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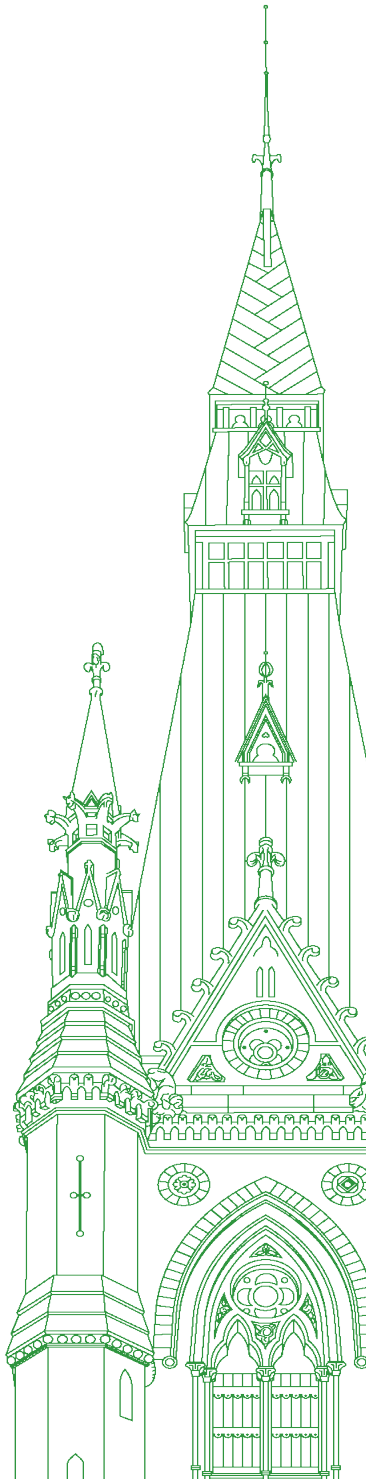

Chair: Mr. Robert Morrissey

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

Thursday, May 2, 2024

● (0820)

[*English*]

The Chair (Mr. Robert Morrissey (Egmont, Lib.)): I call the meeting to order.

Good morning, committee members. We will begin.

The clerk has advised me that we have a quorum. Everybody is appearing in the committee room, so we did not require any sound testing.

I will remind you before we begin about the steps that have been advised that committee members must take to avoid sound issues for the translators. Please keep your earpiece in the allotted spot when you're not using it. If you're not going to use it at all, it is best to keep it unplugged.

As you know, the room layouts have been adjusted to give more spacing to avoid any possible sound issues. Again, keep your earpiece on the allotted location.

Today's meeting is taking place pursuant to Standing Order 108(2) and the motion adopted by the committee on February 22, 2024. The committee is beginning its clause-by-clause consideration of Bill C-58, an act to amend the Canada Labour Code and the Canada Industrial Relations Board regulations.

Before I introduce departmental officials, I would advise members that you have the choice to speak in the official language of your choice. If translation services are interrupted, please get my attention by raising your hand. We'll suspend while they are being clarified.

Appearing in the committee room today, from the Department of Employment and Social Development, are Zia Proulx, director general, strategic policy, analysis and workforce; Katherine Chan, senior policy analyst, workplace and labour relations policy division; and Ryan Cowling, manager, workplace and labour relations policy division. They are here to address any questions the committee members may have related to the clause-by-clause consideration of the bill.

With that, again, thank you, members.

I apologize; somebody forgot to order breakfast, or we didn't pay for the last one and we're not getting any more. It will be corrected. Ms. Gray has agreed to pay for it if we can't find the funds.

Some hon. members: Oh, oh!

The Chair: On a serious note, this is a serious piece of legislation, so I will begin going through it, as you are all familiar with the process of clause-by-clause study. If you have any comments, please raise your hand.

We shall begin with clause 1 of the bill.

There were no amendments submitted to clauses 1 through 5.

(Clauses 1 to 5 inclusive agreed to)

(On clause 6)

The Chair: On clause 6, the first amendment is from the NDP.

Mr. Boulerice, do you wish to speak to your amendment?

● (0825)

[*Translation*]

Mr. Alexandre Boulerice (Rosemont—La Petite-Patrie, NDP): Thank you, Mr. Chair.

I am extremely happy to be here with you today for the important consideration of what could be described as a historic bill.

The Chair: Excuse me. Just a moment, please.

[*English*]

All right. Go ahead, Mr. Boulerice.

[*Translation*]

Mr. Alexandre Boulerice: Thank you, Mr. Chair.

I hope the interpretation is working and everyone can hear me.

A number of witnesses talked about the Canada Industrial Relations Board's 90-day decision-making time. They asked us to reduce the time to 45 days.

Amendment NDP-1 therefore reflects that desire, in a nutshell.

[*English*]

The Chair: Go ahead, Mr. Sheehan.

Mr. Terry Sheehan (Sault Ste. Marie, Lib.): I just wanted to point out that I have a subamendment to the amendment, Chair, if you can point out when it would be appropriate for me to move that.

The Chair: We have the amendment from Mr. Boulerice on the floor under debate and we have a subamendment to that amendment.

We'll go to Mr. Sheehan, Mr. Seeback and then Madame Chabot.

Mr. Terry Sheehan: Thank you very much.

On the subamendment, we had originally chosen 90 days to ensure that this process did not infringe on the right to strike. Most of the time it takes more than 90 days to be in a strike position.

During committee, we heard from unions that the maintenance of activities process could delay their right to strike. We listened, we did the math and in good faith we're proposing a subamendment to reduce the CIRB's decision-making timeline to 82 days. That's why we're bringing forward a subamendment to reduce the CIRB decision-making time on maintenance of activities issues to no less than 82 days. That really is the shortest possible time we could see for a union get to the strike position. Therefore, it will not delay a union's right to strike.

With this change, unions that respect the timelines laid out in the bill will not see their right to strike delayed a single day, even if the CIRB takes the full 82 days to make a decision.

Further, we heard in testimony that it was currently 155 days. We were proposing 90. We're proposing 82 after extensive dialogue to make sure that the CIRB can get the job done.

Thank you.

The Chair: Thank you, Mr. Sheehan.

The discussion now moves to the subamendment of Mr. Sheehan.

Go ahead, Mr. Seeback.

Mr. Kyle Seeback (Dufferin—Caledon, CPC): He explained it. I was going to ask the analysts, but I don't need to now.

The Chair: Madame Chabot, go ahead on the subamendment.

