib.):** Mr. Speaker, I can only say that the report which was reported upon in the press yesterday has not been made publicly available to the government. We will be reviewing it when we do get that document.

The fact is that Canada supports the reduction of the production in trade of conventional weapons. We are very active on the international commitment to that. We are dialoguing with other nations to see what we can do.

We feel that the proliferation of conventional weapons is one of the most serious problems confronting our world and is causing so much of the conflict that we are having to address.

\* \* \*

**BOSNIA**

**Mr. Bob Mills (Red Deer, Ref.):** Mr. Speaker, we have a defence minister who is sending a double message to Canadians. On one hand he is beating his chest and talking tough about a beefed up mission to Bosnia while in reality his poor leadership and defence cuts have reduced the morale and effectiveness of our military.

The minister cannot have it both ways. Is he going to cut the military or is he going to beef it up?

**Hon. David M. Collenette (Minister of National Defence and Minister of Veterans Affairs, Lib.):** Mr. Speaker, the critic for the Reform Party says that I have some explanations to give. Perhaps he would like to give an explanation to Canadians as to why he advocated yesterday on behalf of his party that Cana-

dians retreat from Bosnia, leave our hostages there and allow the rest to get him out.

**Mr. Bob Mills (Red Deer, Ref.):** Mr. Speaker, Reformers or Canadians do not leave hostages behind when they conduct a retreat.

This morning, the Bosnian ambassador to the UN commented on the uselessness of the UN operation. He said: "Under these circumstances, the humanitarian mission is over". Considering this, will the Prime Minister admit that no humanitarian aid is getting through and that this reality is a direct contradiction to what he argued yesterday in this House?

**Hon. David M. Collenette (Minister of National Defence and Minister of Veterans Affairs, Lib.):** Mr. Speaker, perhaps it says something about the state of the Reform Party that the hon. foreign affairs critic seems to know a lot about the science of retreat. Perhaps he would like to edify the House as to how that will apply to other Reform Party policies.

The fact is that we are not going to leave those people in the former Yugoslavia to brutality, to torture or to carnage. We believe we have an obligation as part of the United Nations mandate to help bring some stability to that area. We are certainly not going to do anything to endanger the safety of our captured troops, least of all retreat.

\* \* \*

• (1435)

[*Translation*]

**UNEMPLOYMENT INSURANCE REFORM**

**Mr. Gérard Asselin (Charlevoix, BQ):** Mr. Speaker, my question is for the Minister of Human Resources Development.

The people of Saint-Siméon and the surrounding area in the Charlevoix riding, are bracing themselves for the unemployment insurance reforms imposed by the minister in the February 1994 budget. These dramatic reforms are hitting them very hard. Entire families have been forced onto social assistance, because of the inadequacy of the unemployment insurance system.

Does the minister realize that his reforms have pushed thousands of citizens, like those of Saint-Siméon, closer to misery, and that he must revoke these cuts in order to stop thousands of unemployed people from flocking to social assistance.

[*English*]

**Hon. Lloyd Axworthy (Minister of Human Resources Development and Minister of Western Economic Diversification, Lib.):** Mr. Speaker, as I have pointed out in the House in the past, our changes to the unemployment insurance provide a substantially higher benefit for low income unemployment insurance claimants. In the last account I think some 280,000 Canadians, including 80,000 in the province of Quebec alone,

*Oral Questions***BOSNIA**

have been able to receive an additional \$1,000 per year as a result of the changes we implemented.

I have read the comments of the people of the St. Simeon area and their concern about the design of the UI zone, but that is a very different issue. That goes back to the UI reforms which were brought in by the Conservative government when the hon. member's hon. leader was a member of that government.

[*Translation*]

**Mr. Gérard Asselin (Charlevoix, BQ):** Mr. Speaker, here is my supplementary question. The time for speeches has passed: it is now time to act.

Does the minister realize that, while he doles millions of dollars out to the Winnipeg Jets, the unemployment insurance cuts made by this government and the one before it, in particular those contained in this government's last two budgets, are making life miserable for the unemployed and unbearable for seasonal workers?

**The Speaker:** Please ask your question.

**Mr. Asselin:** Mr. Speaker, I will start over again.

Does the minister realize that the unemployment insurance cuts—

**Some hon. members:** Oh, oh.

**The Speaker:** My dear colleague, I could not hear you. Please ask your question.

**Mr. Asselin:** Mr. Speaker, here is my question.

Does the minister realize that, while he doles millions of dollars out to the Winnipeg Jets, the unemployment insurance cuts contained in this government's last two budgets are making life unbearable for seasonal workers and are causing people from Charlevoix to starve?

[*English*]

**Hon. Lloyd Axworthy (Minister of Human Resources Development and Minister of Western Economic Diversification, Lib.):** Mr. Speaker, the hon. member could serve his constituents in that area most effectively if he were able to use his powers of persuasion with his colleagues to join with us as we attempt to provide a major modernization of the unemployment insurance system. It will provide the kinds of tools and resources that will enable people to get back to work.

The problem is the Bloc Québécois has opposed every effort to provide for an improved unemployment insurance system, every effort to give people more resources to get back to work. I would appeal to the hon. member to use his good offices to try to change his party's policies and co-operate with us in trying to provide a much more effective unemployment insurance system for Canadians.

**Mr. Jack Frazer (Saanich—Gulf Islands, Ref.):** Mr. Speaker, it seems the government will leave our Canadian forces in the former Yugoslavia.

Our mandate in Bosnia is to assist in the delivery of goods, but the Sarajevo airport is and has often been closed and when convoys do move they are often prevented from reaching their destinations. Last night the defence minister suggested that to reduce our vulnerability we will pull in our observers and concentrate our forces for protection.

• (1440)

Will the minister explain how we are to carry out our mandate when supplies are not getting through and our troops are all hunkered down in bunkered compounds?

**Hon. David M. Collette (Minister of National Defence and Minister of Veterans Affairs, Lib.):** Mr. Speaker, the hon. critic for the Reform Party is taking considerable licence with what I said last night.

When we talk about perhaps bringing the UNMOs out of exposed situations, that to me is good common sense. When we talk about concentration of troops as the Prime Minister has explained, this does not necessarily apply to Canada because our troops are reasonably well concentrated at our two posts at Kiseljak and Visoko. But it does make good sense for the UN to continue the mandate to have some concentration of its forces so there is less exposure.

I would like to take exception to what the hon. member has been saying in terms of the discharging of the mandate in Bosnia. The fact is that for most of the last three years those flights have operated with Canadian Hercules from Ancona to Sarajevo. That has been a lifeline which has kept those people fed. The other convoys have been getting through. Of course in the last couple of weeks things have been difficult, but the last couple of weeks does not tell the tale.

I continue to be completely surprised as to how members of his party stand in the House and offer a plan to retreat when they should be offering the Canadian people a plan to retrieve our peacekeepers.

**Mr. Jack Frazer (Saanich—Gulf Islands, Ref.):** Mr. Speaker, the Reform Party is suggesting a withdrawal.

Will the government acknowledge that withdrawal at this time does not mean abandonment of the region but rather opens the door to other options which are currently unavailable because of the threat of hostages? For instance, has the government considered replacing withdrawn ground forces with an air squadron, thus continuing Canadian presence and providing a needed capability?

*Oral Questions*

**Hon. David M. Collette (Minister of National Defence and Minister of Veterans Affairs, Lib.):** Mr. Speaker, the logic of Reform Party members is incredible. They stood here last night and told us to get out of there and basically gave us detailed plans for a retreat. Now the hon. member is asking for the application of air power.

I would like to ask him to please make up his mind and be consistent? At least the official opposition is consistent and we respect and are grateful for its support. However, let us have some consistency of opinion in this whole matter.

\* \* \*

[Translation]

**CANADIAN SECURITY INTELLIGENCE SERVICE**

**Mrs. Francine Lalonde (Mercier, BQ):** Mr. Speaker, my question is for the solicitor general.

The action taken by the RCMP and CSIS against Pierre Laberge, a retired RCMP employee who came down in favour of Quebec sovereignty, was apparently not enough for Normand Chamberland, Director General of CSIS in Quebec, since he has just fired Mr. Laberge's wife for no reason after 10 years of service.

How can the solicitor general let Normand Chamberland, who planted bombs in Quebec in the 1970s, be so unfair to Mr. Laberge's wife, simply because Mr. Laberge expressed his support for Quebec sovereignty?

**Hon. Herb Gray (Leader of the Government in the House of Commons and Solicitor General of Canada, Lib.):** Mr. Speaker, it is a well known fact that CSIS is cutting staff. It seems that the employee in question is part of the cuts. I have been told that this decision has nothing to do with opinions she or her husband expressed.

**Mrs. Francine Lalonde (Mercier, BQ):** Mr. Speaker, it so happens that Mr. Laberge's wife was the only one not wanting to leave and that the job cut, effective June 1, was announced last Tuesday. The fact that the government condones this action suggests that she indeed was fired.

Is the government so worried about the outcome of the referendum campaign that it condones such acts of pure intimidation against people whose only crime is to have a sovereignist spouse?

**Hon. Herb Gray (Leader of the Government in the House of Commons and Solicitor General of Canada, Lib.):** Mr. Speaker, I do not accept the hon. member's allegations. As I just said, the decision is due to the staff cuts at CSIS and has nothing to do with the opinions in question.

• (1445)

It is sometimes not possible to lay off only those employees who want to leave. In cutting staff at CSIS and in other services, it will not be possible to get everybody who has to leave to do so voluntarily.

As I just said, this layoff has nothing to do with the opinions in question.

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[English]

**CUSTOMS**

**Mr. Walt Lastewka (St. Catharines, Lib.):** Mr. Speaker, my question is for the Minister of National Revenue.

My constituents have expressed concern over line-ups at border points for tourists and for people working on both sides of the border. We must make border crossing between Canada and the United States easier for tourists so they will feel welcome to Canada.

What is the minister doing to relieve congestion and frustration at the border points?

**Hon. David Anderson (Minister of National Revenue, Lib.):** Mr. Speaker, there are a number of measures being taken. I would like to thank the hon. member for his concern in this area, which he has expressed on a number of occasions most forcibly.

We are in fact proposing that we make a change to the \$300 exemption paperwork at the border so it can be done without filling out a form. This initiative is a proposal at the present time. Consultations are ongoing but if the consultations are successful we expect to bring it in by August 1 of this year.

It is an initiative that is consistent with the U.S.—Canada border accord that the Prime Minister and the President of the United States signed last February. It will streamline clearance procedures, save approximately 16 person years of time for Revenue Canada and will be one of a series of measures to make our border more user friendly and less of a hassle for the honest border crosser.

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**BOSNIA**

**Mr. Jim Hart (Okanagan—Similkameen—Merritt, Ref.):** Mr. Speaker, since the defence minister is so certain about the security of our Canadian troops, maybe he would like to suggest exchanging himself for the 55 Canadian peacekeeper hostages in Bosnia.

The Prime Minister and the Minister of National Defence have stated that Canada is not prepared to commit any more resources to the former Yugoslavia. In fact, Canada has no more resources. Maybe we should talk about the lack of helmets or the lack of flak jackets or our outdated, obsolete armoured personnel carriers.

My question is for the Minister of National Defence. I would also like to remind him that we have troops who have spent three and four terms in Bosnia. Will the minister admit that Canada has no more resources to commit, that we are stretched to the limit and that we should be out?

**Hon. David M. Collenette (Minister of National Defence and Minister of Veterans Affairs, Lib.):** Mr. Speaker, the hon. member who just asked the question was a participant and a member of the special joint committee. That committee made certain recommendations about the availability of Canadian forces and those recommendations were followed in the white paper. That means that in certain circumstances for conflicts of this nature we should have ready additional personnel if required. The white paper calls for that and those people are there. We are taking steps to address the fact that we have been engaged quite frequently in peacekeeping missions by putting 3,000 more ground troops into the sharp end.

Before the hon. member makes these outrageous assertions in the House of Commons, perhaps he should read his own committee's report, which he signed, and the defence white paper.

**Mr. Jim Hart (Okanagan—Similkameen—Merritt, Ref.):** Mr. Speaker, I am amazed at the responses from the Minister of National Defence and the Prime Minister today. Are we talking about the same conflict? When we listen to them we think "now we have them right where they want us". That is the situation we are in.

The Minister of National Defence said that Canada has no plans to send additional troops at the moment. This is what he said: "Unless there is a need for a withdrawal of forces under the auspices of NATO, and then of course we would be part" —

**The Speaker:** I would ask the hon. member to put his question.

• (1450)

**Mr. Hart:** Given that the minister disbanded the airborne regiment, Canada's sole rapid reaction force, what resources does he have left to send over?

**Hon. David M. Collenette (Minister of National Defence and Minister of Veterans Affairs, Lib.):** Mr. Speaker, I perhaps would not want to get into a convoluted answer to a convoluted question.

I will take this opportunity to say that one of the people who has been detained, hostage Captain Rechner, was contacted a few hours ago through a Serbian interpreter. He is in good shape and is well fed. He has been able to bring supplies from his own quarters but he is still being detained. He is no longer being chained to a pole.

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I thought the House would want to know this. We remain concerned about Captain Lapalm. Of course the other people who are detained in Ilijas are in relatively good shape, as we have previously described.

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[Translation]

### SECURITY INTELLIGENCE REVIEW COMMITTEE

**Mr. Michel Bellehumeur (Berthier—Montcalm, BQ):** Mr. Speaker, my question is for the solicitor general.

If you consider that Michel Robert was appointed to the Quebec Court of Appeal, and if you add to that the fact that Jacques Courtois took ill and Rosemary Brown clearly lost interest, it would appear that the Security Intelligence Review Committee has become virtually inoperable. There is no one monitoring the activities of the Canadian secret service. While the cat is away, the mice will play and the spies will spy.

Does the solicitor general recognize that, for all intents and purposes, the Security Intelligence Review Committee is not functional and that there is therefore an urgent need to fill the vacancy and replace members who are no longer interested in carrying out their responsibilities?

[English]

**Hon. Herb Gray (Leader of the Government in the House of Commons and Solicitor General of Canada, Lib.):** Mr. Speaker, I do not accept the allegation of the hon. member that the Security Intelligence Review Committee is inoperable. It is in the position to carry out its functions. There are a sufficient number of members there to fulfil the requirement of the law with respect to its quorum. However, the matter of the vacancy is under review by the cabinet. I hope there will be an appropriate step taken under the law very soon to deal with the vacancy.

[Translation]

**Mr. Michel Bellehumeur (Berthier—Montcalm, BQ):** Mr. Speaker, in view of the reported case of former CSIS agent Pierre Laberge and the firing of his wife, will the Prime Minister—and this time my question is for him—undertake to fill these positions and consult the Leader of the Official Opposition before making any appointment to the review committee, as required by law?

**Right Hon. Jean Chrétien (Prime Minister, Lib.):** Mr. Speaker, I think that the Solicitor General has already answered this question. This position will be filled very shortly. I am very surprised at the official opposition for making such allegations, considering that hundreds of people have lost their jobs in Quebec City because they did not believe in the separatist option.

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In this case, the Solicitor General indicated that Mr. Laberge's wife was unfortunately among those who had to be laid off as part of the cuts imposed by the government.

I find the opposition's allegations incredible, having seen for example the firing of Mrs. Thibault, who was the president of an association for persons with disabilities, because she was a known Liberal supporter. If I were in their shoes, with the hundred or so shameful cases of patronage in Quebec over the past nine months, I would shut my mouth.

\* \* \*

[English]

**BOSNIA**

**Mr. Monte Solberg (Medicine Hat, Ref.):** Mr. Speaker, the defence minister has been widely quoted as saying that Canada supports the NATO air strikes. On Saturday, however, Canadian UN ambassador Robert Fowler stated that the Canadian government opposed punitive air strikes against Bosnian Serbs. "Air strikes as NATO carried out last week", he said, "were not useful".

Is Bob Fowler still running Canadian defence policy? If not, can the minister correct this discrepancy by explaining Canada's actual position?

**Hon. David M. Collette (Minister of National Defence and Minister of Veterans Affairs, Lib.):** Mr. Speaker, there has been no change with respect to Canada's policy on the use of NATO air power.

We had a number of discussions a year ago. The Prime Minister was in those discussions. As a result, we agreed to the use of NATO air power when requested by the UN forces on the ground for close air support, for protection of UN personnel and in certain situations relating to the safety of people in the various enclaves in Croatia and Bosnia. However, we did agree in certain circumstances that they could be used for other less defensive needs.

• (1455)

In the last couple of days we have said that if such air attacks as were deployed last week were to be used again, we would prefer some modification to the approval process so that Canada would certainly be part of that decision in a more formal sense.

With respect to the general application of the policy with close air support, as I have earlier described, we are quite happy with the way that process has been working in the past.

**Mr. Monte Solberg (Medicine Hat, Ref.):** Mr. Speaker, that Bob Fowler would feel so free to express his own personal opinion I think speaks volumes about the mess at the Department of National Defence. There is a huge vacuum of leadership. I think Mr. Fowler thought he would step in and fill it.

What is the minister doing to improve the communications and clear up the confusion in his own department at a time when the safety of our own troops depends on it?

**Hon. David M. Collette (Minister of National Defence and Minister of Veterans Affairs, Lib.):** Mr. Speaker, we are seeing a pattern of questions in the House today that is very unfortunate.

The lives of Canadian men and women are in danger. Despite our partisan differences on other matters, all of our questions and all of our thoughts should be on how to improve the situation, not to make petty criticisms on the floor of the House of Commons.

The hon. member speaks of a vacuum, but when we hear the comments of his defence critic, who a few moments ago said "retreat is not withdrawal and withdrawal doesn't mean you leave", one wonders where the vacuum is and who is actually setting policy on that side of the House.

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**CANADIAN WHEAT BOARD**

**Mr. Joseph Volpe (Eglinton—Lawrence, Lib.):** Mr. Speaker, my question is for the Minister of Agriculture. As he knows, last April 27 the Canadian Wheat Board issued an embargo on pasta from the European Union.

This action has spawned an artificial distribution system, weakened the financial stability of hundreds of family retail enterprises dependent on the sales of pasta for survival and put thousands of Canadian jobs at risk. Moreover, for consumers it has caused a price increase for a reduced variety of product. Will the minister either rescind the order or modify it so these effects can be corrected?

**Hon. Ralph E. Goodale (Minister of Agriculture and Agri-Food, Lib.):** Mr. Speaker, the source of the problem described by the hon. member in his question is obviously European subsidization on European pasta exports which recommenced as of April 1.

We have asked the Europeans to withdraw their subsidies, but to date they have declined. The Canadian Wheat Board has had no choice but to respond, which the board did on April 27 by reimposing Canadian import restrictions on certain pasta products.

These restrictions limited imports to retail sized packages imported by retailers. Since the time that measure was imposed we have been made aware by the hon. member and by others of certain unintended effects to small retailers who normally use wholesalers to import pasta on the small retailers' behalf.

Accordingly the Canadian Wheat Board is making certain administrative adjustments to address this issue to allow import permits for pasta imported by wholesalers if that pasta has been imported on behalf of a small retailer and will be sold only to the

public by that retailer, as evidenced by an affidavit signed by both the retailer and the wholesaler.

\* \* \*

[Translation]

### CHILD SUPPORT

**Mrs. Christiane Gagnon (Québec, BQ):** Mr. Speaker, my question is for the Prime Minister.

Last week, in a controversial ruling on child support, the Supreme Court rejected Suzanne Thibaudeau's appeal. The Minister of Justice immediately stated that he would act quickly in this matter.

Can the Prime Minister tell us what his justice minister meant when he announced his intention to act quickly in the matter involving Ms. Thibaudeau and what measures he intends to take?

**Hon. Paul Martin (Minister of Finance and Minister responsible for the Federal Office of Regional Development—Quebec, Lib.):** Mr. Speaker, the Minister of Justice indicated very clearly the government's intention to issue a statement before the House adjourns in June. We certainly intend to do just that. The hon. member must know that we raised the problem in our first budget, and we are studying it very seriously.

\* \* \*

• (1500)

[English]

### CANADIAN WHEAT BOARD

**Mr. Jake E. Hoepfner (Lisgar—Marquette, Ref.):** Mr. Speaker, further to my question on allegations of illegal dumping by the Canadian Wheat Board, we have now confirmation from the RCMP both in Winnipeg and Ottawa that no one from the Solicitor General's office ever asked them to review these allegations.

Why then did the Solicitor General write to me on March 28, 1995 and say that the RCMP had been asked?

**The Speaker:** That brings question period to a conclusion.

I have a question of privilege from the hon. member for Saint John.

\* \* \*

### PRIVILEGE

#### UNAUTHORIZED USE OF PHOTOGRAPH

**Mrs. Elsie Wayne (Saint John, PC):** Mr. Speaker, I rise on a question of privilege today because I feel that my privileges as a member of Parliament and my privacy have been severely

### Privilege

undermined by the government through its report on plain and generic packaging of tobacco products.

Because of the House recess last week, I have not been able to bring this matter to the attention of the House until today. The Minister of Health—

**The Speaker:** My colleagues, I would appeal to you. One of our members is rising on a point of privilege which could affect all hon. members in the House. I would ask you to please listen attentively, as I intend to do.

**Mrs. Wayne:** Thank you, Mr. Speaker.

The Minister of Health released the report two weeks ago. Over 1,300 copies were given to the press in the National Press Gallery. It contained eight pictures used in a visual impact study. To my astonishment, my picture was one of them. In the report I was stereotyped as a smoker, which I am not, grossly overweight, which my doctor says I am not, and I guess they have me almost as an 80-year-old woman, which I am not.

At no time did I give permission for the photo to be used nor did anyone from the Department of Health consult me. This type of stereotyping is an assault on my dignity as an individual and as a member of the House. It opens me up to ridicule and thus may impede my ability to perform my duties effectively.

To facilitate your work, Mr. Speaker, I would like to draw your attention to a ruling by your predecessor, Speaker Bosley, on a similar case in 1985. The issue involved an advertisement in a newspaper that identified a member of Parliament as someone else. Speaker Bosley said:

Anything tending to cause confusion regarding a member's identity creates the possibility of an impediment to fulfilment of the member's functions and constitutes a breach of privilege.

Speaker Bosley ruled that it was a prima facie case and referred the matter to the Standing Committee on Privileges and Elections. That case is similar to mine because a member of Parliament was misrepresented.

• (1505)

That is essentially the issue in this case. I have been identified and stereotyped in a manner that misrepresents me, not to mention the photo was used without my permission.

I have asked the Prime Minister for a public apology for the unauthorized use of this photo in a public document and a full accounting and explanation of how the health minister could have allowed this to happen. I have yet to receive a response.

Mr. Speaker, respectfully, I ask you to rule on this question of privilege.

**Mr. Peter Milliken (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, the hon. member for Saint John has raised a very serious issue, one that I know the Minister of Health is very anxious to reply to when she is available. Unfortunately, the Minister of Health cannot be here today. I am informed that she will be back in the House later this week. When she returns I know she will

*Supply*

want to make submissions to Your Honour and to the House concerning the very serious allegation raised by the hon. member for Saint John.

I would invite Your Honour to adjourn the matter until the Minister of Health is here and we can hear from her. I hope Your Honour will then take the matter under advisement and render a decision in due course.

**The Speaker:** Colleagues, this is a very serious matter and I take it as such.

The case was put to the House in a very succinct manner and I thank the hon. member for Saint John. I also thank the hon. member for Kingston and the Islands.

A minister of the crown is involved. With the permission of the House, I would like to have the minister enlighten us as to what happened. Perhaps it can be settled in that way, always keeping in mind that the hon. member's point of privilege will be dealt with in the House. However I would like the time to hear from the hon. minister when she returns, if that is agreeable.

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## GOVERNMENT ORDERS

[*Translation*]

### SUPPLY

#### ALLOTTED DAY—EMPLOYMENT EQUITY

The House resumed consideration of the motion.

**Mrs. Christiane Gagnon (Quebec, BQ):** Mr. Speaker, if I rise today to participate in this debate on the Reform Party's motion, it is to protect the aspirations and vested rights of women in Quebec and Canada. As we know, this motion concerns employment equity. It embodies—pardon me for being so blunt—every myth conveyed against employment equity.

The motion even refers to the concept of unnecessary, ineffective, costly, unpopular and discriminatory measures. Our colleagues from the Reform Party therefore conclude that this whole system should be abolished and replaced with a system based solely on merit. Before going any further, I take this opportunity to denounce the implication that employment equity target groups, namely women, aboriginal people, persons with disabilities and visible or ethnic minorities, do not have as much merit as others.

Let us start with a definition. What is employment equity? In a document prepared by the Public Service Alliance of Canada for the 1992–93 regional conference of women, employment equity is defined as a process intended to bring about an equal distribution of workers who are too often refused training and promotion occupations within certain groups and areas. It added that, to be successful, employment initiatives must go beyond

mere recruiting to ensure an environment free from discriminatory practices at work.

It should also be pointed out that one can take one of two views on employment equity; one being centred on results and the other on equal opportunity. I like to think that our society is seeking a balanced mix of the two.

• (1510)

The Bloc Québécois fully supports the principle underlying the employment equity legislation. Recognition of the fact that entire segments of our society are basically denied equal access to decent jobs is crucial to the issue of women and poverty.

Women, as we have said time and time again, are poor. Women members of visible minority groups, aboriginal women and women with disabilities are even poorer. Is it necessary, in May 1995, to back this up with statistics? I think not, and I will spare the House the statistics today.

In the face of this problem of poverty, which all too often is chronic among women, one must realize that employment equity measures are not only necessary, but essential, in order to fight poverty. Only through economic equality will this problem be resolved, but except in rare cases, economic survival is dependent upon employment.

Let us now move to the heart of the matter. Before statistics can be compiled on women or aboriginal people in key positions or their promotion rate, members of the target groups mentioned designated in the legislation must first find jobs. In order for them to have access to jobs, measures have to be developed to foster equal employment opportunity, as job access is dependent upon certain preconditions.

For one thing, it may be useful to remind members that the mere existence of a sufficient number of available jobs is in itself a basic requirement. Some other conditions are the existence of full-time permanent jobs, a social infrastructure, adequate daycare and job training and access to non-traditional jobs. I will elaborate on the above points.

As I already mentioned, saying that a sufficient number of jobs are necessary to promote the access of women and of other groups to employment is a truism. Unfortunately, it is all too true that the current government has relegated this issue to the sidelines.

The Bloc Québécois has vehemently decried the shameful omission of job creation programs from the two Liberal budgets. In effect, apart from the national infrastructure program, this issue has been at a standstill. And the jobs which have been created, temporary for the most part, only target men. There is nothing available for women, nothing at all. We have already seen much better job access visions.

Here is an example of an invalid policy on job access. To have access to jobs, there must first be jobs available. That is the very foundation of the principle. For women or other groups desig-



nated under the act to have equal access, the jobs that are accessible to them must be full-time and permanent, just like most of the jobs held by white men. Why? Let us take a look at the statistics.

A study carried out by Statistics Canada and published in the autumn of 1994 revealed that for the period between 1980 and 1993, most of the people working part-time against their wishes, I stress against their wishes, were women. In 1993, some 510,000 women in Canada held part-time positions, twice the number of men in the same category. Therefore, it is women who are having to deal with the problem of part-time work. The effect of this, as you might have guessed, is first on salary and then on advancement possibilities and thus on the possibility of attaining a better standard of living.

Likewise, permanent jobs are essential. Women are in the unfortunate position of being the leaders in casual, seasonal and badly paid jobs.

We have already referred to the march organized by Quebec women to demand that the government act to reduce poverty among women. The organizers of the "bread and roses march" are demanding, on behalf of the women of Quebec, what they have combined under the heading of social infrastructure, which includes the resources to be put in place to help improve the quality of life in their communities.

I refer here to resources for self-help initiatives, help for the disadvantaged, popular education, day care, literacy programs and integration of new arrivals. These resources, in addition to providing obvious support for social organization also give rise to many jobs for women where their particular skills are recognized. These resources must be strengthened and supported. This is a measure promoting women's access to jobs.

• (1515)

When it comes to job access, the immediate stumbling block for many women is child care. We must continually remind ourselves that real access to child care services is often the first step women must take on the road to work. If they run into a wall at this stage, there is no point in talking about job access. And we are still waiting for the government to move on this, as it promised to do in the red book, and provide day care spaces.

Similarly, it is hard to talk about equal access to employment when individuals lack the training required to hold the jobs that are still available. Women have always been disadvantaged in this regard. The "bread and roses" marchers have drawn attention to the problems of women without cheques, women who are excluded from subsidized training programs, because they receive neither UI nor welfare

The figures are alarming. Forty-four per cent of the adult population have not completed high school or professional studies. However, jobs created in the year 2000 will require 17

### *Supply*

years of education. When you do not have a diploma, it is hard to talk about equal opportunity.

To conclude this overview of the prerequisites to access to employment, we must not forget women's access to non-traditional jobs, because they are for the most part the new jobs being created. As an example, I would like to mention the proposal made last week to the Conseil régional de concertation et de développement de Québec by the Regroupement des groupes de femmes du Québec and the Comité régional des partenaires pour l'accès et l'intégration des femmes aux secteurs d'emplois non traditionnels.

This proposal asked that the Conseil régional establish an equal opportunity policy and enforce it in the implementation of projects submitted by sponsors. This is what is innovative about it: in order to promote the access of women to non-traditional employment, sponsors who wish to have a project approved by the Conseil régional will have to develop and implement an equity program within their business. Now that is taking the bull by the horns. It is also the sort of concrete action target groups need if they are to have equal access to employment.

Let us now move on to the second stage of the process, the working environment per se, which brings us to some statistics. We will assume that there are measures to promote access to employment and that they are effective. Women and other groups therefore have jobs. Is there still a need for employment equity measures? As you will have guessed, the answer is yes.

Who gets the jobs that pay well and that are higher up the ladder? Unfortunately, the statistics in no way back up the Reform Party's motion. First of all, with respect to salary, we know that women, even those with university diplomas, are still earning 73 per cent of what men earn. This is an inequality that is partially explained by the fact that women are concentrated in the lower ranking, and therefore less well remunerated, jobs.

In the Public Service of Canada, 84 per cent of women occupy such jobs. However, women represent only 16.1 per cent of the executive group of this same employer. And yet, I would point out, the Public Service of Canada is governed by an employment equity act.

In Quebec City, which has adopted an equity policy, women account for 81 per cent of employees earning less than \$41,000. Imagine the situation when employers are not subject to this legislation. Women therefore occupy jobs that pay less and carry no decision making authority. They must also contend with the highly disturbing phenomenon of sexual harassment.

We know that sexual harassment prevents women from attaining equality since victims often end up leaving their jobs or suffering the consequences when they file a complaint. The problem is a major one. It has been hardly a year since the daily newspaper *Le Droit* reported that, according to a Statistics Canada survey, 25 per cent of women said they had experienced harassment in the workplace, that is one woman in four. Of this

*Supply*

number, 39 per cent of incidents involved a person in authority. Surely no one would think for one moment that the job performance of a woman who is the victim of sexual harassment will be the same as that of a male colleague, that she will be evaluated objectively, that her opinion will be taken into account? Sexual harassment is a loathsome expression of the inequality that often plagues women. All the measures aimed at eliminating sexual harassment foster employment equity.

• (1520)

I could also talk about the importance of working conditions that are compatible with parental or support roles, such as parental and maternity leave and flexible hours. Unfortunately, I do not have enough time. I can, however, tell you that such working conditions are an essential part of employment equity. The measures designed to help individuals juggle family and job responsibilities facilitate access to the labour market and especially job retention. Such equity measures ultimately promote women's economic equality.

I cannot conclude without commenting on the insidious merit principle. The motion tabled by the Reform Party calls for rejecting Bill C-64 because hiring and promotion should be based solely on merit rather than on gender and race. If the hon. member for Fraser Valley East is so determined to put merit before gender and race, how does he explain the fact that women still earn only 73 cents for every dollar earned by men? I would like him to explain this to me.

Of course, in an ideal world, hiring and promotion would be fair, and there would be no discrimination on the basis of race, gender or physical disability. Yet, statistics show that we do not live in an ideal world. Non-disabled white men still hold 78 per cent of management positions in the public service. The powers and the economic levers are in their hands.

Let us look at the merit principle. As Kate Erickson of the National Association of Women and the Law claims, merit is assessed in a traditional way based on value judgments. The merit principle is part of discrimination history. In other words, during a job interview, a white man with the same lifestyle, clothing and education as the CEO will seem better qualified. On the other hand, a member of a visible minority will not benefit from the same stereotype and will seem unqualified. Yet, if these people were judged solely on their qualifications and experience, without a family name revealing ethnic origin, for example, it might be possible to look at their real qualifications independently of their social status.

The notion of merit is rather arbitrary. Systemic barriers have always prevented some individuals from landing jobs. The employment equity legislation does not suggest that individuals without qualifications be hired. It does not suggest that we

should hire people on the basis of their race, gender or physical condition. It suggests that systemic barriers be removed so that individuals who meet the job requirements can be hired in spite of their differences.

In an ideal world free of racism and discrimination, we would not need this kind of legislation. However, in a world where employers do not want to hire a certain individual because it would mean having to widen doorways in order to allow wheelchair access, where 25 per cent of women are sexually harassed in the workplace, where women with disabilities and immigrant women are poorer than their male counterparts, we need such legislation. The fact is that, at present, the workplace does not operate on merit and is not fair and equal. Without legislation, there can be no fairness.

Only a very small part of the motion is acceptable in its wording. "Equality for all Canadians" are fine words describing an ideal situation. Unfortunately, we are still a million miles from there, especially as far as women, aboriginal peoples, persons with disabilities and members of visible minorities are concerned. And it is for these people that we pass legislation on employment equity, so that, someday, they can have equal access to jobs available to men and finally break out of the poverty in which they are kept by the present system.

• (1525)

[English]

**Mrs. Sharon Hayes (Port Moody—Coquitlam, Ref.):** Mr. Speaker, as a member of the committee reviewing employment equity legislation, I am aware that 90 per cent of the witnesses who came before the committee supported the legislation. I am also aware that is likely more by the choice and selection of those witnesses than by the actual representation of the Canadian population to support that.

I have just done a random telephone poll in my constituency. My constituency is on the outskirts of Vancouver. It is one of the more multicultural communities in our area, with a high percentage of immigration, at least 50 per cent women, I am sure, and so on.

The results of that random polling were opposite to what the committee experienced. There was a 90 per cent rejection of any kind of hiring other than on the basis of merit alone. I was interested in some of the member's comments regarding merit. The Canadian people think highly of that as a criterion for hiring.

She commented on women in the workplace; 73 per cent of the average wage and 78 per cent of men being in management within the public service. Is my colleague aware that some of that may be due to choice or the time factor involved in entry into the workforce? Is she aware there are far more women being allowed to enter grad school now than there are men? The

average wage coming out of university is equal if not slightly to the advantage of women.

Does she think women have the right to claim a choice if they do not want to work full time? Is that a right they have if they want to stay home with their families? Does she feel a woman should enter full time into the workforce and demand equal right for pay or can she choose to work less than that if she feels her priorities are elsewhere?

[Translation]

**Mrs. Gagnon (Quebec):** Mr. Speaker, I will answer my colleague's three questions. I would be interested in seeing the mini-survey of ethnic communities she says she conducted, because a survey is supposed to be scientific. I would also like to see from what perspective and in what order the questions were asked. We all know that survey results can vary greatly, depending on the way the question is asked and on the selection of participants.