[*Translation*]

Ms. Louise Chabot (Thérèse-De Blainville, BQ): Thank you, Mr. Chair.

It is correct to say that we listened carefully to the unions. A majority of them, including the Confédération des syndicats nationaux, or CSN, the United Steelworkers, and the Canadian Union of Public Employees, or CUPE, were very clear about the importance of reducing the time from 90 to 45 days to make sure their right to strike is preserved within a reasonable time.

I am therefore going to oppose this subamendment, which does not reflect the requests made. It reduces the time from 90 to 82 days, that is, by only eight days. In my opinion, it needs to be reduced to 45 days, and we can do that.

If there is a genuine desire not to interfere with employees' right to strike, we cannot preserve the 90-day time. Ninety days is unreasonable, as 82 days would be. That is why I oppose the subamendment and support the amendment proposed by the NDP, which is identical to Bloc Québécois amendment BQ-1.

● (0830)

[*English*]

The Chair: Is there any further discussion on the subamendment?

Mr. Sheehan, go ahead.

Mr. Terry Sheehan: I want to point out again that testimony and a lot of the questions that were being asked to the particular board by various committee members stressed the need for more time and more resources. We're committed to getting resources to them. Making it 82 days will put them in a position, as this rolls out, to be able to deal with this expeditiously and to keep everything in accordance.

The Chair: Seeing no further discussion, I'm going to call for a recorded vote on the subamendment, as proposed by Mr. Sheehan, to the NDP amendment.

(Subamendment agreed to: yeas 10; nays 1 [*See Minutes of Proceedings*])

The Chair: We're on amendment NDP-1 as amended.

If the committee decision on NDP-1 as amended is to carry it, then the amendment by Madame Chabot is non-debatable.

Seeing no discussion, I'm going to call a recorded vote on the amendment submitted by Mr. Boulerice, which has been amended by Mr. Sheehan.

(Amendment as amended agreed to: yeas 10; nays 1 [*See Minutes of Proceedings*])

The Chair: Shall clause 6 as amended carry?

(Clause 6 as amended agreed to)

(On clause 7)

The Chair: Shall clause 7 carry?

Mr. Sheehan, go ahead on clause 7.

Mr. Terry Sheehan: I want to drop down the clause. I believe you have it. It is as follows:

> That Bill C-58, in clause 7, be amended by replacing lines 17 and 18 on page 4 with the following: "erence to any person."

Unions raised an issue that in certain cases, replacements were brought in for emergency situations that might not be captured under the reinstatement provisions. This amendment resolves that issue.

I understand that the intent of NDP-9 was to fix the same issue, so this will make the amendment unnecessary. We're providing some needed clarification after consulting with various folks.

● (0835)

The Chair: Okay. We have an amendment moved by Mr. Sheehan.

Mr. Seeback, go ahead.

Mr. Kyle Seeback: I think it's really unfortunate that the government, which has all the resources available to it, has decided to drop a series of amendments on the day we're going through clause-by-clause study, which gives us absolutely no time to determine what the effect of these amendments will be. We all had lots of time to prepare for the NDP and the Bloc amendments, which they, demonstrating professionalism, put in on time.

Can any of the witnesses today comment on what the effect would be if this amendment were inserted in that clause?

Ms. Zia Proulx (Director General, Strategic Policy, Analysis and Workplace Information Directorate, Labour Program, Department of Employment and Social Development): I'll turn to my colleague Ryan Cowling, who can explain the impact of this amendment.

Mr. Ryan Cowling (Manager, Workplace and Labour Relations Policy Division, Department of Employment and Social Development): With this amendment, it would be a broadening of the reinstatement provision found at clause 7. That would amend section 87.6 of the code.

What it would essentially provide now, as amended, is that when striking or locked-out workers return to their jobs after the strike or lockout ends, they have preferential reinstatement over any other person who may have been performing any kind of work for the employer during the strike or lockout.

As section 87.6 had been written, there was a small chance that if the employer brought in new employees during a strike or lockout under those exception conditions that we have in the bill in proposed subsection 94(7), then they wouldn't be captured by that reinstatement. Thus, returning workers wouldn't necessarily be given preferential treatment over them.

This would be broader and capture those people as well. That's the change this amendment would make.

Mr. Kyle Seeback: Who could these people possibly be?

I'm finding it hard to understand what the distinction is between “any person” and “any other person”.

Mr. Ryan Cowling: My understanding of the amendment is that it's removing the words “whose services were used contrary to subsection 94(4).” It's getting rid of that caveat and making it about any person.

Mr. Kyle Seeback: No, it says “any person” now. Proposed section 87.6 says:

> At the end of a strike or a lockout not prohibited by this Part, the employer must reinstate employees in the bargaining unit who were on a strike or locked out, in preference to any person whose services were used contrary to subsection 94(4).

What's actually being added in is “preference to any other person whose services were used contrary to subsection 94(4).” That's how I understand this amendment.

I don't know what the difference is between “any person” and “any other person”. That's what I'm trying to understand.

Mr. Ryan Cowling: This may be a question for the legislative clerk.

My understanding of the amendment is that it would remove the words “whose services were used contrary to subsection 94(4).” Thus, it's now no longer saying that in order for an employee returning from a strike or lockout to replace someone, they have to be used illegally in the context of that strike.

Now it's saying that even if the employer relied on the exception and brought in someone to do the work that's outlined in the bill at proposed subsection 94(7) to address a threat to life, health or safety, or damage to property.... If an employer used that exception and brought in another employee under that condition, we believe that as it's currently written, the reinstatement provision wouldn't necessarily give a returning striking or locked-out employee the ability to replace that person.

This change, making it “any other person”, gets rid of that distinction. It doesn't have to be an illegal use of replacement workers; it's just any person who is used.

I hope that's helpful. I know I'm talking a lot.

Mr. Kyle Seeback: It's deleting “whose services were used contrary to subsection 94(4)”, and replacing “any person” with “any other person”.

The Chair: Mr. Seeback, I have Madam Chabot. I'll come back to you if you have a question.

Go ahead, Madame Chabot.

● (0840)

[*Translation*]

Ms. Louise Chabot: With respect, I do not see how that strengthens the section. The proposed motion seeks to remove “whose services were used contrary to subsection 94(4)”.

You are saying “to any other person”. What is your definition of the word “other”? It can be interpreted in various ways. Section 87.6 says, “in preference to any person whose services were used contrary to subsection 94(4)”.