Therefore, I am going to go back to the committee. We have heard a lot from ethnic communities, which all demand that the act be maintained, because they are one of the groups which has made the least progress. Therefore, I would like to see the mini-survey conducted by the hon. member, and we could perhaps analyze her constituents' answers scientifically. I would very much like to see it, but what I do know is that the ethnic communities which came before the committee said the opposite of what my colleague claims.

In reply to her second question, the percentages I quoted are from the Canadian public service which is already governed by the Employment Equity Act. I could bring to my colleague's attention that women are under-represented in management positions and that this was what drew my criticism. My colleague can cite other statistics, the widely accepted statistics still remain, and they lament the under-representation of women in management positions.

My colleague also raised the issue of a woman's choice to stay at home. I myself have nothing against a woman choosing to stay home and raise her children. I believe that it is not my place to dictate the daily lives of women. What I really want to see are balanced measures which promote the integration of various groups, which include women, and give them access to well-paid stable jobs and good working conditions. We all know that many women hold unstable jobs and that the expression "unstable job" means that they do not have access to their employer's benefit packages.

• (1530)

Thus, I could not agree more with women having the choice of staying home. However, should they decide to enter the work-

### Supply

force, both women and disadvantaged designated groups should be given every possible chance and access to measures permitting them to hold well-paid jobs and to be trusted and treated with respect by their employers.

[English]

**The Acting Speaker (Mr. Kilger):** In consultation with the table officers I understand the rotation has been shifted a few times today. With the greatest respect to all members, I am looking for a speaker from the party whose allotted day it is. If someone from that party is seeking the floor, I will recognize them and then I will go to the government.

**Mrs. Sharon Hayes (Port Moody—Coquitlam, Ref.):** Mr. Speaker, I rise to speak today to the Reform Party's opposition day motion on employment equity.

The motion states:

That this House deplore the government's employment equity policy as unnecessary, ineffective, costly, unpopular, intrusive, discriminatory and harmful to designated and non-designated groups; that this House recognize the equality of all Canadians by affirming that hiring and promotion be based solely on merit rather than on gender and race; and that discriminatory employment practices be more vigorously pursued on an individual, case by case basis.

The Reform Party approaches the issue of employment equity from this principle of the equality of all Canadians. We believe all Canadians are equal regardless of what personal characteristics they possess such as race, ethnicity, sex or what part of the country they live in.

We believe in the equality of opportunity in the marketplace but realize that equality will not necessarily result in equality of results. The concept of our government sponsored employment equity philosophy takes a much different approach.

It seeks to identify specific groups that ostensibly have been discriminated against and are therefore considered disadvantaged. Specifically, it has identified the four groups, women, aboriginal peoples, persons with disabilities and members of visible minorities.

I have a number of concerns about the concept of employment equity and about its practical implementation. I want to demonstrate employment equity as such is based on a number of flawed assumptions.

Of great concern to me is that the government purports to support the concept of the equality of all Canadians. Yet this very principle, employment equity, and its underlying philosophy fly directly in the face of the principle of true equality.

How can the principle of equality be respected if some groups are given preferential treatment in hiring, recruitment and promotion in the public or the private sector through employment equity laws and regulation?

*Supply*

This contradiction is best exhibited in the Canadian Charter of Rights and Freedoms, section 15(1):

Every individual is equal before and under the law and has the right to the equal protection and equal benefit of the law without discrimination and, in particular, without discrimination based on race, national or ethnic origin, colour, religion, sex, age or mental or physical disability.

This is a statement in our Constitution on the equality of our citizens and the prohibition of discrimination based on certain characteristics. Yet the contradiction to that philosophy of employment equity is revealed in the next section of the charter, section 15(2):

Subsection (1) does not preclude any law, program or activity that has as its object the amelioration of conditions of disadvantaged individuals or groups including those that are disadvantaged because of race, national or ethnic origin, colour, religion, sex, age or mental or physical disability.

How can the charter of rights and freedoms recognize the equality of Canadian citizens on one hand and then turn around and state that principle of equality does not apply under certain circumstances?

• (1535)

Some argue employment equity is needed because certain portions of our population have been historically disadvantaged. Let me discuss that for a moment.

Prior to 1967 most immigration into Canada was from Europe and caucasian in character. Since that time our immigration patterns have changed, to the better I am sure. Many immigrants from all parts of the world are high wage earners. Most visible minorities in Canada, because of government policies, are either immigrants or children of immigrants. Going back to the original philosophy, how then can they be deemed at an historic disadvantage?

Surveys have shown some visible minority groups are among our highest wage earners. Also, many come from highly advantaged, educated backgrounds and yet are promoted and protected by the employment equity legislation. Conversely, other identifiable groups, ones not included in the visible minority category, have low incomes and may face real discrimination in the marketplace. They are left out of the legislation. They are deemed less than equal because they are not part of what is defined in this group.

The government purports to put forward the concept of numerical goals and employment equity and will go to the wall to say that never are these things to be deemed as quotas or affirmative action.

I will take a few moments to review some of the historical context of the present debate for it sheds much light on the intention and direction of the present legislation.

As early as 1979 the Canada employment and immigration commission established its affirmative action directive as an advisory tool to the department. Then in 1983 the hon. member for Windsor West, then President of the Treasury Board, introduced a mandatory program of affirmative action in the public service. Even at the outset there was a determined refusal not to admit to the real meaning of racially based job quotas. As we hear him say from those days: "The numerical goals we will be introducing as part of the affirmative action are not quotas". Those words are still said today but do they really mean anything?

Of special interest is the 1984 report of the federal royal commission. Judge Abella was the chair and the only member of the commission which produced the report entitled "Equality in Employment". In it the term employment equity appeared for the first time. Abella rejected the older phrase affirmative action on clearly pragmatic grounds.

I quote from the report her reason for using the new term: "No great principle is sacrificed in exchanging phrases of disputed definitions for newer ones that may be more accurate and less destructive of reasoned debate". Obviously a pragmatic choice of words, and for that reason the term employment equity was invented and the term affirmative action was tossed aside.

In addition, the phrase numerical goals used in employment equity legislation is really a euphemism for quotas. Bill C-64, which was recently debated by the human rights commission, incorporates numerical goals or quotas. Clause 10(1)(d) requires employers to incorporate quotas within the employment equity plan. This clause reads that an employer shall establish short term numerical goals for the hiring and promotion of persons in the designated groups in order to increase their representation in each occupational group in the workforce in which under-representation has been identified and sets out measures to be taken in each year to meet those goals.

Another illustration of the quota approach is the Treasury Board's annual report on employment equity in the public service. It outlines in some detail the philosophy of targets or quotas in all aspects of employment, in the recruitment, promotion and even the separation of employees from the employer. It is presented in pure numbers with percentages and totals broken down into a litany of categories. The problem with this approach is that the world is not so neatly configured. Numbers do not reflect the real world.

This leads to a third flat assumption of the employment equity philosophy. If these numerical goals or quotas are not met and consistent with the calculated diversity of our society it is therefore concluded there must be discrimination that is systemic in our society.

• (1540)

Let me discuss the concept of systemic discrimination. Underlying the Abella report and all subsequent legislation has been the conviction that racism in the form of systemic discrimination is rampant in our society.

Abella's report stated: "Non-whites all across Canada complained of racism. They undeniably face discrimination both overt and unjust". This report was from a commission that went across the country.

Who would present themselves to a committee such as that? Would people who are happy in their circumstance go out of their way to present? I do not think so. Perhaps even in this first statement of systemic discrimination we have a distortion.

Is Canada a racist country? Perhaps this would be the strongest argument for an affirmative action program as we see here. We have equity departments throughout the public service and the private sector and race relations councils where individuals come forward to attest to alleged discrimination and racism.

As I have mentioned, typically the people who come forward are self-selected individuals who address these committees. They are motivated by circumstance. Do we hear from the whole population? It is true racism does exist. I believe all societies have an element of racism to some degree. I also believe Canada is by far not the worst. Part of our opposition to this bill is in terms of guarding against a piece of legislation we believe would promote an attitude of racism in the sense of dividing people rather than bringing them together in our great society.

Is racism limited to only one race? Even as the media discusses this issue we hear the terms white and racist put together interchangeably. Even the term reverse discrimination which has been discussed today assumes discrimination goes only one way, from whites to non-whites. I reject that notion. If we look at racism in real terms it can be from one race toward any race. I do not think whites or other races have any particular claim to it.

Is racism real in Canada? It is an element in our society like in any other. Let me cite two reports. The Economic Council of Canada put out a report in 1991, "New Faces in a Crowd: Economic and Social Impacts of Immigration". It concluded Canada had been remarkably successful in assimilating immigrants from diverse backgrounds. It found there was no significant discrimination against immigrants and that tolerance toward immigrants was high and was found to be increasing.

Another report from the Economic Council of Canada in 1992, "Earnings of Immigrants: A Comparative Analysis", focused more on what immigrants were paid. It found unemployment among immigrants was actually lower than for Canadian born citizens. This report's central conclusion was there

### Supply

was no evidence of a systemic pay discrimination against immigrants on the basis of colour.

There is a necessity to recognize diversity in our society. The whole basis of employment equity rests on the raw numbers of diversity. It is argued it should be reflected in employment in the public sector and to a lesser extent in the private sector.

However, the diversity measured by employment equity is measured through a voluntary process called self-identification. Individuals must declare themselves as belonging to a particular group that makes them eligible for employment equity. This can be a very great problem with the proposed system. This information is accumulated primarily through the census of population data. For gender the process is a given, but the self-identification process begins to break down when determining who are visible minorities or who are persons with disabilities.

• (1545)

For instance, to determine if one is a member of a visible minority one has to go through a four-step process as defined by the employment equity data program established by Statistics Canada. Step No. 1: persons are asked which ethnic or cultural group their ancestors belonged to. They are even asked to mark or specify as many as applicable among 15 possible choices. Step No. 2: persons are asked in what country they were born; if Canada, what province or territory; if outside Canada, what other country. Step No. 3: a question is asked about the person's mother tongue. Step No. 4 attempts to group those the first three steps failed to classify.

The process is not foolproof. It does not produce accurate results. It is not precise. It is fully voluntary. Yet it is the foundation of employment equity.

The government uses self-identification for implementation of its employment equity in the public service and here too the process fails miserably. For example, a voluntary self-identification survey was recently sent to 1,700 employees of the House of Commons. Only 23 per cent returned the survey. What basis could the employer use to implement a policy such as employment equity?

There could be a number of other reasons that could explain alleged discrimination. Since self-identification is voluntary it will not be precise. The process, as I have mentioned, is not and should not be foolproof. There are social, cultural and educational explanations that may have an effect upon the disparities in society that have absolutely nothing to do with discrimination.

A glaring example of the inadequacies of the voluntary self-identification program were illustrated in a letter I read recently in the *Globe and Mail* of February 28. I would like to read part of it:

*Supply*

Your editorial Time for a Debate on Employment Equity—argues that “Canadians who oppose affirmative action must fight it through the ordinary political process”.

But there is a more effective way to fight affirmative action. Those who oppose it should simply indicate on their workforce surveys that they belong to all of the designated groups. If even 10 per cent of those who oppose affirmative action were to do so, then virtually every workforce would be found to be adequately represented for employment equity purposes. This would release employers from the obligation to meet quotas, allowing them to hire the most competent applicants regardless of biology.

Current legislation does not define membership in the designated groups—indeed, membership is mostly subjective. Employers are obligated to accept employees’ and applicants’ self-identification as being correct. Moreover, workplace surveys are meant to be confidential, and Canadian human rights legislation prohibits employers from requiring employees or job candidates to prove their biological status. So sabotaging the employment equity bureaucracy in the way suggested is arguably not illegal and is certainly without risk to either employees or employers.

Thus the problems associated with a statistical base such as voluntary self-identification cannot be resolved. Therefore the whole basis and foundation for employment equity is seriously flawed and this certainly illustrates it.

The Reform Party believes in the true equality of all Canadians regardless of their personal characteristics. Public opposition to the bill is seen in the upcoming Ontario election where two old line parties have moved closer to our position on the issue.

The government would like us to believe that affirmative action, as it would have it, would eliminate barriers and combat a broad based disadvantage to certain groups. However, I believe that legislative quota programs like employment equity actually confer benefits or impose disabilities because of race and formally divide people into racial definitions and racial mindsets.

• (1550)

Some of the strongest opponents I have heard regarding the legislation have been those familiar with the realities of similar programs elsewhere, such as in South Africa.

Legislated employment equity suggests to everyone, including the individual involved, that the reason they got the job was their race or disability and not their ability or aptitude. Thus this kind of legislation cheapens the accomplishments and efforts of individuals. It degrades individuals by conferring on them a definition of victimhood. It separates Canadians into competing subgroups while putting unnecessary burdens on our national economy and on our good business practice sense.

We have a history of chequered motives and subversive citizenship. We have a program that is based on flawed assumptions of systemic discrimination. We have a denial of a basic

principle of merit with the introduction of quotas and numerical goals and coercion and government interference through reports, fines and intrusive government practices.

Our position as a country will best be served in the global economy by market demands in the places of employment. Our future and unity as a country will be best assured by ensuring true equality of Canadians, not by job quotas but by the equality of the personhood and the real abilities of all Canadians.

In summary, employment equity is seriously flawed and conceptually flawed in practice. I encourage Canadians to express their views on employment equity and Bill C-64 with which Parliament is currently dealing.

**Mr. Rey D. Pagtakhan (Winnipeg North, Lib.):** Mr. Speaker, first by way of comment, with respect to the witnesses who appeared before the Standing Committee on Human Rights and the Status of Disabled Persons, let it be recorded that a list was submitted by the Reform Party and many people on the list declined the invitation to appear before the committee. It was no fault of the committee.

Second, even at the last minute some witnesses cancelled out. That again was beyond the control of the committee studying the employment equity bill.

Third, the member said on the steering committee that we would look at this in committee of the whole. To now fret over it after the fact I leave to the imagination of the House.

The member said equality of opportunities may not necessarily lead to equality of results. That is right. However she failed to ask the question: What if the cost of the inability to lead to equality of results is systemic discrimination? Would the member agree that the best approach would not be on an individual case by case basis but a systemic approach such as legislation and policy initiatives of government?

The member kept on referring to preferential hiring. This is the myth one perpetuates if one would like one’s political agenda to win, but it is not being honest with Canadians. To say that it should only be based on the principle of merit and qualifications as though people in designated groups, women, visible minorities, persons with disabilities and First Nations people have no qualifications and no merit.

Studies have shown that they have been discriminated against for decades. Why would the member continue to insist that numerical goals are the same as quotas? The bill before the Chamber states in subclause 30(1):

No compliance officer may give a direction under section 23 and no Tribunal may make an order under section 27 where that direction or order

(e) would impose a quota on an employer.

• (1555)

The bill is very clear that it is not about quota. If the Reform Party would only pose this question to the Canadian people, I am sure it would get the right answer.

**Mrs. Hayes:** Mr. Speaker, I am delighted to answer some of the questions.

I actually sat on the committee. I find it interesting the chair of the committee does not deny that 90 per cent of the witnesses supported the legislation and there were others who were asked. Of the 30-some people we suggested 4 came before the committee.

It may indeed have been the case that some could not come or that some cancelled out. We were not informed of that beforehand. The fact the government now indicates that 90 per cent of the committee supported legislation tells me it is using a number not representative of Canadians to support something for its own purposes. I find that objectionable. Those numbers do not reflect Canadian society.

There was a question asked about systemic discrimination. I find the term systemic discrimination quite objectionable. I tried in my speech to express that it is a word that supports the whole notion of employment equity but removes the necessity of proving there was any discrimination in a particular case.

It puts a blanket over a hiring practice. The claim of systemic discrimination allows an employer to discriminate against groups not within the group. It compares employees as a group with society as a group so that in individual cases there is no reality necessary in terms of discrimination. I do not believe discrimination is systemic. If there are individual cases of discrimination they should be brought forward as individual cases, as our motion states.

I did not deny there was merit in the categories included in the legislation. Our party has said that there has to be equality of opportunity. That means addressing education, advertising job positions equally and fairly and access to jobs for all groups designated or non-designated. Those are where government legislation and government initiatives should be taking place, not in determining the result.

As we give people access to these places, the marketplace will reflect the true reality of the Canadian people. That is what is important in the marketplace and for the good of the country.

**Mr. Rey D. Pagtakhon (Winnipeg North, Lib.):** Mr. Speaker, I will be sharing my time with the hon. member for Fredericton—York—Sunbury.

I am pleased to rise today to address the motion put forward by my hon. colleague from Fraser Valley East. I cannot say I am surprised that the hon. member and his party have chosen to deplore the government's employment equity policy.

### *Supply*

From the beginning of the hearings on Bill C-64, an act respecting employment equity, held by the Standing Committee on Human Rights and the Status of Disabled Persons the member and his party have been opposed to the principle and practice of employment equity. They have gone so far as to breach parliamentary tradition by going to the press with complaints about the bill before the beginning of clause by clause study of the bill by the committee.

Ostensibly the Reform Party was desperate to draw attention to its political agenda. Frustrated by the lack of media coverage of the press conference, it became more interested in dilatory tactics than substantive debate during clause by clause study of the bill.

I will now address point by point the motion before us. The Reform Party claims that employment equity is unnecessary. This could only be so if members opposite could show that the Canadian workplace proportionately reflects the demographics of qualified members of designated groups in the Canadian workforce: women, visible minorities, First Nations peoples and persons with disabilities. In fact documents show otherwise.

• (1600)

The Reform Party claims the policy is ineffective. A study done by the Conference Board of Canada on the impact of the existing legislation shows that the major impetus for employment equity initiatives by employers was the passage of the 1986 Employment Equity Act.

The Reform Party claims the policy is unpopular. I counter that witnesses before the committee studying the new employment equity legislation, representing thousands and thousands of Canadians, were nearly unanimous in their praise of the thrust and strength of the legislation.