Subsections 94(4) to 94(8) deal with the prohibition on replacement workers.

I do not see what this amendment would strengthen. I do not understand the spirit.

As well, you say it would resolve an NDP amendment. Which one is that?

[*English*]

The Chair: Go ahead, Mr. Sheehan, on your amendment.

Mr. Terry Sheehan: I just wanted to make sure that by providing this other statement, I explained it the way that it is intended. This amendment gives preference to the striking or locked-out employees. They must be reinstated in preference to any other person at the end of the strike or lockout.

As a hypothetical situation, some company somewhere has an emergency situation. They bring in some employees to do the work. They're there while the strike is happening. At the end of the strike, those people who are doing that work, for whatever emergency reason they're there, would not be replacing somebody in the bargaining unit who was on strike.

Am I correct, Mr. Cowling?

Mr. Ryan Cowling: Yes. I would say that's a fair characterization of it.

Mr. Terry Sheehan: Thank you.

The Chair: We're going to Mr. Seeback, Mr. Boulerice and then Ms. Gray. I would remind members to please direct your questions through me, the chair.

Go ahead, Mr. Seeback.

Mr. Kyle Seeback: Mr. Chair, I'm just wondering what the effect is of taking out

> whose services were used contrary to subsection 94(4).

That's the other part of this, right? We're putting “other persons” as opposed to “persons”, and then we're taking out “whose services were used contrary to subsection 94(4)”.

The Chair: Who is responding to Mr. Seeback?

Go ahead.

Mr. Ryan Cowling: Yes, I will, unless anyone wants to take it.

Maybe the best way to explain in a clear way, which unfortunately I haven't done up to this point.... I'm sorry about that.

The words in the part that says “contrary to subsection 94(4)” are saying that the people who are returning—striking or locked-out employees—have the right to replace people who were used illegally. The issue is that subsection 94(7)—“Exception—threat, destruction or damage”—says at the top that an employer “does not contravene” that ban if they hire people to do work in these emergency situations during a strike or lockout.

Right now, if that were to happen—if the employer, during a strike or lockout, were to bring in someone to respond to a “threat to the life, health or safety of any person” or the “destruction” of property—as the bill is written currently, the returning striking or locked-out members wouldn't necessarily have a right to be reinstated above those people, because those people weren't hired illegally. They were hired within the four corners of the law.

This represents an expansion of the right to reinstatement. It also includes those people if they were brought in during the strike or lockout. It basically gives the union members the right to return in preference to anyone, whether illegal or not, who was doing their job while they were on strike.

● (0845)

Mr. Kyle Seeback: Okay.

The Chair: Next we have Mr. Boulerice and then Ms. Gray on the amendment.

[*Translation*]

Mr. Alexandre Boulerice: Thank you, Mr. Chair.

As Mr. Cowling said, we must not forget that the bill provides exceptions that allow the use of replacement workers to prevent threats to public health and safety or threats of environmental disasters. In those cases, the use of replacement workers will be legal, which the section as it now stands does not provide.

Several unions, including the steelworkers, told us they were concerned about the possibility that the members of a bargaining unit on strike would not have priority when work resumed. This amendment eliminates the possibility so that the members of a bargaining unit on strike would have priority when work resumed, even over replacement workers used legally to protect public health and safety.

[*English*]

The Chair: Thank you, Mr. Boulerice.

Ms. Gray is next.

Mrs. Tracy Gray (Kelowna—Lake Country, CPC): Thank you, Mr. Chair.

Through you, obviously we have some questions, because the Liberals didn't meet the deadline to get amendments in and here we are now, trying to analyze this on the fly.

The question I have for the witnesses, through you, Mr. Chair, was touched on briefly, but I would like some further clarification on how this might affect workers who come in during an emergency. I think there was a little bit of a mention of it. I'm wondering if you can speak to that.

Mr. Ryan Cowling: This provision is specifically about the right of employees returning from a strike or lockout to be reinstated to their jobs. What the amendment does is broaden who they have a right to reinstatement over, essentially, if that helps.

The way it's written currently, if an employer were to bring in a new employee in an emergency situation, as enumerated in subsection 94(4) to the CLC, then the returning striking or locked-out workers wouldn't necessarily have a right to be reinstated over that person, because that person wasn't used illegally. What this amendment would do is say that regardless of whether it was illegal or not, if someone was brought in to do the work of a striking or locked-out worker during the course of the strike or lockout, then the returning workers have a right to be reinstated over that person.

The Chair: Seeing no further discussion, I'm going to call a vote on Mr. Sheehan's amendment to clause 7.

Madam Clerk, please proceed.

(Amendment agreed to: yeas 11; nays 0 [*See Minutes of Proceedings*])

(Clause 7 as amended agreed to)

(Clause 8 agreed to)

(On clause 9)

The Chair: On clause 9, we have amendment NDP-2.

If it's adopted, NDP-3 and BQ-2 cannot be moved due to a line conflict.

We have Mr. Boulerice on his amendment.

● (0850)

[*Translation*]

Mr. Alexandre Boulerice: Thank you, Mr. Chair.

Clause 9 seems to have needed a lot of amendments. We will have to devote a lot of work to them.

Amendment NDP-2 reflects the concerns that several witnesses expressed regarding the use of subcontractors in the event of a labour dispute, because it is difficult to ascertain whether the use of subcontractors is improper or excessive or is intended to defeat the pressure brought by unions and members of the bargaining unit.

Obviously, hiring subcontractors before a notice to bargain is issued creates a somewhat long timeline, and this puts significant financial pressure on the employer, which has to pay those people for a period of time. However, some unions pointed out that an employer whose position and financial resources are strong enough could hire subcontractors in advance. They could then do the work of the members of the bargaining unit involved in the labour dispute, strike or lockout, if extensive checking is not done.

We are proposing this amendment to address the unions' concern, so that subcontractors could not continue to do their work and their activities during the labour dispute.

That is the spirit behind amendment NDP-2.

[*English*]

The Chair: We have Mr. Sheehan and then Madame Chabot on NDP-2.

Mr. Terry Sheehan: Thank you, Chair.

In the Canada Labour Code, the definition of "employee" already captures a "dependent contractor", who is a contractor who relies solely on one employer or contract. They occupy the same labour market space as employees, so they are eligible for unionization. Those folks are potentially part of the bargaining unit and paying dues. They're a member of local X and they pay the dues, so they occupy the same space.

I would turn to our officials, through you, Chair, to perhaps explain what I was saying about how the Canada Labour Code already captures dependent contractors and what dependent contractors are, as opposed to other folks.

Ms. Zia Proulx: Mr. Chair, I want to start by making a clarification before I turn it over to Ryan Cowling for an explanation.

There are dependent contractors and independent contractors, so there's a distinction in the code. I know we want to get into the amendments, but I just want to clarify,

[*Translation*]

Mr. Boulerice, I know that you are familiar with the distinction between these two terms, but I would like to explain it to all the people around the table.

At present, the bill makes this distinction. The purpose of the amendment to the Canada Labour Code is to specify that contractors may continue to do their work if they were hired before the notice to bargain, as they were previously doing it. For example, if they were working three days a week, they will be able to continue working three days a week, since that is not the work of the employees on strike or locked out. That is an important nuance.

I am now going to give the floor to Mr. Cowling, who will be able to explain the difference between independent contractors and dependent contractors. It is important to explain the difference between the terms used in the bill, because that is to some extent the reason why these amendments are being proposed.

[*English*]

Mr. Ryan Cowling: Thanks, Zia.

I'll try to state it as clearly as possible, but it can get a little esoteric within the industrial relations framework.

Essentially, a dependant contractor is a person who's not in a direct employment relationship with an employer. They don't have a contract with an employer. What they have is a dependence on the employer, both economically and in terms of their working conditions, that makes them so similar to employees that part 1 of the Canada Labour Code treats them as employees.

Under part 1, the definition of "employee" explicitly says that it "includes a dependent contractor", so any time part 1 of the Canada Labour Code refers to employees, it's also referring to dependant contractors. Similarly, in Bill C-58, where you see the word "employee" appear—such as in the ban on replacement workers in proposed subsection 94(4) and in the ban on employees in the bargaining unit crossing the picket line and performing work during a full strike or lockout in proposed subsection 94(6)—that would also include dependent contractors that are in the bargaining unit.

I hope that clarifies this.

● (0855)

The Chair: Thank you.

Go ahead, Madame Chabot.

[*Translation*]

Ms. Louise Chabot: Thank you, Mr. Chair.

I understand that there is an order to follow for voting on amendments, as there should be. It is part of the rules of procedure of the House of Commons. However, although I am in agreement with the spirit, or the objectives, of the NDP amendment, I think this amendment would be much clearer and more direct if any reference to "dependent contractors" were removed.

I want to point out that there are two important definitions in part I of the Canada Labour Code. First is the definition of employee, which starts out, "any person employed by an employer and includes a dependent contractor".

Just above that, we have the definition of a dependent contractor, which includes the following:

> (c) any other person who, whether or not employed under a contract of employment, performs work or services for another person…

That person is also an employee, then.

What the unions told us in this regard was clear. For example, I will quote the steelworkers:

> Employers may try to continue using the services of employees during a strike or lockout by labelling them as "dependent contractors". Not only would this undermine the purpose of the Bill, it could also lead to lengthy litigation where unions and employers will spend resources arguing over whether an employee is a dependent contractor, instead of trying to resolve the work dispute and finalize a collective agreement.

That is why I am proposing a subamendment to amendment NDP-2. I propose to delete the following words: “including a dependent contractor who is an employee in the bargaining unit on strike or locked out”. The amended amendment would then read as follows: “(b) any contractor or any employee of another employer”. That would eliminate the concept of “dependent contractor”.

That would adhere to the spirit of the act, which is to prevent recruitment of replacement workers, not to have exceptions, includings, in-the-event-thats, or maybes and leave room for interpretation. That is the meaning of my subamendment. You are going to receive a copy.

[*English*]

The Chair: Thank you, Madame Chabot.

Before we go to Mr. Sheehan, let me be very clear. We're doing clause-by-clause consideration today. Introducing amendments and subamendments is in order.

The legislative clerk has advised me that the subamendment by Madame Chabot is in order, and it is currently on the floor for discussion.

Go ahead, Mr. Sheehan.

Mr. Terry Sheehan: To speak on the subamendment, I am going to reference the amendment as well, in the sense that the bill, as currently written, makes the clarification and ensures that dependent contractors are treated as employees, since that is how they are defined in the code.

We can't support the subamendment because we don't think it's necessary and could lead to an inconsistency in how dependent contractors are treated under all other provisions of part I of the code.

Again, I would ask Ryan to see if he agrees with the statement that the bill as currently written makes this clarification and ensures dependent contractors are treated as employees, since it's how they are defined in the code.

I would ask for some comments on the subamendment.

● (0900)

The Chair: Go ahead, Mr. Cowling.

Mr. Ryan Cowling: I can tell you what the bill does as it's currently written with the words “dependent contractor” in there. Essentially, the wording is there to clarify to the reader that we're using an undefined term at the beginning of proposed paragraph 94(4)(b), which is “contractor”. If you were reading the code as a person wanting to apply the law, you might think the word “contractor” includes dependent contractors. However, as I mentioned earlier, under the definitions of the code, dependent contractors are explicitly employees.

The rationale for having the words “other than a dependent contractor” there is to avoid confusing the reader as to whether these provisions are treating dependent contractors as contractors or employees.

To be consistent with the rest of part 1 of the Canada Labour Code, they should be treated as employees. This is just to say, “We've used the word 'contractor', but, to be clear, that does not include dependent contractors, because they're under it as employees.”

That's the intent of that wording.

The Chair: Thank you, Mr. Cowling.

Seeing no further discussion on the subamendment by Madame Chabot, I'll call for a recorded vote.

(Subamendment negatived: nays 9; yeas 2)

The Chair: We'll return to the amendment by Mr. Boulerice.

Is there any further discussion on NDP-2, the amendment by Mr. Boulerice?

Seeing none, I'll call for the vote on the amendment by Mr. Boulerice.

(Amendment negatived: nays 9; yeas 2)

The Chair: We'll now move to NDP-3.

Go ahead, Mr. Boulerice.

[*Translation*]

Mr. Alexandre Boulerice: Thank you, Mr. Chair.

This is literally an amendment to add a comma. I never thought that in my life I would one day find myself in Parliament asking that a comma be added to a bill, but it is a request that was made by some unions in order to be forearmed against an incorrect interpretation of this provision. To their minds, the comma had to be added in order to create a distinction.

It is no more complicated than that.

[*English*]

The Chair: Okay. Is there any discussion on NDP-3?