Moreover, it should be noted that equity in employment is about justice, fairness, human decency and human dignity. Employment equity as a policy and as a law is for all and benefits all Canadians, workers and employers alike.

The Reform Party claims employment equity is intrusive. I would counter that more than 90 per cent of the witnesses that appeared before the committee welcomed the policy, welcomed the legislation and said that it made good business sense.

Employers which appeared as witnesses included the Canadian Bankers' Association, the Canadian Association of Broadcasters, the Canadian Chamber of Commerce, the Canadian Manufacturers' Association and many more. Witnesses from labour included the Canadian Labour Congress, the Public Service Alliance, la Confédération des syndicats nationaux among others. Designated groups which appeared as witnesses included Women in Trades and Technology, the Assembly of First Nations, the Council of Canadians with Disabilities and the Canadian Ethnocultural Council among others. These wit-

*Supply*

nesses; employers, labour and designated groups, all welcomed the employment equity policy of the government.

It should be noted that the non-designated group continues to be hired and accounts for 55 per cent of the workforce according to the latest figures from Statistics Canada.

The Reform Party claims that employment equity is discriminatory. I counter that the bill explicitly aims to achieve equality. Equality is the antithesis of discrimination.

The purpose of this act "is to achieve equality in the workplace so that no person shall be denied employment opportunities or benefits for reasons unrelated to ability". The purpose is clearly stated in clause 2 of Bill C-64. Therefore, I highly recommend that the Reform Party once more read the clause, if not the entire bill. In fact, discrimination in hiring and promotion is the very injustice the employment equity policy and the attendant legislation seek to redress.

The Reform Party moves that "this House recognize the equality of all Canadians by affirming that hiring and promotion be based solely on merit". I am pleased that at least on this score the Reform Party has it right. It pays once in a while for the Reform Party to heed government legislation and government advice.

Bill C-64, the employment equity legislation which is before the Chamber, specifically stipulates in clauses 6(b) and (c) that the obligation to implement employment equity does not require an employer to hire or promote unqualified persons and to ensure that merit is fulfilled.

The Reform Party claims that discriminatory employment practices could be more vigorously pursued on an individual case by case basis. That is the same type of logic which says, "We do not need more crime prevention; what we need is more police action after crimes are committed. Forget preventing crime, policing is all that counts. Catch the rascals and lock them up". In effect that is the logic of the Reform Party. However, I am pleased to say it is not the policy of the government. I am confident it is not the belief of the vast majority of Canadians.

• (1605)

I counter that a more appropriate approach where systemic barriers to fair hiring practices still exist would be by way of legislation and other government policy initiatives such as education and training as was indicated by the Reform Party. However, education and training alone are not enough.

Francine Arsenault, as chairwoman of the provincial organizations on the handicapped, once said:

Disabled Canadians and other disadvantaged groups have worked long and hard to improve our appalling rate of representation in Canada's workplace. We have tried education and awareness programs. We have tried fostering goodwill, yet

little has changed. The real causes of discrimination are not individuals but inflexible systems.

I pause here to call the minds and hearts of the Reform Party members to this observation in the hope that they will change their minds and hearts and withdraw the motion.

Employment equity legislation expresses the will of the government that equity in employment is a priority and a right for all Canadians qualified for a job, irrespective of race, gender, origin or presence of disability.

How ironic and unfortunate that the motion from the Reform Party has been introduced at this time when we are celebrating National Access Awareness Week. This is a week during which we specifically focus on the barriers which have prevented full participation of persons with disabilities in community life, including the workplace.

This is a week during which we reaffirm as a nation our belief in equality of opportunities and results for all. This is a week during which we resolve as a nation that we shall tear down the barriers that limit full participation of all persons and supply the necessary tools, including legislation, to facilitate equity in employment. I ask, where is the heart of the Reform Party?

I say to the Reform Party, fear not reverse discrimination, fear not employment equity policy, fear not employment equity legislation, but fear that equity in employment for women, visible minorities, First Nations people and persons with disabilities remains an elusive national dream.

In conclusion, Canada shall continue to aspire at all costs and work hard to realize this national dream.

**Mr. Art Hanger (Calgary Northeast, Ref.):** Mr. Speaker, Canadians are not fools because they may not follow along with the presentation of my hon. colleague across the way.

A Gallup poll published in 1993 reflects on the comments this gentleman has made. It showed that 74 per cent of Canadians opposed government employment equity programs. The Ontario government advertised a job vacancy in a government newspaper with the explanation that the job competition was limited to the following employment equity designated groups. This is where Bill C-64 is going to take this country. The designated groups were aboriginal peoples, francophones, persons with disabilities, racial minorities and women. In other words, who is excluded? That was in a government advertisement. Is this where employment equity is going to take us?

I would like this member's comments on the following two studies. These studies were done in the labour market where it was clearly indicated that no discrimination took place. The first study was conducted by Arnold deSilva of the Economic Council of Canada. On page 34 of the study he concluded: "The evidence goes against the view that there is systematic discrimination against immigrants on the basis of colour". On page 37,



the summary concludes: "Persons who came from the third world regions but who arrived here young enough to obtain all their education and experience in Canada performed as well as native born Canadians in nearly all the cases". This study was conducted in 1992.

• (1610)

The results of another study by Daniel Boothman are: "The results of our job loss model show that women are less likely to lose jobs than men, all else being equal. Visible minority status had no significant effect on the probability of job loss".

Another point on page 50 states: "Being a woman increases the probability of promotion in the model. This effect is significant at the 10 per cent level. Visible minority status had no significant effect".

In the final statement: "In closing, this study found no strong evidence or a disadvantage for women and visible minorities in movement between jobs".

I would like to ask the member if he has studied and recorded these views in his presentation.

**Mr. Pagtakhan:** Mr. Speaker, Canadians cannot be fooled. I have faith in our people.

The Reform Party has to be sure it has seen the questionnaire, the subquestions and whether the explanations have been given very well. That not being done, I will not comment further on that point.

Second, he alluded to advertisements being posted limiting hiring to certain designated groups. This is against the Canadian Human Rights Act. This is not the intent of the legislation. Bill C-64 will not condone such advertising. If the member has knowledge of that he has an obligation to report it to the Canadian Human Rights Commission and file a proper complaint. I will be with him challenging that kind of advertising.

The last point is that there is no discrimination now in the workforce according to the study which I have not seen. I will admit for the sake of argument in his reading of this that there has been no discrimination against visible minorities. Let us assume for the sake of argument it is a statement of fact. He said the study was done in 1992. The present law was passed in 1986.

My conclusion is the law is working. Let us keep it to sustain positive equality in Canada.

**Mr. Jim Abbott (Kootenay East, Ref.):** Mr. Speaker, it is fairly evident from any survey of any group of people that there is no support for the government's bill among the population at large. Survey after survey comes back stating that 80 per cent of Canadians are opposed to bills of this type.

### *Supply*

I ask the member who is the chairman of the committee specifically about some things that happened there. Could this be the reason why the government, in an agreement with the two opposition parties, decided to take the bill after first reading directly to committee?

The opposition parties thought there was going to be a fair opportunity to review the bill on a clause by clause basis. Once they got into committee they found that the chairman had decided that debate was going to be restricted to five minutes per clause which is completely out of touch with reality. Is this a fair and open way to study legislation or is it just a way for the government to slide things by so that the 80 per cent of Canadians who are opposed to this bill do not know that the government is sliding this one by them?

**Mr. Pagtakhan:** Mr. Speaker, there is a fundamental rule in law. If one relies on hearsay it is very dangerous. It is not my recollection that this member had attended a meeting of our committee. Perhaps I missed one.

Second, for him to say the chair decided on a five-minute limit to debate on clause by clause, please check the record.

**Mr. Abbott:** Liberal members decided.

• (1615)

**The Acting Speaker (Mr. Kilger):** Order. The time has expired for questions and comments. I would add that we are treading very close to the line in terms of dealing with the actual motion of the Reform Party today and the business of the committee of the House. I would like to remind members to be somewhat judicious. Resuming debate.

**Mr. Andy Scott (Fredericton—York—Sunbury, Lib.):** Mr. Speaker, it is an honour for me to participate in this debate today. I thank my colleague from Winnipeg North for sharing his time with me.

It is a great honour to rise in the House to respond to the motion put forward by the hon. member for Fraser Valley East which seeks to condemn the government for its policies in the area of employment equity, in particular Bill C-64. To be honest, I find the hon. member's motion hard to fathom since it flies in the face of two of the most cherished core values we hold as Canadians, justice and equality.

The member of the opposition is correct in one regard, namely that this government is deeply committed to assuring equality of opportunity for all Canadians. This should come as no surprise for our red book clearly states that we seek a country where all of us see ourselves as contributors and participants and not liabilities and dependants. It further underlines our commitment to building a Canada characterized by integrity, compassion and competence.

*Supply*

Cherishing those values as we do, it is little wonder we would support employment equity which is, after all, simply a tool for assuring fairness in daily life. That is what we seek to do in Bill C-64.

Why is the bill needed? While some progress has been made by the existing Employment Equity Act, recent statistics indicate that much remains to be done. 1993 actually saw the number of employees covered under the Employment Equity Act drop by 4.27 per cent. That is almost 26,000 people. Much of this was the result of the layoffs which flowed from the recent economic downturn from which we have just emerged. Sadly, members of the designated groups covered by Bill C-64 were often the hardest hit.

While the number of people in designated groups increased, fewer of them found themselves in the labour market. Among those who did, most did not see the wage gains and promotional opportunities enjoyed by other working Canadians.

Many women, aboriginal peoples, persons with disabilities and members of visible minorities still find themselves on the bottom rung of the economic and social ladder. Of course this is not just their problem. Rather, it is a problem for all of us since restricting their participation in the economic life of our country also damages the competitiveness of Canadian business.

It is increasingly obvious that a diverse workforce benefits companies by providing them with improved access to a greater number of qualified people. Indeed many businesses now realize that recruiting, promoting and retraining people who are representative of the Canadian population helps them provide better and more responsive client service since diverse experience and perspectives are a bonus, not a burden.

How does this bill present a balanced approach? Contrary to what the hon. member and other members of his party might think, the bill before us is not some piece of wild-eyed radicalism totally divorced from the realities of economic life. Rather it is a moderate and thoughtful document which seeks to promote equal opportunity in the workplace without imposing an onerous regulatory environment on businesses that are already hard pressed in the increasingly competitive global marketplace.

This balanced approach can be seen in all of the amendments contained in the bill. For instance, while the act seeks to encourage employers to address under-representation by members of designated groups, it does not require them to hire unqualified people, create new positions, create undue hardship or contradict the merit principle.

Likewise, it does not impose a quota system as has occurred in other jurisdictions. While we have listened to representatives of designated groups who have called for an effective enforcement mechanism, we have also listened to business representatives

who have asked that we not bury them under a mass of new regulations and paper burden. We have developed a series of amendments which combine practicality with justice. As a result, we are all winners.

• (1620)

At the same time, many of the amendments contained in the bill represent little more than housekeeping. They will simply extend to the public sector those requirements which have already been placed on the private sector. This is only fair.

Finally, the act will broaden the mandate of the Canadian Human Rights Commission to allow it to conduct audits of public and private sector employers in order to verify and gain compliance with the act. Even here we are ensuring a balance with the establishment of the employment equity review tribunal.

Canadians are justly proud of the core values which are at the heart of our country. Central to our value system is a concern for ensuring equal opportunity and justice for all Canadians. The existing Employment Equity Act passed in 1986 has led to real progress in ensuring greater equality of employment. Still, much remains to be done. The act before us represents an important step forward in assuring that all Canadians can enjoy equal opportunity in employment and promotion. At the same time it seeks to provide a vital balance between idealism and economic reality.

The government's employment equity policies are not about intrusiveness, discrimination or adding to the cost burden on Canadian business as the hon. member's motion suggests. Rather they are about fairness, about the government's commitment to ensuring that every Canadian, regardless of gender, race or physical attributes has a chance to fulfil his or her potential, to get a rewarding job and to contribute to the social and economic well-being of Canada.

Employment equity is not an impediment to progress. It is a catalyst for progress in the workplace and a boost to the competitiveness of Canadian companies in an increasingly demanding global economy. Most of all, it is about putting into practice the values that make us Canadian: fairness, justice and equality for all. It is for this reason that I cannot support the motion, but I will be supporting the legislation before the House and would encourage all members to do likewise.

**Mr. Chuck Strahl (Fraser Valley East, Ref.):** Mr. Speaker, I have a couple of questions for the member.

Obviously there is no time to get into the whole bill but he mentioned that numerical targets were not quotas, that we were not to worry because this was not about quotas.

Lyn McLeod said in the leader's debate with Bob Rae in Ontario on May 18 that numerical goals are quotas, pure and simple. I would like to know whether he agrees with the Liberal

leader of Ontario who says that numerical targets are merely a euphemism for quotas.

The RCMP do not call them quotas but this year the RCMP is hiring 426 people. One hundred and twenty-five will be from visible minorities, 125 will be females, 95 will be aboriginal and the rest can be from society in general. Does the hon. member think those are quotas or does he think they are something other than quotas? They sound like quotas to me.

I have just the two questions. Does he agree with Lyn McLeod and does he think the numbers I quoted from the RCMP sound like quotas?

**Mr. Scott (Fredericton—York—Sunbury):** Mr. Speaker, I am genuinely surprised by the inability of the member's party to address the question of the need for some collective redress to the lack of representation.

I am an Atlantic Canadian. We have always believed a little bit that in the nation we are on the outside. I have some sympathy for those people who feel that the power structures at play do not always work in their favour.

Everything I have read and have heard expressed by the member's party in terms of where they were born speaks to expressions like western alienation and so on. It seems to me there should be some affinity between the member and his party and those people for whom the system just does not work as well as it does for others. I think it is political posturing on the part of the member to draw in someone else's comments in some other debate.

• (1625)

Ultimately this is about a fundamental principle. We have to understand that the system does not work equally for everybody. I have heard it said by many people in the member's party that is the case and that therefore certain actions have to be taken. I find it unfortunate that a member representing a party that speaks of this often would deny the same access to people for whom the system obviously does not work as well as it does for someone like me, a seventh generation, white, male Canadian.

**Mr. Ken Epp (Elk Island, Ref.):** Mr. Speaker, the hon. member has still left the question unanswered as to whether we have quotas or whether we are simply looking at loosely defined numerical goals.

I would like to enlarge on this just a little. I honestly believe that in areas where we have not had these kinds of programs, employment equity, quota systems, whatever you call it, that at least in the area where I come from in Alberta, the number of people employed in large organizations is roughly proportional

### *Supply*

to the number of people who are there from the different groups. It is just a rough observation which I think is true.

**Mrs. Ringuette—Maltais:** Through the eyes of the observer.

**Mr. Epp:** No, I am sorry, I believe it is true.

I would like the member to answer this question. Are quotas the same as numerical goals? If not, how are they different?

**Mr. Scott (Fredericton—York—Sunbury):** Mr. Speaker, I am quite familiar with the issue of quotas, targets and so on. In a previous life I was involved in the official languages policy in the province of New Brunswick. A lot of the attempts made here to try and characterize efforts to collectively address the systemic weakness are always characterized this way. There are always attempts to fix positions so they can then be thrown back in the face of the government.

The answer is no. There is an objective, you try to meet but it is not a quota.

**The Acting Speaker (Mr. Kilger):** The hon. member for Prince George—Peace River. I understand you will be splitting your time. Could you indicate that to the chair?

**Mr. Jay Hill (Prince George—Peace River, Ref.):** Mr. Speaker, I will not use the 20 minutes.

I welcome this opportunity to rise in debate and support the motion put forward by my hon. colleague from Fraser Valley East.

I am becoming more and more concerned about the direction in which the government is taking Canada. The Liberal government seems to think that it can legislate Canadian values and social change. History proves that imposed solutions do not gain broad acceptance. They are viewed with suspicion.

From the mail I receive, the mindset that dominates Ottawa's policy shifts does not appear to reflect the values or convictions of most Canadians living outside a few metropolitan centres. In fact, I am not even sure it reflects the views of most people living in Toronto or Ottawa.

This government is promoting the idea that society is responsible for what people do with their lives. Somehow personal achievement no longer has anything to do with individual merit, initiative or effort but has more to do with whether one falls into this government's definition of a group it has singled out for special treatment. This is a misguided attempt to right past wrongs. When I was young I was taught that two wrongs do not make a right. Evidently Liberals have not learned that lesson.

• (1630)

Reform believes in equality of opportunity. Given the same educational and employment opportunities, whether an individual succeeds should be largely up to them. Each person must

*Supply*

accept responsibility for what they choose to do with their life, be it pursuing a life of crime or having a lower standard of living while they put themselves through university. When they get out of school they have a right to expect equal treatment when they look for work. Preferential treatment on the basis of your skin colour is just as racist as discrimination. Employment equity is by definition discrimination and therefore against the law.

Social change cannot be legislated. Previous Liberal attempts at social engineering have been disastrous and have created greater divisiveness in Canadian society. Past Liberal legislation gave us multiculturalism which promotes our differences instead of our similarities. It makes us hyphenated Canadians and asks us to define ourselves in terms of skin colour, country of our ancestors or, if all other categorizations fail, language. We are not allowed to be just Canadian. The government does not believe such a person exists.

Now that multiculturalism has made us focus on our differences the government wants to institutionalize inequality and preferential treatment. It wants to further divide the workforce with a quota system that will replicate an artificial division of the Canadian people based on arbitrary characteristics unrelated to their ability to do the job. Equity is not equality.

The hon. member for Western Arctic said earlier today special treatment is not a departure from equality. How can special treatment of entire designated groups lead to equality? Special treatment by its very nature is not equality.

The same member said same treatment does not create equality. I agree with that but not for the same reasons she said. Canadians should be guaranteed equal opportunities. These include education, equal employment opportunities and the right not to be discriminated against for reasons unrelated to their qualifications.