An hon. member: [*Inaudible—Editor*]

The Chair: I was wondering what reaction I would get.

Now, the comma is going to displace Madame Chabot's BQ-2—just so you know.

Madam Clerk, I'm going to call for a recorded vote on NDP-3. If adopted, BQ-2 cannot be moved.

(Amendment agreed to: yeas 11; nays 0)

The Chair: Madame Chabot, do you have your hand up?

● (0905)

[*Translation*]

Ms. Louise Chabot: I spoke to the legislative clerk and he told me what I had to do, but I am not sure I remember it.

I understand that if amendment NDP-3 is adopted, amendment BQ-2 cannot be moved, so that settles the question of proposed paragraph 94(4)(b). However, I would still like to move the amendment to paragraph 94(4)(c) contained in amendment BQ-2.

I would like to move an official amendment that would amend the bill by adding after line 4 on page 5 the following:

(c) any employee.

[*English*]

The Chair: I will ask the legislative clerk to speak to what I'm advised is an accepted procedure to get it to the floor for the committee to then decide.

Mr. Philippe Méla (Legislative Clerk): Thank you, Mr. Chair.

[*Translation*]

Ms. Chabot has moved her amendment by removing part (a) of amendment BQ-2, which will therefore be composed simply of part (b).

[*English*]

The Chair: Okay. Are we clear? If there's ambiguity on the procedure I'm going to get you to consider, are there any questions?

Go ahead, Mr. Seeback.

Mr. Kyle Seeback: I don't know what we're left with. What are the NDP and BQ now doing?

The Chair: I'll ask the legislative clerk to speak to it. Members, if you have any questions, simply direct them here. I don't want anybody confused.

Mr. Philippe Méla: Thank you, Mr. Chair.

NDP-3 was adopted, so it's behind us. Now, on BQ-2, Madame Chabot is moving the amendment in a new form by simply keeping paragraph (b), which says, "by adding after line 4 on page 5 the following: (c) any employee." That's all that's left.

Mr. Kyle Seeback: It's adding that onto line 4, so line 4 would read, “any employee of another employer...”

Mr. Philippe Méla: No, it's after line 4.

Mr. Kyle Seeback: It would go after that. It's going to say, "any employee of another employee, any employee."

Is this what we're left with?

Mr. Philippe Méla: No. It's on page 5, line 4.

Mr. Kyle Seeback: Yes.

Mr. Philippe Méla: You can read, "or any employee of another employer." It's added just after that as a new paragraph: “(c) any employee."

Mr. Kyle Seeback: It's a proposed new paragraph (c), "any employee."

Mr. Philippe Méla: That's right.

The Chair: Are there any questions?

Mr. Kyle Seeback: Could we have our witnesses explain what the effect of this is?

Mr. Ryan Cowling: Adding paragraph (c) to proposed subsection 94(4) would broaden the scope of the prohibition on replacement workers under the bill. Currently, under Bill C-58, the employers are only prohibited from using their employees if they were hired after a notice to bargain was given in the particular dispute that's in question. What this would do, by my reading, is remove that caveat and say that an employer cannot use any employee to do the work of striking or locked-out bargaining unit members.

● (0910)

The Chair: I'll go to Mr. Sheehan.

Mr. Terry Sheehan: Thank you very much.

Mr. Seeback asked the question that I was going to ask. It would cover everything. It would cover any employee, including a manager or whoever. They would be covered under this amendment. Is that correct?

Mr. Ryan Cowling: No, the managers would be distinct from the employees. It's two categories in proposed paragraph 94(4)(a). The way proposed paragraph 94(4)(a) is structured, it says, “any employee or any person who performs management functions”, and that's the category that's a manager. Proposed paragraph 94(4)(c) would just be anyone who is in an employment relationship, but not including the managers.

Mr. Terry Sheehan: Okay.

Going at this, we did the tri-party approach. We talked with everyone. I think I would still have trepidation with this amendment because I don't know what the unintended consequences would be with this in particular, with this amendment off the floor. We can't support this amendment right now, I think, as written. This is historic legislation that's going to benefit workers and it's going to keep people at the bargaining table. I'm not going to be supporting this particular amendment.

The Chair: Thank you, Mr. Sheehan.

Just before I go to Madame Chabot, just so we're clear, Madame Chabot's amendment is in order.

She moved it to a new format before it was debated. That's why it's perfectly in order, and it's left to the committee to decide.

Would you like to speak on your amendment, Madame Chabot?

[*Translation*]

Ms. Louise Chabot: Yes. I will say, with respect, that the amendment was not proposed at the last minute. Part (b) of my amendment was already in the bundle of amendments that I had submitted.

I am moving this amendment because, although I can acknowledge that this is a historic bill since we are looking at a federal anti-strikebreaker law after all these years, it contains a loophole that does not exist in Quebec. The bill allows employees of another bargaining unit at the same employer to be used during a labour dispute, and that is not permitted in Quebec. Adding “any employee” will therefore close this loophole.

In Quebec's anti-strikebreaker law, the only ones who may work—as you mentioned—are managers, management personnel, and so on. However, you could not use personnel from another bargaining unit at the same employer—but the present wording of your bill would permit that. The purpose of this amendment is to close that loophole.

[*English*]

The Chair: If there is no further discussion I will go to a recorded vote on the amendment of Madam Chabot.

(Amendment negatived: nays 9; yeas 2)

The Chair: The amendment of Madame Chabot has been defeated.

We'll move to NDP-4.

Mr. Boulerice, do you wish to speak to it?

[*Translation*]

Mr. Alexandre Boulerice: Thank you, Mr. Chair.

The purpose of amendment NDP-4 is to respond to the concerns voiced by several unions regarding the classes of workers who may or may not go to the workplace during a strike or lockout. We are therefore adding paragraphs (c) and (d) to subclause 9(4) of the bill, to include more classes of workers who would not be able to cross the picket line or go to the workplace to perform certain duties.

Paragraph (c) reads as follows:

> (c) any employee who is not in the bargaining unit on strike or locked out and who is working at another location;

We talked about this not so long ago.

Paragraph (d) reads as follows:

> (d) any volunteer, student, member of the public or family member of the employer.

In a nutshell, we heard the concerns of a number of witnesses regarding the fact that the bill is not clear enough and contains potential loopholes. The purpose of this amendment is to solve that problem.

● (0915)

[*English*]

The Chair: Thank you, Mr. Boulerice.

Is there any discussion?

Mr. Sheehan, did you have your hand up?

Mr. Terry Sheehan: I had circulated a subamendment that I think everyone has. I just wanted to make sure that it was circulated.

The Chair: Mr. Sheehan, you have the floor.

Mr. Terry Sheehan: Is it for the subamendment?

The Chair: It is, if that's what you wish to do.

Mr. Terry Sheehan: On the subamendment that we proposed, we heard in testimony before the committee that the union is advocating putting a broad ban on replacement workers. They ask that employers be banned from bringing in other employees to work at the location where the strike or lockout is taking place. They also said they wanted to close loopholes by banning volunteers and other non-standard replacement workers. We agree with that part of what our colleague has put forward.

When employers bring employees from other work locations, it could undermine the prohibition by taking the focus away from the bargaining table. When there is a loophole, such as using volunteers, people lose faith in the law, and we don't want that. We want Bill C-58 to work, so we agree with that portion.

However, there are issues with the way the amendment is written when it comes to location. That's why we're happy to support this amendment with the subamendments we have proposed. In the second part, “family member” is difficult to define, and this would affect only the smallest business, but we understand why unions have concerns about volunteers, and that's why banning these volunteers would also create an additional check on the system so that there's no ambiguity about who will volunteer and who gets paid.

Basically what we're looking at is removing “family member” as defined. We agree with most of it, save and except a family member, such as somebody's wife who would come in during a strike. Most of our workplaces under the federally regulated system are larger, so I believe it's covering most of what the NDP put forward, save and except a family member. That's just the subamendment. We agree with everything, save and except including “family member”.

The Chair: I believe everybody has a copy of Mr. Sheehan's subamendment. Now the discussion moves to his subamendment.

Go ahead, Mr. Boulerice.

[*Translation*]

Mr. Alexandre Boulerice: Thank you, Mr. Chair.

This is a friendly subamendment that has exactly the same effect as what we in the NDP proposed. It suggests that the part concerning the workplace be reworded, and that is completely acceptable.

I also hear my colleague's concerns regarding the difficulty of defining a family member. The Canada Labour Code may not be where we should define the concept of extended or blended family and say whether it includes cousins, brothers-in-law, and so on. That might create a number of interpretation problems, and we want to avoid that. We want the bill to be effective.

What was of most importance to us was to include volunteers, students and members of the public. That is a step forward when it comes to defining the people who may not go to the workplace to perform duties. This subamendment is important and is completely consistent with what we in the NDP are proposing and reflects what the witnesses said to us.

[*English*]

The Chair: What was the friendly part of that?

Mr. Boulerice, could you give us the friendly part of the subamendment, just so we're clear? What were you amending? It wasn't clear to me. Could you make it clear?

Oh, I thought you were proposing.... Okay. Currently on the floor, then, is the subamendment of Mr. Sheehan. Seeing no further discussion, I will call a vote on Mr. Sheehan's subamendment to NDP-4. Is everybody clear?

(Subamendment agreed to: yeas 11; nays 0 [*See Minutes of Proceedings*])

The Chair: The subamendment of Mr. Sheehan has carried.

We will now vote on NDP-4 as amended.

(Amendment as amended agreed to: yeas 11; nays 0 [*See Minutes of Proceedings*])

The Chair: We'll now move to BQ-3.

Madame Chabot, do you wish to speak to it?

● (0920)

[*Translation*]

Ms. Louise Chabot: The purpose of amendment BQ-3 is to delete subsection 94(5), which creates a list of exceptions to the objective we want to achieve: that there be no replacement workers in the case of strike or lockout.

If you listened carefully to the unions, what they said in their testimony to us was yes. However, we should not do indirectly what we do not want to do directly. The example given was cheese: so many exceptions that we wonder whether the objective will be achieved.

As subsection 94(5) is now worded, it allows for continuation of the service of a contractor who was used before the notice to bargain was sent. That is evidently contrary to the objective of the bill, if that is in fact its objective.

If the objective is to have a clear conscience and tell ourselves we have accomplished something, that is one thing, but I urge members of the committee to eliminate as many exceptions to the rule as possible, so the exception does not become the rule. That is the purpose of amendment BQ-3, which proposes to delete subsection 94(5).

It will be recalled that during their testimony, the representatives of the Fédération des travailleurs et travailleuses du Québec, or FTQ, said that it could not conceal its concern about this new subsection. The way it is worded, it would mean that even before bargaining begins, an employer could start using another employer's employees, that is, subcontractors, to do the work.

In order to achieve the objective of the bill, I urge committee members to remove subsection 94(5). Although we welcome the bill, our concern has always been that it fulfill its mission properly.

[*English*]

The Chair: We'll see if you need any discussion.

Go ahead, Mr. Sheehan.

Mr. Terry Sheehan: Bill C-58 bans employers from using contractors as replacement workers. It's clear.

We won't be supporting this amendment. We just want to make sure that Bill C-58 is clear and doesn't lead to any more issues as we are going down the pike. We thought hard on this one and we can't support it.

● (0925)

The Chair: Madame Chabot, please go ahead.

[*Translation*]

Ms. Louise Chabot: I think subsection 94(5) might be problematic, actually. It's about “continuing services”.

Basically, your government wants to make it clear that using replacement workers is prohibited. I understand that it's an agreement you've defended together, but you added that there might be continuing services under certain conditions, as stated in subsection 94(5):

> 94(5) "If, before the day on which notice to bargain collectively was given, an employer or person acting on behalf of an employer was using the services of a person referred to in paragraph (4)(b)…

It says that replacement workers cannot be used. But if they're hired prior to the notice to bargain, replacements can be used. It amounts to giving an employer who wants to declare a lockout all the tools needed to get around the act.

[*English*]

The Chair: Thank you.

Madam Clerk, we are voting on Bloc Québécois amendment number 3.

(Amendment negatived: nays 9; yeas 2)

The Chair: We'll move to NDP-5.

[*Translation*]

Mr. Boulerice, you have the floor.

Mr. Alexandre Boulerice: Thank you, Mr. Chair.

Amendment NDP-5 addresses a somewhat contentious issue. Our view is that clarification is needed with respect to union strategies that might be used during partial or rotating strikes.

In some sectors, certain unions have often done that as pressure mounted. Rather than immediately trigger a total strike on certain days, or a general unlimited strike, a step-by-step process is possible. We, and many union organizations, don't think the act is clear with respect to when replacement workers can be used during partial or rotating strikes. That's why we are proposing this amendment.