As the member must agree, given her own achievements, even when we all receive the same treatment we do not all follow the same paths in life. We do not end up running a corner bakery or a multinational corporation, at least not all of us. We are different and we do not all share the same goals. Siblings end up in entirely different lines of work and levels of employment despite the same treatment. Equal opportunity does not always lead to equal results.

Every time the government decides there is a problem it tries to solve it with more government regulations and inappropriate misguided legislation. We see the same philosophy of over regulation in the Liberal approach to crime control. Instead of specifically targeting gun smugglers and criminals who misuse firearms the government will force all gun owners to register. This shotgun approach to problems does not work. It creates more jobs for bean counters while the government desperately hopes a criminal will register a gun or in the case of employment

equity a prejudiced employer will incriminate themselves when filling out paper work.

I completely support the elimination of discrimination but we cannot legislate attitudes and we cannot create equality through legislation. Go after the law breakers. Do not make more rules and red tape that do not directly address the problem. Social engineering does not work.

Canadians want equality, not more groups with special rights and privileges. Canadians want to end discrimination, not extend it on a scale only the Liberal government could conceive. Canadians want to succeed based on their personal merit and achievements, not on the colour of their skin or some other arbitrary classification the government has decided on.

A policy of employment equity will lead to inequality. It will increase intolerance in our society and it will lead to greater misunderstandings between people. The elimination of intolerance and discrimination in society is a desirable objection.

I question the way the government is going about it. I see the end result as more intolerance. With employment equity how will anyone in a designated group ever be certain they got where they did because of their own efforts and hard work? Even if they know they earned every promotion and every raise, how do they convince jealous naysayers? When someone is bypassed for a promotion will they believe it is because the other person deserved it or will they blame employment equity? Will employers be forced to defend every decision they make?

• (1635)

With employment equity every promotion will be viewed with suspicion, whether it is because the person was in a designated group and other employees challenged their qualifications or because the person was not in a designated group and the government wants to know why the company did not promote a designated person instead.

Private industry should have the right to hire whomever it wants. However, I fully support prosecution where there is evidence of systemic discrimination. No one should face discrimination in the workforce. People should be hired and promoted on the basis of personal merit. While it is true we have not completely stamped out prejudice, there are other ways of dealing with unfair hiring practices besides enforcing a quota system. We should enforce laws which specifically target people who engage in discriminatory hiring practices or employment conditions.

By promoting employment equity the Liberal government has admitted it has no faith these designated groups can make it on merit alone and so it will coerce companies using quotas and monetary penalties. Will such measures lead to even more intolerance as a few disgruntled workers wrongly seize on employment equity as the reason they were bypassed for a raise they thought they deserved?

*Supply*

Once again the government is promoting disunity by highlighting differences instead of similarities. By forcing employees to self-identify as a member of a designated group the government perpetuates differences and, more important, the perception of differences. An employment equity program forces people to focus on the very things the government says it is trying to eliminate. We want our society to disregard characteristics not relevant to someone's ability to do their job, but the government wants employers to emphasize those characteristics as somehow related to whether someone should get a promotion.

Companies will begin to look at employees as a number on the way to fulfilling a particular quota, not as individual human beings with dreams, families and abilities which transcend the designation the Liberal government has imposed on them. As the hon. member for Halifax stated earlier today in the House, we cannot legislate attitudes. That is our point.

Canadians would support the elimination of discrimination and prejudice in the workplace but they cannot support a costly social engineering project which will institutionalize discrimination and promote employment opportunities based on physical attributes. Employment equity is not workable. It can lead only to more intolerance and misunderstanding.

It is reassuring to see the government's commitment to creating a fair job market. All Canadians want a level playing field on which excellence is promoted. However, a look at the government's current legislation shows a fundamental weakness. It stops one step short of the top. One would expect the government would seek to lead by example, so it is somewhat baffling that Bill C-64 applies to every government department except the office of the Prime Minister.

If the House really sees affirmative action as a way to promote excellence, one would think it would rush to embrace its application in the Prime Minister's office. The Prime Minister's office plays a large role not only in shaping the agenda of government and of Parliament but in shaping public opinion. If the government really believes affirmative action programs attract personnel of the highest calibre, it naturally follows the principles of Bill C-64 should apply to the Prime Minister's office.

Clause 4(1)(b) of the bill seeks to apply affirmative action to the portions of the Public Service of Canada set out in part I of schedule 1 to the Public Service Relations Act. Schedule 1 is a fairly inclusive list of government departments and agencies and includes the office of the governor general's secretary, which provides policy and program assistance in the office of His Excellency, the Governor General of Canada. It includes the privy council office, which provides policy advice and analysis to the office of the Prime Minister and to cabinet.

• (1640)

When I note Bill C-64 applies to the office of the governor general's secretary and to the privy council office, I am sure it must be simply an oversight that the Prime Minister's office is not covered.

Members will surely understand that if we intend to ensure the promotion of true equity in the workplace we must start at the top. If it is our goal to show Canadians that government now holds high the torch of equality, what better way than to apply Bill C-64 to the Prime Minister's office? Applying Bill C-64 to the Prime Minister's office would show all Canadians leadership truly starts at the top.

The Prime Minister's office could serve as an example to other departments in showing how an enlightened affirmative action program could contribute to an enhanced work environment, foster harmonious workplace relations and harness the benefits proponent of the increased employment diversity promise.

The application of Bill C-64 to the PMO would further produce a number of side benefits. It would give the Prime Minister a true hands on experience both in devising and implementing a productive affirmative action strategy in a medium sized \$5.5-odd million office. The Prime Minister's office would get a true first hand view of the increased administrative burden, if any, caused by this act. That experience would undoubtedly prove useful if further amendments to this bill were ever needed. Further participation by the Prime Minister's office would give the Prime Minister enhanced credibility when selling Bill C-64 to Canadian employers.

The Prime Minister would get valuable insight into the practical benefits and, more important, the challenges of Bill C-64. It is so easy for Parliamentarians to pass a law that applies to everyone but ourselves. The business maxim of walk the talk speaks to the need for managers to roll up their sleeves and do some of the dirty work.

On one hand there is a real sense of leadership when one's boss shows he or she is willing to do the same job as the labourer or technician. More important, many company presidents and CEOs have found that actually spending a day in the shoes of the worker has exposed them to challenges and benefits of the line, so to speak, in very tangible ways. Therefore by way of analogy this proposal makes sound business sense.

Participation by the Prime Minister's office would show all Canadians who have experienced discrimination in employment that they have a friend at the top. Due to the bill's application to the Prime Minister's office all Canadians would see their government really believes in the right of the disadvantaged to participate in the workforce.

Earlier I mentioned how the Prime Minister's office plays a large role not only in shaping the agenda of government and of Parliament but in shaping Canadian public opinion. Given this,

*Supply*

the Liberals should amend the bill and give the disadvantaged an increased voice at the top which could play a vital role in reducing many of the so-called systemic barriers many Canadians face in the job market.

If they will not include the PMO what example are they showing? If the Prime Minister's office is to be spared, why not all private firms with budgets smaller than \$5 million? How can we as politicians mandate change on Canadians which we would shirk from imposing on ourselves? How can we deal with this do as I say, not as I do attitude?

Without the practical experience of Bill C-64 working in the PMO how can we tell Canadian employers we are all working together? How can we reverse discrimination in the hearts of Canadians when the Prime Minister's office holds out a "not welcome here" sign?

Reformers believe this "not in my backyard" philosophy is a national curse. The House must show Canadians Bill C-64 has been well thought out, is well intended and will be well managed at every stage. Application of the bill to the Prime Minister's office might ensure that, or it might prove the opposite.

**Mr. Chuck Strahl (Fraser Valley East, Ref.):** Mr. Speaker, I really enjoyed the speech by the member for Prince George—Peace River.

It will be interesting to see if anybody grabs the bait. It was mentioned somewhat in committee, just tossed out as an idea. We will see if anybody picks up on the suggestion for the Prime Minister's office sometime between now and when the bill gets muscled through Parliament. Gratefully, I will not have to hold my breath on that one, I do not think.

• (1645)

I do have a couple of questions for the member. Earlier today we heard from the Secretary of State for Multiculturalism and Status of Women that she was offended that I would talk about hyphenated Canadians. The people opposite know that if any party is against the term hyphenated Canadians it is the Reform Party. We say all Canadians should be treated equally. We do not care whether you are a recent immigrant, third generation or an aboriginal person. We think all people should be treated equally. Definitely the idea of hyphenated Canadians is repugnant to us.

I would like to get the member's opinion and check on what the member is hearing back home in northern British Columbia. The last census of Canadians that StatsCan brought forward found there were over 700,000 Canadians who refused to identify themselves as anything other than Canadian. They would say: "I am not a hyphenated Canadian of any kind. I am just a Canadian".

**An hon. member:** Good for them.

**Mr. Strahl:** I was probably one of them on that census. I am sure that 700,000 and some refused to say: "I am an English Canadian, a French Canadian or a native Canadian". They just said: "I am Canadian. That is all that I am".

StatsCan is now going to change its forms to make sure this does not happen again. It is going to make sure Canadians put down an ethnic background so that we can get more statistical information on which to base things like employment equity.

In the member's riding in northern British Columbia do people there like to be known as Peace River Canadians, Prince George Canadians, or do they generally just approach it as straight, old Canadians? I would like the member's opinion on whether he thinks this trend is an up and coming thing in Peace River or whether it is kind of passé.

**Mr. Hill (Prince George—Peace River):** Mr. Speaker, I constantly hear this question in my riding. I know it is a real source of irritation with Canadians in the riding of Prince George—Peace River. I suspect if we were to do a survey across the country we would find that people right across the nation find it offensive that they are required to document their lineage or history when they want to be classed as Canadians. They find it very demeaning.

That is why so many people will just put down Canadian, regardless of what type of form StatsCan may come up with. People are telling me they want to be classed as a Canadian. They are proud of their heritage and proud to be Canadian. This can be seen most predominantly with the new immigrants who came here recently and went through the process of getting their citizenship papers and becoming a citizen of Canada. Those people in particular do not want to be associated with the past. They want to be classed as Canadians. That is how they want to be thought of and treated. It is how they feel they should be treated when they apply for a job in the Canadian workforce.

**Ms. Marlene Catterall (Ottawa West, Lib.):** Mr. Speaker, I welcome the opportunity to debate employment equity today. I must admit I am somewhat confused that the subject has come before the House again today. It was only on April 6 that we debated a similar Reform Party motion.

Moreover, for well over a month, as the member proposing the motion well knows, the Standing Committee on Human Rights and the Status of Disabled Persons has been hearing testimony on the existing Employment Equity Act and on Bill C-64, a new act respecting employment equity. That draft legislation is about to return to the House for further consideration. Yet today the Reform Party has seen fit to raise employment equity again in the most contentious terms.

• (1650)

The Reform Party makes a serious error in its judgment, I believe, of the capacity of the Canadian people to appreciate a program that for eight years now has served to strengthen our social fabric. With Bill C-64 it will continue to do so but in a more fair and even-handed manner.

Let me first deal with several misrepresentations of the employment equity legislation that I have heard beginning the first thing this morning.

First, the member who introduced the motion today spoke about the false assumption on which employment equity is based, the assumption that somehow employers are systemically discriminatory and are bad. That is not at all the assumption on which the bill is based. I will be giving more concrete examples later, but the bill is based on the facts that certain people in our society have not had an equal opportunity in employment. They have tended to be employed and to remain in the lowest paying, least skilled jobs notwithstanding their abilities. They have not progressed as others in society have done.

Employment equity is about giving people an equal opportunity by not assuming motive but by simply asking employers to look at why that pattern exists in their workforce. If it does exist it asks what they can do to be more fair in making sure that everybody has an equal opportunity.

Second, the member recommended that individual cases could be settled through the courts and the human rights tribunal. That is like saying there is an outbreak of a certain epidemic in health care but we are going to solve that by sending each one of those people to hospitals to be cured on an individual basis and that we do not have to deal with the overall situation that is causing the individual's illness. That is an expensive, time consuming approach which does not solve the underlying problem but simply perpetuates it.

Third, there has been some discussion about group rights versus individual rights. When the facts indicate clearly to us that people are discriminated against, whether intentionally or not, and usually it is not intentionally, as a group, the only way an individual can have equal opportunity is if we address the fact that the group the individual belongs to is discriminated against.

The bill and the whole issue of employment equity is not about group rights. It is about individual rights. It is about recognizing that in our society certain groups, who happen to represent the majority by the way, have not had an equal opportunity. Until we solve the problem of disadvantages for the group, no individuals in that group, except by rare exception, are going to have an equal opportunity to fulfil their potential.

This is not about arbitrary division as that argument would have us believe. Employment equity is in fact about treating

### *Supply*

everybody not the same because everybody is not the same, but treating everybody equally. It is about getting rid of those divisions that say a certain kind of person is more suited to management or to certain positions in our society. It is about allowing people to flourish based on their own abilities and not the colour of their skin, the shape of their body or their origins.

Employment equity has been described as coercive in nature, as a setting of imposed quotas. I do not know if it is deliberate misrepresentation, total misunderstanding or total deafness because it has been explained often enough. Employment equity in Canada as it exists and as it is intended to apply now to the public service under the new legislation does not set quotas. It specifically prohibits quotas.

What it does do is it says to employers that there have been employment practices which have gone on for a long time. Unfortunately they have had discriminatory results, even though they were not intended to. We are asking employers to look at their employment practices. We are asking them to get rid of those things in their employment practices that are having discriminatory effects and that are tending to favour one kind of Canadian over others in terms of hiring, promotion, training opportunity, advancement and higher salaries.

• (1655)

The facts are indisputable that this is the situation for Canadian employment and for Canadian employers. I want to emphasize that all we are asking employers to do under employment equity is to look at their own situation, to do a self-examination and to say that they would like to do better, to show where they would like to do better and how they are going to do it.

Quotas are the American model which we have specifically turned our backs on as Canadians. Quotas are enforced from the outside and imposed from the outside. That is not what employment equity in this country is about.

**An hon. member:** It is in the RCMP.

**Ms. Catterall:** It has been said by the other side that people will feel stigmatized. Let me respond to that. Somebody just referred to hiring in the RCMP. An earlier speaker laid out all kinds of figures and asked for a response.

The fact is that in the year the member quoted, and the member knows that very well because the information was given to him by the human rights commissioner, 65 per cent of hirings in the RCMP were white, able bodied males even though they are not even half of the Canadian population. Of course the member chose not to use that figure. Two-thirds of hirings continue to be white, able bodied males which members on the other side have tended to suggest in today's debate are going to be disadvantaged by employment equity.

*Supply*

Another point which has been made by the opposite side is that people will feel stigmatized. People feel stigmatized right now. People feel stigmatized when they come into a job in the public service with the best qualifications and after 25 years have not progressed.

People feel stigmatized when they are in clerical positions, 80 per cent of which are occupied by women. They see that women do not even rise to the upper levels of the clerical category. They are bypassed by others who are no more qualified but just happen not to be female.

People feel stigmatized by the current situation which does not allow them to be hired, promoted or given advancement opportunities on the basis of their merit. They see themselves categorized and kept at a lower level because they do not fit the traditional model of who will succeed in our society.

Finally, I come to the matter of merit. Employment equity is not the denial of the merit principle but the fulfilment of the merit principle. The legislation the committee has been dealing with is very clear about this. People should be hired solely on the basis of merit. Employment should be colour blind, gender blind and size blind. It should only look at what a person is capable of doing.

The facts are clear that has not been the pattern in Canadian employment. Let me give some facts. Members of the designated groups continue to be at a distinct disadvantage in the workplace. Far from being a threat to those who complain of reverse discrimination, women, aboriginal peoples, visible minority members and persons with disabilities still lag far behind in initial hiring, promotion opportunity and pay rates.

In March, Statistics Canada reported that the primary reason women earn far less money than men, just 78 per cent of what their male colleagues earn, is blatant discrimination. Even factoring in work experience, education and demographics, there is no explanation for the wage gap other than gender bias.

What other than prejudice can explain the fact that persons with disabilities experience an unemployment rate twice the national average? Is it less qualification or less education? No, it is not. The unemployment rate of persons with disabilities with university degrees is more than twice that of white males with the same qualifications.

● (1700)

These are facts I know the other side does not want to hear but it will hear them. Even among those who are working the perception seems to be that people with disabilities are capable only of clerical, sales and service jobs. Eighteen per cent of university educated, physically challenged workers are in those occupations compared with just 11 per cent of white, able bodied males with university degrees.

Statistics show there are many qualified members of designated groups. Visible minorities are better educated than Canadians in general, not less educated. Eighteen per cent have at least a university degree compared with 11 per cent of the Canadian population.

While visible minorities represent 8.8 per cent of the population over 15 years of age, in 1990 they accounted for almost 11 per cent of the university graduates. They earned 13 per cent of the masters degrees, 20 per cent of the doctorate degrees and yet too few of these highly educated, highly skilled potential workers are offered jobs. Their hiring rates have actually decreased steadily since 1990 from 10.4 per cent to just 8.4 per cent. Last year in the public service alone 11 per cent of applicants were a visible minority but represented only 2.7 per cent of hirings.

Aboriginal people, surely among the most disadvantaged of any group, are also too often shut out of the job market. Despite the fact that more aboriginal people than ever before are university educated their unemployment rate stands at 7 per cent, almost double the rate for white males with university degrees.

These are the tip of the iceberg of the statistics that could be quoted today. It is interesting that the vast majority of those who testified before the standing committee, including employers who have been under the Employment Equity Act for eight years now, describe employment equity as a sensible and balanced measure. Even the few who oppose the draft legislation did not resort to the sort of inflammatory and misrepresentational language found in this resolution and in the debate.

Canadians do have an excellent understanding of what equality is all about. They appreciate that for there to be a harmonious and well balanced society all its members must have an opportunity to contribute as well as share in the benefits. That is what employment equity is all about.