The purpose of amendment NDP-5 is to protect union strategies. It means that if a partial or rotating strike is called, these strategies will be included in the protection provided by the anti-strikebreakers act, to prevent people from continuing to go to the workplace if the location is changed or if it is a partial strike.

[*English*]

The Chair: Is there any discussion on NDP-5?

Mr. Terry Sheehan: We can't support this amendment because we feel it would take away the tools from the unions.

In particular, with this amendment, if a union wanted to do a rotating strike with 5% of its workforce and walk the picket line while the other 95% worked, it wouldn't be possible. We are worried about the unintended consequences of the union wishing to withdraw some of their services on a particular day or what have you, so that's it. We won't be giving the....

The Chair: Thank you.

Seeing no further discussion, Madam Clerk, we will have a recorded vote on NDP-5.

(Amendment negatived: nays 9; yeas 2)

The Chair: We'll move to NDP-6.

[*Translation*]

Go ahead, Mr. Boulerice.

● (0930)

Mr. Alexandre Boulerice: Thank you, Mr. Chair.

You'll see that the next two amendments are fairly straightforward, because we previously added paragraphs 94(5)(c) and 94(5)(d) to include employees, volunteers, students or other members of the public at another workplace.

As there were additions, it simply amounts to a harmonization amendment. We simply wanted to say that it wasn't only paragraphs 94(5)(a) and 94(5)(b), because paragraphs 94(5)(c) and 94(5)(d) were added to the act when amendment NDP-4 was adopted.

You'll see it again in amendment NDP-7.

[*English*]

The Chair: Shall we go to the vote on NDP-6?

Go ahead, Mr. Boulerice.

[*Translation*]

Mr. Alexandre Boulerice: There is an additional item designed to make unions the first to be approached for duties to be performed at the workplace; it's also in the clauses already provided in the bill. Accordingly, it provides that the union be given the first opportunity to send members of the bargaining unit to the premises and do the work, if that is what the local union wishes. It's the union's decision.

[*English*]

The Chair: Mr. Seeback is next.

Mr. Kyle Seeback: I just want to understand what the full effect of this is. Is it just proposing paragraphs 94(7)(c) and (d) because of a previous amendment, or is more than that? If it's more than that, what is it?

I'd love to hear from our witnesses on that, or the legislative clerks.

The Chair: Sure. Direct your questions to whomever you choose.

We'll go to the departmental staff, and then if that's not clear we'll go further.

Mr. Ryan Cowling: The effect of the addition of this new proposed paragraph 94(7)(c) would be essentially to impose a requirement on the employer with regard to using replacement workers. Before the employer could resort to using replacement workers—who would otherwise be illegal under the act to deal with some of these exceptional circumstances, like threat to life, health safety, etc.—the employer would be required to give union members the opportunity to do that work during a strike or lockout before resorting to those otherwise illegal replacement workers. It's adding a step, essentially, before the employer can use the exception listed here.

I'm happy to elaborate on that. I don't know if that's clear.

Mr. Kyle Seeback: I think that's good.

The Chair: Seeing no further discussion, I'm going to call a recorded vote on NDP-6.

(Amendment agreed to: yeas 11; nays 0 [*See Minutes of Proceedings*])

The Chair: We'll move to NDP-7.

Go ahead, Mr. Boulerice.

[*Translation*]

Mr. Alexandre Boulerice: As for amendment NDP-7, I don't think it's needed now that we have adopted amendment NDP-6.

[*English*]

The Chair: I'll ask the legislative clerk.

Mr. Philippe Méla: Thank you, Mr. Chair.

[*Translation*]

Amendment NDP-7 is in fact no longer required, because the change was already included in the previous amendment.

[*English*]

The Chair: Okay, so NDP-7 is redundant. We don't have to vote on it.

● (0935)

Mr. Kyle Seeback: Mr. Chair, would it be possible to have a brief break? We've had lots of changes to this bill. We're getting close.

The Chair: That's a good idea. We'll see if we can track down where the coffee went.

We'll suspend for five minutes.

● (0935)

_____(Pause)_____

● (0940)

The Chair: Committee members, you asked for a five-minute suspension. You got a little over six minutes.

We will resume.

We are now at BQ-4. Go ahead, Madame Chabot.

[*Translation*]

Ms. Chabot, you have the floor.

Ms. Louise Chabot: There is nothing unexpected in this amendment. Nor was there anything earlier.

The purpose of the amendment was to add an investigative process to Bill C-58 like the one in the Quebec legislation.

The unions appeared before us to explain how important it was to be able to investigate. Otherwise, during a strike or lockout, the unions would be completely unable to determine whether or not the employer is contravening the act. An investigative process is therefore important.

Amendment BQ-4 would allow the Canada Industrial Relations Board to investigate the place of employment together with the union to determine whether the act was being complied with.

This is not just something copied and pasted from the Quebec act, but rather wording adapted from the Canada Labour Code with the assistance of the law clerk.

I believe that this amendment would be a welcome addition to Bill C-58.

[*English*]

The Chair: Is there any discussion?

Seeing none, I will go to a recorded vote on Madame Chabot's amendment, listed as BQ-4.

(Amendment negatived: nays 9; yeas 2)

(Clause 9 as amended agreed to)

(On clause 10)

The Chair: Now we have amendment NDP-8.

[*Translation*]

Go ahead, Mr. Boulerice.

Mr. Alexandre Boulerice: Thank you very much, Mr. Chair.

It's a harmonization provision to include paragraphs 94(5)(c) and 94(5)(d), as proposed in a previously adopted amendment.

● (0945)

[*English*]

The Chair: Is there any discussion?

Seeing none, I will go to a recorded vote on NDP-8.

(Amendment agreed to: yeas 11; nays 0 [*See Minutes of Proceedings*])

(Clause 10 as amended agreed to)

(Clauses 11 to 14 inclusive agreed to)

The Chair: Now we have amendment BQ-4.1, which proposes new clause 14.1.

Go ahead, Madame Chabot.

[*Translation*]

Ms. Louise Chabot: Thank you, Mr. Chair.

As you heard in testimony from various union organizations when this bill was being introduced by the government, we were struck by the fact that public service employees were not covered by the same provisions. Legitimate questions were asked. For example, how can such an act not apply to federally regulated businesses, and why can't our own government, as an employer, protect federal public servants?