[*Translation*]

The justification behind employment equity is that it permits people to be given equal consideration when employment possibilities arise. Its aim is not to give privilege or advantage to anyone in the selection of candidates for employment. To say otherwise indicates a complete misunderstanding of the principles concerned and the way it works.

[*English*]

The fundamental aim of employment equity is to ensure no one is denied access to a fair chance at employment and promotion opportunities for reasons unrelated to abilities. To claim otherwise represents either a serious misunderstanding or a deliberate misrepresentation.



Employment equity exists to identify current disadvantages in the employment system for the benefit of all Canadians and to provide fair and equal employment opportunities. To pretend fairness and equality are fully operational in employment in Canada today is simply to ignore the facts.

Employment equity seeks to achieve the diversity in the workplace found in society. That involves the removal of barriers to employment opportunities. These barriers are most often not deliberate and are frequently buried in systems and long standing practices. Employment equity seeks to eliminate what is called the adverse effect which flows from conditions of requirements for employment that are not necessary and not intended to discriminate but do have a discriminatory effect.

• (1705)

The other aspect of employment equity is to put in place measures which encourage equitable access to opportunities for employment and advancement. This may mean training positions so those who are disadvantaged can compete on an equal footing. It is important for sound management that full use be made of all human resources available.

Unfortunately what we have been doing by having a less than equitable workplace both in the private sector and in the public sector is denying the Canadian economy and the public service the opportunity for the very best to be hired, to be trained, to be developed, to serve in the highest positions they can and to provide the very best to the private sector and the public sector so that both can excel.

[*Translation*]

We must remember that the make-up of Canada's labour force is in a state of constant flux. Major demographic changes are helping to create an increasingly heterogeneous labour force. Women, native people, people with a disability and members of visible minorities now represent the vast majority of new arrivals on the labour market.

[*English*]

If we are not making full use of the full diversity of our growing workforce, we are handicapping ourselves as a nation. It has been convincingly demonstrated that diversity in the workplace makes good business sense. Witnesses who appeared before the human rights committee reasserted this; witnesses who found employment equity to be an advantage to them in improving their human resources practices. Experts have long considered workforce diversity as a competitive advantage in today's global economy. It leads to increased productivity. It is to the benefit of companies and governments to remove the barriers to the full development of diversity in the workforce.

*Supply*

As I said earlier, it is important to remember that although we tend to speak of diversity in terms of groups the focus is on the individual. It is not the group which is recruited as a filing clerk, it is the individual. However it is not necessarily the individual who is denied promotion opportunities. The individual may be constrained because they happen to belong to a particular group. Surely we all want to change that in society and in our places of employment.

[*Translation*]

Mr. Speaker, the hon. member's motion presupposes that employment equity follows selection on the basis of criteria other than merit. Allow me to state that this is not the case.

[*English*]

This is about a truly merit based system. For 75 years we have prided ourselves in this country and in our public service on having a merit based system designed to ensure people are hired based on their ability to do the job. Had we had a truly merit based system we would not have to worry about employment equity.

I will be happy when we no longer need an employment equity law. I will be happy when I can say that anybody has a fair and equal opportunity to compete based only on their ability to do the job. Unfortunately that is not the kind of world we have and certainly not the kind of public service we have. That is why I believe it is important to expand the Employment Equity Act.

Really that is what is being done. We are not introducing anything new. We are making some administrative changes to employment equity. The big thing we are doing is applying it to the public service. That is only fair and just.

• (1710)

**The Acting Speaker (Mr. Kilger):** I remind members if they want to seek the floor they should be in their own seats.

It is my duty, pursuant to Standing Order 38, to inform the House that the question to be raised tonight at the time of adjournment is as follows: the hon. member for Davenport—the environment.

**Mr. Lee Morrison (Swift Current—Maple Creek—Assiniboia, Ref.):** Mr. Speaker, I am quite interested that the governing party is so persistently raising the question of the majority of testimonials its bill has received in committee. This sounds more like an admission. These witnesses are supposed to be more or less balanced. Members have been saying they padded their witness list, which we knew, but it is very interesting to hear it brought out in the House and emphasized in that way.

*Supply*

This pedigreed Heinz 57 Canadian looks somewhat askance at Bill C-64. It has its origin in the noblesse oblige of middle class, predominantly lily white Canadians who know what is best for everybody.

It certainly does not fit the viewpoint of some notable Canadians like Neil Bissoondath or Dr. Rais Khan or some not so new Canadians like Sammy Chung. It seems to fit the viewpoint of the Liberal government and too many people from any other part of society. It is condescending, patronizing and infers people in designated groups have less merit than non-designated persons and therefore cannot make it on their own. That is reprehensible.

I have two questions for the hon. member. Did she in private life and does she here now in her own office consciously practise employment equity? Does she accept what appears to be the standard Liberal philosophy that the best government is that which interferes most in the lives of ordinary Canadians?

**Ms. Catterall:** Mr. Speaker, when I was asked that question on the last Statistics Canada census under ethnic origin I put mongrel.

I do practise employment equity in my office. It is pretty hard when it is only three and a half people. The young man in my office said: "I am glad we do not have employment equity around here or I would not have a job". I said: "I should explain to you that I was looking around for a young man because I felt I have had a predominance of women in my office for some time and so you are the result of affirmative action".

The member fails to understand that I believe in the fundamental Liberal principle of the dignity and right of each human being to be considered on their merits and to be respected for themselves. I do not see that happening necessarily in employment. I see very capable people for reasons that have nothing to do with their qualifications or abilities not having the opportunity.

When I was on city council I asked our bus company why bus drivers had to be six feet tall. It said it was so they could reach the pedal. I said that meant most women could not qualify, most orientals could not qualify and no short person could qualify. That was pretty discriminatory. I asked what height had to do with it when what it wanted was someone who could reach the pedal; why not find out if a person could reach the pedal instead of measuring how tall they are. We changed that because it made sense to change it. Until then we had made sure a lot of very good bus drivers never had a chance to get hired.

The same kind of false criteria for policing have made sure a lot of very capable Canadians never had the opportunity to be police officers. It is about getting rid of those kinds of attitudes which have not allowed people to be considered on their merits.

**The Acting Speaker (Mr. Kilger):** It being 5.15 p.m., it is my duty to interrupt the proceedings and put forthwith every question necessary to dispose of the business of supply, pursuant to Standing Order 81.

Is it the pleasure of the House to adopt the motion?

**Some hon. members:** Agreed.

**Some hon. members:** No.

**The Acting Speaker (Mr. Kilger):** All those in favour of the motion will please say yea.

**Some hon. members:** Yea.

**The Acting Speaker (Mr. Kilger):** All those opposed will please say nay.

**Some hon. members:** Nay.

**The Acting Speaker (Mr. Kilger):** In my opinion the nays have it.

Call in the members.

(The House divided on the motion, which was negated on the following division:)

*(Division No. 224)***YEAS***Members*

Abbott	Ablonczy
Breitkreuz (Yorkton—Melville)	Bridgman
Brown (Calgary Southeast)	Cummins
Duncan	Epp
Frazer	Gilmour
Gouk	Grey (Beaver River)
Grubel	Hanger
Hanrahan	Harper (Calgary West)
Harper (Simcoe Centre)	Harris
Hart	Hayes
Hermanson	Hill (Prince George—Peace River)
Hoepfner	Jennings
Johnston	Manning
Martin (Esquimalt—Juan de Fuca)	Mayfield
McClelland (Edmonton Southwest)	Mills (Red Deer)
Morrison	Penson
Ramsay	Schmidt
Silye	Solberg
Speaker	Stinson
Strahl	Wayne
White (Fraser Valley West)—41	

**NAYS***Members*

Allmand	Anderson
Arseneault	Assad
Assadourian	Asselin
Augustine	Axworthy (Winnipeg South Centre)
Bachand	Barnes
Beaumier	Bellehumeur
Bellemare	Bernier (Gaspé)
Bernier (Mégantic—Compton—Stanstead)	Bethel
Bevilacqua	Bhaduria
Blaikie	Blondin—Andrew
Bodnar	Boudria
Brien	Brown (Oakville—Milton)
Brushett	Bryden
Bélair	Bélanger
Bélisle	Caccia
Calder	Campbell

Cannis  
 Catterall  
 Chamberlain  
 Clancy  
 Collenette  
 Comuzzi  
 Cowling  
 Culbert  
 Daviault  
 de Savoye  
 De Villers  
 Dingwall  
 Dromisky  
 Dupuy  
 Eggleton  
 Fewchuk  
 Finlay  
 Fontana  
 Gagnon (Bonaventure—Îles-de-la-Madeleine)  
 Galloway  
 Godin  
 Gray (Windsor West)  
 Guay  
 Harb  
 Hickey  
 Irwin  
 Jacob  
 Karygiannis  
 Kirkby  
 Kraft Sloan  
 Langlois  
 Laurin  
 Lebel  
 Leroux (Richmond—Wolfe)  
 Lincoln  
 MacAulay  
 MacLellan (Cape/Cap-Breton—The Sydneys)  
 Maloney  
 Marchi  
 Massé  
 McGuire  
 McLaughlin  
 McTeague  
 Mercier  
 Milliken  
 Minna  
 Murray  
 Nunez  
 O'Brien  
 Paradis  
 Paré  
 Payne  
 Peters  
 Phinney  
 Pickard (Essex—Kent)  
 Plamondon  
 Reed  
 Richardson  
 Riis  
 Robichaud  
 Rocheleau  
 Sauvageau  
 Serré  
 Sheridan  
 Skoke  
 Speller  
 St. Denis  
 Stewart (Brant)  
 Szabo  
 Tobin  
 Tremblay (Rosemont)  
 Vanclief  
 Volpe  
 Wappel  
 Wood  
 Zed—183

Caron  
 Cauchon  
 Chrétien (Saint-Maurice)  
 Cohen  
 Collins  
 Copps  
 Crête  
 Dalphond—Guiral  
 de Jong  
 Deshaies  
 Dhaliwal  
 Discepola  
 Duhamel  
 Easter  
 English  
 Finestone  
 Flis  
 Gagliano  
 Gagnon (Québec)  
 Gauthier (Roberval)  
 Graham  
 Grose  
 Guimond  
 Harvard  
 Hubbard  
 Jackson  
 Jordan  
 Keyes  
 Knutson  
 Lalonde  
 Lastewka  
 Lavigne (Verdun—Saint-Paul)  
 LeBlanc (Cape/Cap-Breton Highlands—Canso)  
 Leroux (Shefford)  
 Loney  
 MacDonald  
 Malhi  
 Marchand  
 Martin (LaSalle—Émard)  
 McCormick  
 McKinnon  
 McLellan (Edmonton Northwest)  
 McWhinney  
 Mifflin  
 Mills (Broadview—Greenwood)  
 Mitchell  
 Ménard  
 Nunziata  
 Pagtakhan  
 Parrish  
 Patry  
 Peric  
 Peterson  
 Picard (Drummond)  
 Pillitteri  
 Pomerleau  
 Regan  
 Rideout  
 Ringuette—Maltais  
 Robillard  
 Rock  
 Scott (Fredericton—York—Sunbury)  
 Shepherd  
 Simmons  
 Solomon  
 St-Laurent  
 Steckle  
 Stewart (Northumberland)  
 Terrana  
 Torsney  
 Ur  
 Venne  
 Walker  
 Whelan  
 Young

*Supply*

PAIRED MEMBERS

Bakopanos	Bergeron
Bonin	Bouchard
Canuel	Chan
Chrétien (Frontenac)	Crawford
Debien	Dubé
Duceppe	Dumas
Fillion	Fry
Gaffney	Gerrard
Godfrey	Landry
Lavigne (Beauharnois—Salaberry)	Lee
Lefebvre	Loubier
MacLaren	Marleau
Murphy	Ouellet
Tremblay (Rimouski—Témiscouata)	Valeri

● (1745)

**The Acting Speaker (Mr. Kilger):** I declare the motion lost.

**Mr. Ianno:** Mr. Speaker, I rise on a point of order. I would have voted with the government.

[*Translation*]

ALLOTTED DAY—QUEBEC'S FINANCIAL DEMANDS

The House resumed from May 18 consideration of the motion that this House deplore the federal government's delay in responding to Quebec's demands with regard to the education of young Aborigines in the Quebec North amounting to \$119 million, to the compensation of \$135 million under the 1991-92 stabilization program and to the \$79 million claim for expenses incurred during the events at Oka in the summer of 1990.

**The Acting Speaker (Mr. Kilger):** Pursuant to the order adopted Thursday, May 18, 1995, the House will now proceed to the taking of deferred division on the motion by Mr. Bernier (Mégantic—Compton—Stanstead) regarding the business of supply.

(The House divided on the motion, which was negated on the following division:)

(*Division No. 225*)

YEAS

Members

Asselin	Bachand
Bellehumeur	Bernier (Gaspé)
Bernier (Mégantic—Compton—Stanstead)	Brien
Bélisle	Caron
Crête	Dalphond—Guiral
Daviault	de Savoye
Deshaies	Gagnon (Québec)
Gauthier (Roberval)	Godin
Guay	Guimond
Jacob	Lalonde
Langlois	Laurin
Lebel	Leroux (Richmond—Wolfe)
Leroux (Shefford)	Marchand
Mercier	Ménard
Nunez	Paré
Picard (Drummond)	Plamondon
Pomerleau	Rocheleau
Sauvageau	St-Laurent
Tremblay (Rosemont)	Venne—38

*Government Orders***NAYS**

## Members

Abbott	Ablonczy
Allmand	Anderson
Arseneault	Assad
Assadourian	Augustine
Axworthy (Winnipeg South Centre)	Barnes
Beaumier	Bellemare
Bethel	Bevilacqua
Bhaduria	Blaikie
Blondin—Andrew	Bodnar
Boudria	Breitkreuz (Yorkton—Melville)
Bridgman	Brown (Calgary Southeast)
Brown (Oakville—Milton)	Brushett
Bryden	Bélair
Bélanger	Caccia
Calder	Campbell
Cannis	Catterall
Cauchon	Chamberlain
Chrétien (Saint—Maurice)	Clancy
Cohen	Collenette
Collins	Comuzzi
Copps	Cowling
Culbert	Cummins
de Jong	DeVillers
Dhaliwal	Dingwall
Discepolo	Dromisky
Duhamel	Duncan
Dupuy	Easter
Eggleton	English
Épp	Fewchuk
Finestone	Finlay
Flis	Fontana
Frazer	Gagliano
Gagnon (Bonaventure—Îles—de—la—Madeleine)	Galloway
Gilmour	Gouk
Graham	Gray (Windsor West)
Grey (Beaver River)	Grose
Grubel	Hanger
Hanrahan	Harb
Harper (Calgary West)	Harper (Simcoe Centre)
Harris	Hart
Harvard	Hayes
Hermanson	Hickey
Hill (Prince George—Peace River)	Hoepfner
Hubbard	Ianno
Irwin	Jackson
Jennings	Johnston
Jordan	Karygiannis
Keyes	Kirkby
Knutson	Kraft Sloan
Lastewka	Lavigne (Verdun—Saint—Paul)
LeBlanc (Cape/Cap-Breton Highlands—Canso)	Lincoln
Loney	MacAulay
MacDonald	MacLellan (Cape/Cap-Breton—The Sydneys)
Malhi	Maloney
Manning	Marchi
Martin (Esquimalt—Juan de Fuca)	Martin (LaSalle—Émard)
Massé	Mayfield
McClelland (Edmonton Southwest)	McCormick
McGuire	McKinnon
McLaughlin	McLellan (Edmonton Northwest)
McTeague	McWhinney
Mifflin	Milliken
Mills (Broadview—Greenwood)	Mills (Red Deer)
Minna	Mitchell
Morrison	Murray
Nunziata	O'Brien
Pagtakhan	Paradis
Parrish	Patry
Payne	Penson
Peric	Peters
Peterson	Phinney
Pickard (Essex—Kent)	Pillitteri
Ramsay	Reed
Regan	Richardson
Rideout	Riis
Ringuette—Maltais	Robichaud
Robillard	Rock
Schmidt	Scott (Fredericton—York—Sunbury)
Serré	Shepherd
Sheridan	Silye
Simmons	Skoke
Solberg	Solomon
Speaker	Speller
St. Denis	Steckle

Stewart (Brant)  
Stinson  
Szabo  
Tobin  
Ur  
Volpe  
Wappel  
Whelan  
Wood  
Zed—187

Stewart (Northumberland)  
Strahl  
Terrana  
Torsney  
Vanclief  
Walker  
Wayne  
White (Fraser Valley West)  
Young

**PAIRED MEMBERS**

Bakopanos	Bergeron
Bonin	Bouchard
Canuel	Chan
Chrétien (Frontenac)	Crawford
Debien	Dubé
Duceppe	Dumas
Fillion	Fry
Gaffney	Gerrard
Godfrey	Landry
Lavigne (Beauharnois—Salaberry)	Lee
Lefebvre	Loubier
MacLaren	Marleau
Murphy	Ouellet
Tremblay (Rimouski—Témiscouata)	Valeri

• (1755)

**The Acting Speaker (Mr. Kilger):** I declare the motion negated.

**GOVERNMENT ORDERS**

[*English*]

**BUSINESS DEVELOPMENT BANK OF CANADA ACT**

The House resumed from May 29 consideration of the motion.

**The Acting Speaker (Mr. Kilger):** Pursuant to Standing Order 45, the House will now proceed to the taking of the deferred division on the motion that Bill C-91, an act to continue the Federal Business Development Bank under the name Business Development Bank of Canada.

[*Translation*]

**Mr. Boudria:** Mr. Speaker, if you were to ask it, I think you would find unanimous consent for the members who voted on the previous motion to be recorded has having voted on the motion now before the House in the following manner: Liberal members will be recorded as voting yea.

**Mr. Laurin:** Mr. Speaker, Bloc members will be voting nay.

[English]

**Mr. Silye:** Mr. Speaker, the Reform Party members vote no, except for those members who wish to vote otherwise.

**Mr. Solomon:** Mr. Speaker, members of the New Democratic Party vote yes on this motion.

**Mr. Silye:** Mr. Speaker, I misread the box in which I had the answer. The Reform Party votes yea, not nay, except for those members who wish to vote otherwise.

**Mrs. Wayne:** I vote yea, Mr. Speaker.

**Mr. Bhaduria:** I vote yea, Mr. Speaker.

(The House divided on the motion, which was agreed to on the following division:)

(Division No. 226)

YEAS

Members

Abbott	Ablonczy
Allmand	Anderson
Arseneault	Assad
Assadourian	Augustine
Axworthy (Winnipeg South Centre)	Barnes
Beaumier	Bellemare
Bethel	Bevilacqua
Bhaduria	Blaikie
Blondin—Andrew	Bodnar
Boudria	Breitkreuz (Yorkton—Melville)
Bridgman	Brown (Calgary Southeast)
Brown (Oakville—Milton)	Brushett
Bryden	Bélair
Bélanger	Caccia
Calder	Caccia
Cannis	Campbell
Cauchon	Catterall
Chrétien (Saint—Maurice)	Chamberlain
Cohen	Clancy
Collins	Collenette
Copp	Comuzzi
Culbert	Cowling
de Jong	Cummins
Dhaliwal	DeVillers
Discepola	Dingwall
Duhamel	Dromisky
Dupuy	Duncan
Eggleton	Easter
Epp	English
Finestone	Fewchuk
Flis	Finlay
Frazier	Fontana
Gagnon (Bonaventure—Îles—de—la—Madeleine)	Gagliano
Gilmour	Galloway
Graham	Gouk
Grey (Beaver River)	Gray (Windsor West)
Grubel	Grose
Hanrahan	Hanger
Harper (Calgary West)	Harb
Harris	Harper (Simcoe Centre)
Harvard	Hart
Hermanson	Hayes
Hill (Prince George—Peace River)	Hickey
Hubbard	Hoepfner
Irwin	Ianno
Jennings	Jackson
Jordan	Johnston
Keyes	Karygiannis
Knutson	Kirkby
Lastewka	Kraft Sloan
LeBlanc (Cape/Cap-Breton Highlands—Canso)	Lavigne (Verdun—Saint—Paul)
Loney	Lincoln
MacDonald	MacAulay
Malhi	MacLellan (Cape/Cap-Breton—The Sydneys)
Manning	Maloney
Martin (Esquimalt—Juan de Fuca)	Marchi
Massé	Martin (LaSalle—Émard)
McClelland (Edmonton Southwest)	Mayfield
McGuire	McCormick
	McKinnon

McLaughlin	McLellan (Edmonton Northwest)
McTeague	McWhinney
Mifflin	Milliken
Mills (Broadview—Greenwood)	Mills (Red Deer)
Minna	Mitchell
Morrison	Murray
Nunziata	O'Brien
Pagtakhan	Paradis
Parrish	Patry
Payne	Penson
Peric	Peters
Peterson	Phinney
Pickard (Essex—Kent)	Pillitteri
Ramsay	Reed
Regan	Richardson
Rideout	Riis
Ringuette—Maltais	Robichaud
Robillard	Rock
Schmidt	Scott (Fredericton—York—Sunbury)
Serré	Shepherd
Sheridan	Silye
Simmons	Skoke
Solberg	Solomon
Speaker	Speller
St. Denis	Steckle
Stewart (Brant)	Stewart (Northumberland)
Stinson	Strahl
Szabo	Terrana
Tobin	Torsney
Ur	Vanclief
Volpe	Walker
Wappel	Wayne
Whelan	White (Fraser Valley West)
Wood	Young
Zed—187	

Government Orders

NAYS

Members

Asselin	Bachand
Bellehumeur	Bernier (Gaspé)
Bernier (Mégantic—Compton—Stanstead)	Brien
Bélisle	Caron
Crête	Dalphond—Guirard
Daviault	de Savoye
Deshaies	Gagnon (Québec)
Gauthier (Roberval)	Godin
Guay	Guimond
Jacob	Lalonde
Langlois	Laurin
Lebel	Leroux (Richmond—Wolfe)
Leroux (Shefford)	Marchand
Mercier	Ménard
Nunez	Paré
Picard (Drummond)	Plamondon
Pomerleau	Rocheleau
Sauvageau	St—Laurent
Tremblay (Rosemont)	Venne—38

PAIRED MEMBERS

Bakopanos	Bergeron
Bonin	Bouchard
Canuel	Chan
Chrétien (Frontenac)	Crawford
Debien	Dubé
Duceppe	Dumas
Fillion	Fry
Gaffney	Gerrard
Godfrey	Landry
Lavigne (Beauharnois—Salaberry)	Lee
Lefebvre	Loubier
MacLaren	Marleau
Murphy	Ouellet
Tremblay (Rimouski—Témiscouata)	Valeri

*Government Orders*

**The Acting Speaker (Mr. Kilger):** I declare the motion carried. Accordingly the bill stands referred to the Standing Committee on Industry.

\* \* \*

**ROYAL CANADIAN MINT ACT**

The House resumed from May 29 consideration of the motion that Bill C-82, an act to amend the Royal Canadian Mint Act, be read the second time and referred to a committee.

**The Acting Speaker (Mr. Kilger):** Pursuant to Standing Order 45, the House will now proceed to the taking of the deferred division on the second reading stage of Bill C-82, an act to amend the Royal Canadian Mint Act.

**Mr. Boudria:** Mr. Speaker, I believe you would find unanimous consent for the members who voted on the previous motion to be recorded as having voted on the motion now before the House, with Liberal members voting yea.

[*Translation*]

**Mr. Laurin:** Mr. Speaker, the Bloc members will vote against this bill.

[*English*]

**Mr. Silye:** Mr. Speaker, Reform Party members vote nay, except for those members who wish to vote otherwise.

**Mr. Solomon:** Mr. Speaker, members of the New Democratic caucus present today vote yea on this matter.

**Mrs. Wayne:** Mr. Speaker, I vote nay.

**Mr. Bhaduria:** Mr. Speaker, I vote yea.

(The House divided on the motion, which was agreed to on the following division:)

*(Division No. 227)***YEAS**

## Members

Allmand	Anderson
Arseneault	Assad
Assadourian	Augustine
Axworthy (Winnipeg South Centre)	Barnes
Beaumier	Bellemare
Bethel	Bevilacqua
Bhaduria	Blaikie
Blondin-Andrew	Bodnar
Boudria	Brown (Oakville—Milton)
Brushett	Bryden
Béclair	Bélangier
Caccia	Calder
Campbell	Cannis
Catterall	Cauchon
Chamberlain	Chrétien (Saint-Maurice)
Clancy	Cohen
Collenette	Collins
Comuzzi	Copps
Cowling	Culbert
de Jong	DeVillers
Dhaliwal	Dingwall
Discepolo	Dromisky
Duhamel	Dupuy
Easter	Eggleton
English	Fewchuk
Finestone	Finlay
Flis	Fontana
Gagliano	Gagnon (Bonaventure—Îles-de-la-Madeleine)
Galloway	Graham
Gray (Windsor West)	Grose

Harb	Harvard
Hickey	Hubbard
Ianno	Irwin
Jackson	Jordan
Karygiannis	Keyes
Kirkby	Knutson
Kraft Sloan	Lastewka
Lavigne (Verdun—Saint-Paul)	LeBlanc (Cape/Cap-Breton Highlands—Canso)
Lincoln	Loney
MacAulay	MacDonald
MacLellan (Cape/Cap-Breton—The Sydneys)	Malhi
Maloney	Marchi
Martin (LaSalle—Émard)	Massé
McCormick	McGuire
McKinnon	McLaughlin
McLellan (Edmonton Northwest)	McTeague
McWhinney	Mifflin
Milliken	Mills (Broadview—Greenwood)
Minna	Mitchell
Murray	Nunziata
O'Brien	Pagtakhan
Paradis	Parrish
Patry	Payne
Peric	Peters
Peterson	Phinney
Pickard (Essex—Kent)	Pillitteri
Reed	Regan
Richardson	Rideout
Riis	Ringuette—Maltais
Robichaud	Robillard
Rock	Scott (Fredericton—York—Sunbury)
Serré	Shepherd
Sheridan	Simmons
Skoke	Solomon
Speller	St. Denis
Steckle	Stewart (Brant)
Stewart (Northumberland)	Szabo
Terrana	Tobin
Torsney	Ur
Vanclief	Volpe
Walker	Wappel
Whelan	Wood
Young	Zed—146

**NAYS**

## Members

Abbott	Ablonczy
Asselin	Bachand
Bellehumeur	Bernier (Gaspé)
Bernier (Mégantic—Compton—Stanstead)	Breitkreuz (Yorkton—Melville)
Bridgman	Brien
Brown (Calgary Southeast)	Bélisle
Caron	Crête
Cummins	Dalphonde—Guiral
Daviault	de Savoye
Deshaies	Duncan
Epp	Frazer
Gagnon (Québec)	Gauthier (Roberval)
Gilmour	Godin
Gouk	Grey (Beaver River)
Grubel	Guay
Guimond	Hanger
Hanrahan	Harper (Calgary West)
Harper (Simcoe Centre)	Harris
Hart	Hayes
Hermanson	Hill (Prince George—Peace River)
Hoepfner	Jacob
Jennings	Johnston
Lalonde	Langlois
Laurin	Lebel
Leroux (Richmond—Wolfe)	Leroux (Shefford)

Manning  
 Martin (Esquimalt—Juan de Fuca)  
 McClelland (Edmonton Southwest)  
 Mills (Red Deer)  
 Ménard  
 Paré  
 Picard (Drummond)  
 Pomerleau  
 Rocheleau  
 Schmidt  
 Solberg  
 St-Laurent  
 Strahl  
 Venne  
 White (Fraser Valley West)—79

Marchand  
 Mayfield  
 Mercier  
 Morrison  
 Nunez  
 Penson  
 Plamondon  
 Ramsay  
 Sauvageau  
 Silye  
 Speaker  
 Stinson  
 Tremblay (Rosemont)  
 Wayne

#### PAIRED MEMBERS

Bakopanos  
 Bonin  
 Canuel  
 Chrétien (Frontenac)  
 Debieu  
 Duceppe  
 Fillion  
 Gaffney  
 Godfrey  
 Lavigne (Beauharnois—Salaberry)  
 Lefebvre  
 MacLaren  
 Murphy  
 Tremblay (Rimouski—Témiscouata)

Bergeron  
 Bouchard  
 Chan  
 Crawford  
 Dubé  
 Dumas  
 Fry  
 Gerrard  
 Landry  
 Lee  
 Loubier  
 Marleau  
 Ouellet  
 Valeri

**The Acting Speaker (Mr. Kilger):** I declare the motion carried.

(Motion agreed to, bill read the second time and referred to a committee.)

[Translation]

**The Acting Speaker (Mr. Kilger):** It being 6 o'clock, the House will now proceed to the consideration of Private Members' Business as listed on today's Order Paper.

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## PRIVATE MEMBERS' BUSINESS

[Translation]

### CANADIAN HUMAN RIGHTS ACT

**Mr. Pierre de Savoye (Portneuf, BQ)** moved that Bill C-248, an act to amend the Canadian Human Rights Act, the Canada Labour Code and the Public Service Employment Act (whistleblowing), be now read the second time and referred to a legislative committee.

He said: Mr. Speaker, the purpose of Bill C-248 is to protect against retaliation employees acting in good faith and in the public interest who report reprehensible practices by their employers, particularly when public health and safety are at issue.

This bill applies solely to public sector employees under federal jurisdiction. It is based on two fundamental principles.

• (1805)

The first principle is to encourage federal public servants to report institutional or individual actions or practices that would

### Private Members' Business

cause a specific and substantial danger or prejudice to public health, safety or welfare, or entail considerable or unjustified public spending.

[English]

The second principle without which the first one cannot be serviced is the protection of employees against employers' reprisal measures in retaliation for disclosures done in accordance with the bill's provisions.

[Translation]

Implementing the two principles underlying this bill requires a dual mechanism. The legislation must provide, first, for the filing of complaints and then, of course, for the protection of employees. To that end, Bill C-248 proposes an amendment to the Canadian Human Rights Act that would give the commission responsible for enforcing this act the power to receive and examine complaints of illicit practices and to rule on their admissibility.

In addition, Bill C-248 would empower the commission to cancel any retaliatory action by an employer against a whistleblower acting in good faith.

[English]

Bill C-248 answers the expectations of Canadian citizens and of many Canadian organizations.

[Translation]

The people want the federal government to reduce waste and end all illicit practices. To them, it is a matter of government openness and federal institutional ethics.

Allow me to quote from the 1995 auditor general's report: "Canadians are concerned about integrity in government and they have the right to expect the highest ethical standards in their governments. Leadership by members of Parliament, ministers, and deputy ministers is critical to maintaining ethical standards and performance in government".

And the auditor general adds, and I quote: "If Canadians do not trust their governments to act ethically, governments will find that their actions have less and less legitimacy and effectiveness. Thus, we believe that it is important to discuss the ethics in government and to take action to maintain and promote ethics in government".

You can see why Bill C-248 now before us is a good bill for the government, for its employees and particularly for the public. I would like to comment briefly on the various clauses of the bill.

Let us first consider the first six clauses of the bill. The purpose of these provisions is to amend the Canadian Human Rights Act. Clause 1 would add a new provision to the Canadian Human Rights Act, by which it would become a discriminatory practice to discharge, suspend or impose a financial penalty on an employee, or to directly or indirectly differentiate adversely

*Private Members' Business*

in relation to an employee in retaliation for a disclosure in connection with a complaint made in good faith by the employee pursuant to the provisions of our bill.

The same clause also suggests that an employee shall be presumed not to act in good faith where, in making a disclosure, the employee violates any act of Parliament or rule of law protecting privileged communications, unless the employee can prove on a balance of probabilities that the violation was prompted by reasonable concerns for the public health or safety.

In clause 2, we propose that section 40 of the Canadian Human Rights Act be amended to encourage employees who have reasonable grounds to do so to bring their concerns regarding employer misconduct to the Canadian Human Rights Commission. The commission would be required to maintain a confidential registry of all complaints.

- (1810)

Clause 3 proposes to amend section 53(2) of the Canadian Human Rights Act in order to empower the Commission to roll back retaliatory measures by an employer against a whistleblower when the human rights tribunal deems it appropriate.

Clause 4 proposes to add to the Act a new section stating that no person shall discharge, suspend or impose a financial penalty on any employee in retaliation for a complaint or for a disclosure.

Clause 5 proposes to amend section 60(1) of the Act to include a reference to the new section 59.1 so that a person who contravenes this new section would be guilty of an offence for which he would be liable on summary conviction to the punishment set out in the Act.

Clause 6 proposes to replace paragraph (3) of section 61 of the Act by new paragraphs (3) to (7). Where a tribunal established by the Commission finds that a complaint is substantiated or that there are reasonable grounds to believe it true, these paragraphs would compel the Commission to report the finding to the Speaker of the House so that he may refer it to the appropriate committee.

Clause 7 proposes an amendment to the Canada Labour Code. This clause would amend the Canada Labour Code by adding two paragraphs after subsection (1) of section 240. These two paragraphs stipulate that retaliatory discharges for *bona fide* whistleblowing shall be considered unjust dismissals for the purposes of that Act.

Finally, clause 8 proposes an amendment to the Public Service Employment Act. Under this clause, the oath or solemn affirmation taken by a public servant in respect of his employer would be qualified as follows: it shall not be deemed to be a breach of the oath or solemn affirmation for an employee to make a disclosure in good faith regarding the employer's misconduct.

[English]

Since the first reading of the bill in May 1994, which was a

year ago, several organizations representing some 200,000 federal civil servants have contacted my office to offer support as well as valuable comments.

[Translation]

Various organizations have commented that the bill should contain stronger measures. One of the areas they singled out was complaint registration. I will elaborate on these improvements later.

In its recent publication, *Breaking the Silence*, the Professional Institute of the Public Service of Canada stressed the urgency of bringing in an initiative like Bill C-248.

In its report called "In the Public's Interest", which was a summary of what its membership said at its hearings, the Public Service Alliance of Canada, which alone represents over 150,000 public servants, also recommended implementing a measure like the one contained in this bill.

It is also worth noting that parliamentarians and political parties have also spoken in favour of legislation in the area mentioned above. For example, during the 34th Parliament, a New Democrat member introduced a bill, which made it to second reading, which was for all intents and purposes equivalent to Bill C-248. At that time, two Liberal members, one of them the ethics critic, the other, human rights critic, enthusiastically supported the principles in the bill. The bill was debated in February 1992.

Might I add that in 1991, the official opposition's critic for government administration declared that it was imperative to implement a policy to adequately protect public servants who bring wastage to the light of day. In the past, hon. members like the former Liberal who is now a senator, Jean-Robert Gauthier, the former New Democrat member for Skeena, Jim Fulton, and the former Conservative minister, Alan Redway, all proposed, in one form or another, legislative measures along the lines of Bill C-248.

- (1815)

For its part, the Reform Party has always insisted on transparency in the federal government and the elimination of waste of public funds. In this regard, the Reform member for St. Albert said the following on May 11 in the House in a question to the President of Treasury Board:

Given the fact that a notable proportion of public servants would not report such unethical behaviour, will the government introduce legislation to protect whistleblowers?



*Private Members' Business*

My colleague from the Reform Party was referring to chapter 1 of the latest auditor general's report which indicates that public servants are somewhat fearful about reporting practices that contravene the government's ethics guidelines.

The members of our political party, the Bloc Quebecois, at its first general council on June 18, 19 and 20, 1993, recommended to the parliamentary wing that it ensure legislation providing for protection of public servants who blow the whistle be tabled in the House as soon as possible.

[*English*]

It therefore appears that all parties in the House have in recent years or weeks given their support to a measure like the one proposed by Bill C-248. Hence there is ample reason for the House to consider Bill C-248 as votable.

However, to make the bill votable requires unanimous consent of the House. Without unanimous consent the bill, which is really expected by the Canadian public, will not go any further.

[*Translation*]

This means, therefore, that, without the unanimous consent of this House, unions, management, organizations, groups, in fact everyone will be prevented from expressing their opinions on the measures proposed in Bill C-248.

[*English*]

Acknowledging the unanimous support of all parties for a number of years relative to the necessity of the whistleblowing legislation, acknowledging also the obvious necessity of legal protection for good faith whistleblowers, and acknowledging the inescapable necessity for the bill to be votable if it is to be discussed in committee before coming back at third reading, I will ask members of the House to unanimously accept the bill as votable. I will make the request prior to the end of this period.

[*Translation*]

**Mr. Ronald J. Duhamel (Parliamentary Secretary to President of the Treasury Board, Lib.):** Mr. Speaker, I am pleased to address this bill, which is a very laudable initiative. Indeed, even though the government may have some reservations about it, the proposed legislation includes many good points and we must take a very close look at it. I sincerely hope that we can pursue this debate.

[*English*]

One of the stated purposes of the bill is to provide for appropriate sanctions against retaliation or retaliatory discharges by public sector employers of employees who "blow the whistle" or report a serious misconduct of their employers.

Bill C-248 would, it is claimed, protect employees acting in good faith and would recognize there are times when it is in the public interest to encourage whistle blowing, especially if public health or safety were at issue.

[*Translation*]

It is important to remember that the idea is to improve public health and safety.

[*English*]

Let me say at the outset that I am most interested in any proposal that would lead to improvements in the way government programs are delivered that would lead to greater efficiencies and effectiveness and that would lead to the elimination of waste, mismanagement or misconduct.

[*Translation*]

This idea is a basic principle which we must support.

[*English*]

At the moment there are a number of legislative provisions with complementary policies and guidelines that have application in this area. I am interested in how they are working, how they can be improved and how the bill before us today could lead to improvements in these areas.

It is with this in mind that I have reviewed and now comment upon the bill before the House today.

• (1820)

[*Translation*]

Here are my comments, along with some specifics.

[*English*]

One of the clauses contained in the bill proposes amendments to section 23 of the Public Service Employment Act. This section requires every deputy head and employee, before becoming a member of the public service, to subscribe to the oath or affirmation of allegiance and the oath or affirmation of office and secrecy, the latter being set out in schedule III of the present act. Under Bill C-248, which restates the wording of section 23 as it now stands, two lengthy new clauses would be added qualifying the oath or affirmation of office and secrecy.

One of these clauses refers directly to the administration of section 40(1.1) of the Canadian Human Rights Act. No change would be contemplated with respect to the oath or affirmation of allegiance, though any misconduct that could constitute betraying it may well pose a serious problem as abuse of the oath or affirmation of office and secrecy.

The oath or affirmation of allegiance is covered by the Oath of Allegiance Act. It prescribes a form by which every person in Canada who, either of his or her own accord or in compliance with any lawful requirement made of him or her or in obedience to the directions of any act or law in force in Canada, except the British North America Act and the Canadian Citizenship Act, desires to take an oath of allegiance shall have it administered.

*Private Members' Business*

The prospective deputy head or employee of the public service must before assuming office affirm and swear to be faithful and bear true allegiance.

Confidentiality is required of all federal public servants by virtue of the Official Secrets Act and by the oath or affirmation of office and secrecy taken by all public servants on entering the service. The prospective employee swears or affirms that he or she will faithfully and honestly fulfil the duties that evolve upon that person by reason of public service employment and not without due authority disclose or make known any matter that comes to the individual's knowledge by reason of such employment.

Of course it must be recognized that major departures from existing practices in tried and true legislation could have important implications for the future well-being of the public service.

[*Translation*]

This is something which must be carefully examined. If were to go ahead with the proposals contained in this bill, would we experience problems with some of them?

[*English*]

It is necessary to determine the precise nature of the problems that are believed to exist or might exist, in view of those proposing Bill C-248, to ascertain precisely the dimensions and nature of the systems that would be required were abuses to occur and how they might best be handled. The means for resolving any problem that might arise in this area under present legislation and regulations should be examined carefully in order not to duplicate or complicate unduly existing measures that inhibit or permit various actions. These include those inherent in the judicial system, the current system of checks and balances in existing legislation, regulations, policies and guidelines, as well as in our open system of government and strong voice of the media.

In examining this proposal for major legislative change, it must be recognized that there is already some legislation covering the abuse of authority and responsibility by public servants at all levels. Paragraph 121(1)(c) of the Criminal Code, for instance, makes it an offence for any official or employee of the public service to demand, accept, offer or agree to accept from a person dealing with the government any reward, advantage or benefit either directly or indirectly through anyone else for his or her own benefit without appropriate authorization.

Members will know that it is the duty of public servants and there are disciplinary and legislative tools available to ensure that they comply to be honest, efficient, effective and loyal in carrying out their responsibilities and managing the resources of the public service.

Employees are expected to inform their superiors of any seeming impropriety and to suggest ways of improving public services. Indeed, the incentive awards program recognizes exceptional contributions to the public service.

• (1825)

There are sanctions as well in place now to prevent, avert or penalize proven dishonourable conduct, criminal actions, waste, extravagance, discrimination or abuse of trust. As you will appreciate, Mr. Speaker, there are already a number of sanctions and legislation in place covering the actions of concern to whistleblowers and to provide recourse for public servants against unfair treatment.

Canada is already known for having one of the finest public services in the world. It is critical that employees and managers recognize the importance of identifying problems and of working together to resolve them.

I am pleased to have the opportunity today to comment on the proposals for legislative changes presented by the hon. member in Bill C-248.

[*Translation*]

I support this bill in principle, and I sincerely hope that we can continue to discuss it. As I just mentioned, some mechanisms are already in place. It is up to us to decide whether to go any further. I thank you for this opportunity to comment on the proposed bill.

[*English*]

**Mr. Chuck Strahl (Fraser Valley East, Ref.):** Mr. Speaker, it is a pleasure for me to deal with this very important subject about whistleblowing legislation. I am pleased also to see that the President of the Treasury Board on May 13 mentioned that he is still open to the idea of whistleblowing legislation. He is not convinced yet that it is necessary. I am pleased to see that he is open to the idea. Certainly as my colleague mentioned earlier, the Reform Party feels that any time we can open up government and open up the process we would be in favour of that.

Bill C-248, having to do with the rights of so-called whistleblowing, has been raised several times as private members' business in this House over the last decade or so. Unfortunately, it has not been raised by the government of day, past or present, and that is a shame.

There is a very old proverb I learned when I was a child. I know, Mr. Speaker, you will be interested in this one. I believe in it and I hope every member of the House subscribes to it as well. I try to follow it in my own life and it has done me nothing but good when I manage to follow it, even though it sometimes hurts. The simple old proverb goes like this: "Honesty is the best policy".

I have a question to ask members today. Is honesty really the best policy? If it is, and I believe that it is, we should develop institutions to protect honesty, to encourage honesty, to deter dishonesty and to even punish dishonesty when we find evidence of it.

In general, the Criminal Code and other statutes of Parliament require it, but very few provide an incentive for government organizations to be honest and not only honest but safe and frugal with taxpayers' dollars as well. I therefore agree with the intent of Bill C-248. It provides a mechanism for employees to demonstrate these qualities. It would help the government and the private sector to be honest by placing before it the possibility that dishonesty could be exposed.

Allow me to quote from an article in the *Journal of Canadian Public Administration*. It puts it well. It states:

There is solid evidence to show that, in the absence of an effective whistleblowing mechanism, employees have suffered emotional and physical turmoil in trying to deal with knowledge of fraud, conflicts of interest, rampant waste, pollution violations, and other illegal or unethical activities. Companies have a duty of care to provide such a mechanism to assist ethical employees.

Employees, who have real concerns and who make the wrongdoing public, suffer real problems in the workplace as a consequence. The Association of Mental Health in Maryland did a study on whistleblowers in the late 1980s found that 82 per cent of whistleblowers experienced harassment after exposing a wrongdoing, 60 per cent were fired from their jobs, 17 per cent eventually lost their homes and 10 per cent reported they had attempted suicide. So there are serious repercussions by not accepting the word of a whistleblower or by persecuting them afterwards.

Even with these problems, whistleblowing means savings for the American government. In 1980 the U.S. government began a hotline for the American public service. The government received 94,000 telephone calls in the first 10 years of operation, 1,100 calls were substantiated and \$20 million was saved. The cost of the hotline was minuscule in comparison to those savings.

• (1830)

There are some dangers in this type of policy. It may be used irresponsibly by people who have their own axe to grind or people who are just plain disagreeable and want to cause trouble and headaches for honest employers by alleging things that simply are not true and then escape by hiding behind a law.

The idea I want to get across today is of controlled whistleblowing or a mechanism by which whistleblowing legislation can be passed that protects all parties involved. We must have the right to expose illegalities, the gross abuse of funds or a significant risk to public health or safety within limits that would protect employers and, in the case of Parliament, ministers of the crown and public service managers.

### *Private Members' Business*

I want to suggest what might be part of an ideal act of Parliament. Then I want to compare that ideal with the bill before us. Ideal whistleblowing legislation should define the nature and limits of the activity that would be protected by such legislation specifying the gravity of wrongdoing to be exposed. I admit this would not be easy.

For instance, an employee may want to expose a fellow employee for being a couple of minutes late one morning because he is angry at him for some unknown reason. The law would have to be designed in such a way that it would be kept from degenerating into a sort of informer's paradise. The legislation probably would specify some type of internal process which must be followed before it would be legal to go through the public whistleblowing activity. It is only fair that an employer be able to clean up his act before getting tarred in the press.

Ideal legislation would specify public whistleblowing rather than leaked documents as well. Leaks are the curse of any minister's existence. If I was a minister I would not appreciate leaked documents either. However, whistleblowing legislation would not protect leaked documents unless it was one of those concerns that I mentioned earlier about gross misconduct or something. Public servants are expected to keep documents confidential at all times and that should continue under any legislation.

I like the idea of an employee coming forward in a forthright manner through proper protected channels if it is necessary to expose things.

Legislation should contain some kind of statute of limitation so that employees could not try to get revenge on certain people by exposing things that happened long after the employee has left the employer.

I also think the act must create an incentive system for legitimate whistleblowers. This is another difficult area and I do not claim to have all the answers. It is difficult enough for whistleblowers to come forward even with the protection that the President of the Treasury Board says is in place already. We see it is very difficult to get them to come forward.

The United States has the false claims act. Under it whistleblowers receive 25 per cent of the savings of any whistleblowing benefit they unearth. Over the first six years of the operation of the act, 407 lawsuits were filed and 37 were settled for a total of \$147 million in savings. The average whistleblower received \$400,000.

I have considerable hesitation in supporting this type of high priced incentive to whistleblowers. However, if this is referred to committee, the committee should investigate whether there should be some sort of a monetary incentive or public recogni-

*Private Members' Business*

tion or some kind of paper recognition. Some sort of incentive should be investigated in committee to see if it has some validity on the Canadian scene.

There also needs to be legal protection for legitimate whistleblowers, including confidential advice for public servants and an appeal process for those who are harassed or fired. For that we need an independent body which would act as sort of a place of sober second thought. I am not going to suggest the Senate but we need something that would give an employee confidential advice on whether his or her concern constituted a legitimate exposure and so on.

• (1835)

This independent person or office, something like an ombudsman or an independent ethics counsellor—emphasis on the independent—would also act as a repository for the information that was revealed. Anyone could come and receive that information. It would be a very popular office indeed. I know many public servants have been in contact with me about the need for this legislation.

If it was done in this way it could be exposed in a non-partisan, orderly way that would protect the employee concerned and also protect the government or other employer by suppressing frivolous or mischievous claims such as the one I mentioned earlier about someone overstaying a coffee break or something.

Next we would need an appeal process where an employee who was being harassed or who was fired could go. We need something there. Investigations could be conducted and reparations made. However there would also have to be a companion law that would punish or somehow discipline an employee for publicly exposing things for which they have given an oath not to expose. For example, they would still have no right to expose confidential documents from the cabinet and so on. We have to make sure under this legislation that employees do not feel they have the right to expose what by necessity must be confidential.

How does Bill C-248 measure up? I have mentioned several things that could be fleshed out in the bill. I find the bill is like a shell. It has the skeleton of some very good ideas. It is not specific enough in many areas. For example, there are no limits specified as to the time of reporting, the gravity of the offence to be reported or even the kinds of things an employee could report.

We should investigate whether there should be an incentive system of some kind which is not mentioned in the bill. We should do something to encourage the natural inertia of the bill against whistleblowing and jump start it. Maybe some sort of incentive program would help to do that.

I am not convinced the Canadian Human Rights Commission is the best body to solve this problem. Canadian human rights is becoming a grab bag. It seems to be solving everything or it is expanding its role. Under Bill C-64 it has been asked also to expand its area of expertise into the employment equity issue.

I see a little problem with the Canadian Human Rights Commission becoming the catchall for all this. I wonder if rather than a human rights issue it could more properly be administered under the Department of Labour because this is typically an employee-employer type problem. We could change this to the Department of Labour because it would be best equipped to handle these types of employment related matters.

Finally, as I mentioned earlier, the bill contains no deterrents against destructive or frivolous whistleblowers, people who just want to pass the time of day and harass employers. We will need something there.

To conclude, the intent of Bill C-248 is noble. We agree with its general direction but it is like a shell that needs to be filled out. I appreciate the member's work in this area and I only feel disappointed the government did not present this legislation.

This situation is much like the access to information experience. There have been many private members' bills over the years that sought to improve access to information. Given the benefit of hindsight and the great amount of good the Access to Information Act has done, the Liberal government would be well advised to take this bill as an umbrella piece of legislation and work with it. I realize it would be taking a bit of a risk.

Once this type of legislation is worked over in committee and becomes law we will all wonder how we got by without it. It is a good idea. We on this side of the House look forward with anticipation when real whistleblowing legislation becomes a reality.

[*Translation*]

**Mr. Jean-Paul Marchand (Québec-Est, BQ):** Mr. Speaker, Bill C-248 is a good bill, because it meets a blatant need. It is an open secret that there is considerable waste and abuse in government. I am vice-chairman of the committee on public works. As the hon. member for St. Boniface who spoke for the government knows full well, we have seen many cases of waste and abuse in the public service, particularly when contracting out is concerned, with an estimated \$5 billion to \$10 billion a year in contracts awarded by the government to private enterprise.

• (1840)

In that sector alone, hundreds of millions of dollars may be wasted through abuse and errors. The Public Service Alliance told us about some absolutely incredible cases of waste. For example, painters employed by the federal government were moved aside as contracts were awarded to private sector entrepreneurs, who were paid to do the work while public servants stood by watching them. Some contracts and leases were a real waste of government money. The waste is legendary.

*Private Members' Business*

If public servants had the right to denounce such cases of abuse, the government could save millions of dollars every year. The public is well aware of this, and one of its most common criticisms is that the government is not careful enough about its spending, especially since Canada faces a huge deficit.

It would be a good idea to draft such a bill in light of the potential savings. This bill would also help restore the credibility of the government and of politicians who, to a certain extent, are held responsible for public service waste and abuse.

If public servants could denounce cases of abuse, this would not only save money but also probably bring to light events or actions endangering public health or safety.

Public servants reporting cases of abuse must be protected. Thus, they would feel more inclined to report or blow the whistle on the conduct of their superiors and coworkers. That is why government employees need the kind of protection this bill is designed to afford them.

There are many examples around the world of governments that have already passed legislation to allow employees to disclose instances of abuse and squandering within the public service. In fact, this public administration philosophy is increasingly popular in the United States.

More than 20 states in the U.S., including major states like New York and California, are reported to have put in place similar legislation enabling public servants to report abuse and protecting them; in some states, the protection of the law even extends to disclosure of abuse and squandering in the private sector. We are light-years behind them in that respect.

And the U.S. is not alone. England also has similar legislation. But we, in Canada, do not. It would be great, of course, if the federal government could act on this. There is every reason to do so. In fact, there is no valid reason not to pass this bill, except perhaps a lack of will on the part of the government. This is not even a partisan issue; it does not have anything to do with being a federalist or a sovereignist. It is strictly a matter of common sense. As other members mentioned, public servants themselves and the Public Service Alliance have come forward and expressed full support, for the reasons stated previously.

There really is no reason not to pass this bill, because this is a bill that will help the public service operate better and more economically. Why not agree in principle with this bill, as suggested by the hon. member for Saint-Boniface and the representative of the Reform Party? Why not refer it to committee, where improvements can be made if required so that we can go some way toward providing Canada with a piece of legislation enabling public servants to disclose instances of abuse without being subjected to unfair retaliation.

**The Acting Speaker (Mr. Kilger):** The member for Portneuf, on a point of order.

**Mr. de Savoye:** Mr. Speaker, as I mentioned previously, I would like to ask the House if there is unanimous consent to find this bill votable.

As we know, Canadians have been waiting for such a piece of legislation. We have the opportunity to have an important in-depth debate which would enlighten members of Parliament as well as the public. Later on, we will have the opportunity, if the House so desires, to vote to refer this bill to a committee.

What we are talking about now is to have two more opportunities to debate this bill. Therefore, I ask the House for its unanimous consent.

**The Acting Speaker (Mr. Kilger):** The House has heard the terms of the motion presented by the member for Portneuf seeking unanimous consent to find this item votable and to debate it for two more hours.

Is there unanimous consent?

**Some hon. members:** No.

**The Acting Speaker (Mr. Kilger):** The hour provided for the consideration of Private Members' Business has now expired. Pursuant to Standing Order 96, this item is dropped for the *Order Paper*.

It being 6.50 p.m., this House stands adjourned until tomorrow at 2 p.m., pursuant to Standing Order 24(1).

(The House adjourned at 6.49 p.m.)



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