The purpose of the amendment is to ensure that the provisions of part 1 of the Canada Labour Code pertaining to replacement workers, which we are now studying, apply to the public service and its employees, with appropriate modifications, of course.

The principle and spirit of this amendment are meant to ensure that public service employees benefit from the same provisions.

[*English*]

The Chair: Thank you, Madame Chabot.

As the chair, I must rule on the admissibility or inadmissibility of amendments.

This amendment seeks to add a new section 4.1 to the Federal Public Sector Labour Relations Act, which is not amended by the bill. As *House of Commons Procedure and Practice* , third edition, states on page 771, “an amendment is inadmissible if it proposes to amend a statute that is not before the committee or a section of the parent Act, unless the latter is specifically amended by a clause of the bill.”

Since the Federal Public Sector Labour Relations Act is not being amended by Bill C-58 it is therefore the opinion of the chair that the amendment is inadmissible.

That's my ruling.

Are we good? One can challenge it.

Madame Chabot, there can be no discussion. You can only challenge my ruling.

[*Translation*]

Ms. Louise Chabot: I really respect your decision. I think the matter of eligibility can be included. They are different statutes, but the purpose of this amendment isn't to immediately amend the Public Service Employment Act, but rather to ensure that public servants are covered and that the act is subsequently modified to include the federal public service.

So with respect, Mr. Chair, I challenge your ruling.

[*English*]

The Chair: Thank you, Madame Chabot.

I made my ruling. We'll move on to clause 15.

Mr. Kyle Seeback: No. She just challenged your ruling.

The Chair: That was my mistake, Madame Chabot.

Madame Chabot has challenged my ruling, which takes us directly to a vote.

Committee members, you can uphold the ruling of the chair, or you can agree with Madame Chabot. It is left to the committee members to decide. The recorded vote is on the ruling of the chair.

● (0950)

The Clerk of the Committee (Ms. Ariane Calvert): Members, the question is, shall the chair's decision be sustained? That means that if you vote in the affirmative, you're voting to support the chair's ruling. If you vote in the negative, you're voting against the chair's ruling.

(Ruling of the chair sustained: yeas 10; nays 1)

The Chair: The chair's ruling was upheld.

(Clauses 15 and 16 agreed to)

(On clause 17)

The Chair: On clause 17, we have NDP-9.

Go ahead, Mr. Boulerice.

[*Translation*]

Mr. Alexandre Boulerice: Mr. Chair, amendment NDP-9 is no longer relevant given the change that was previously made to clause 7.

[*English*]

The Chair: Okay. You're not moving it. You're withdrawing it.

Shall clause 17 carry?

I see agreement. Clause 17—

[*Translation*]

Ms. Louise Chabot: No, Mr. Chair.

[*English*]

The Chair: Did somebody say no?

[*Translation*]

Ms. Louise Chabot: We're at clause 17, Mr. Chair, not clause 18.

I'd like to ask the witnesses a question about clause 17 before voting.

[*English*]

The Chair: Madame Chabot, we lost the translation, so could you repeat that?

[*Translation*]

Ms. Louise Chabot: I understood that amendment NDP-9 was not being moved, but we still have to rule on clause 17. I have a question about the transitional provisions. I won't read the entire clause, but subclause 17(3) specifically says that "subsections 94(4) to (8), apply as of the day on which this section comes into force in respect of any strike or lockout that is ongoing on that day."

I'd like to be sure that I properly understand this clause. So on the day this bill comes into force—and that is something we will be voting on shortly—let's say it will come into force tomorrow, the transitional provisions mentioned in clause 17 would apply if there were any ongoing strikes or lockouts.

My question is whether the transitional provisions would apply on the day the bill comes into force?

Mr. Ryan Cowling: Yes, that's right.

[*English*]

The provisions related to the ban on replacement workers will apply as of the day the bill comes into force and will apply if there is an ongoing strike or lockout as of that day.

In practice, that means that if an employer is using replacement workers who would be prohibited by the ban when the bill comes into force, then as of the day that it comes into force, they would no longer be able to continue doing so.

● (0955)

[*Translation*]

Ms. Louise Chabot: So the transitional provisions would apply on the day the bill comes into force.

Mr. Ryan Cowling: That's right.

Ms. Louise Chabot: So it wouldn't be retroactive. The transitional provisions would apply only if there were ongoing strikes or lockouts when the bill came into force.

Unfortunately, there are some locked-out workers at the moment. I'm referring to the workers at the Port of Québec, where there are replacement workers, and also at Videotron. It's clear for them: If the bill were to come into force soon, it would resolve the dispute, but it wouldn't deal with their situation.

[*English*]

The Chair: I see no further discussion, so we'll vote on clause 17.

(Clause 17 agreed to)

(On clause 18)

The Chair: Madame Chabot, you have an amendment, BQ-5.

[*Translation*]

Ms. Louise Chabot: Since this bill was introduced, the government and the NDP have been proposing that it come into force only 18 months after it receives a royal assent. We find this length of time to be excessive given our stated objective. When a bill is introduced, the expectation is that it will come into force as soon as it receives royal assent so that its provisions become applicable.

The bill prescribes a period of 18 months prior to its coming into force, which strikes us as excessive. Royal assent is first required, which, if all goes well, requires another six months or so. It would only come into force 18 months after that, for a total of 24 months. Until then, we would still be stuck with the same obsolete Canada Labour Code rules to protect the right to strike, which is a fundamental right of workers. We find that unacceptable. We believe this bill will be historic as soon as it comes into force.

Our amendment proposes that the act come into force the day after royal assent, and not 18 months afterwards, as provided in the bill.

Furthermore, we have trouble understanding how our NDP colleagues could possibly have agreed to an 18-month period before the act comes into force. We would like to get some support, in the form of backing from those who represent the rights of workers, or at least claim to represent them, to make this law applicable.

Accordingly, I am asking all of you to vote for our amendment, particularly as we have just put the finishing touches on the bill. I believe the contents are good, even though we feel that a number of exceptions should have been removed. We need to find the means to achieve our ambitions.

The government and the minister have frequently argued on behalf of more human resources for the Canada Industrial Relations Board, the CIRB. The board came here to talk about their resources, which I would in fact agree are in short supply. However, it's up to the government, given its aspirations and its goals, to make sure that the bill comes into force, with the turnkey resources needed to make it work.

Our amendment states that the act should come into force on the day after royal assent.

● (1000)

[*English*]

The Chair: Thank you, Madame Chabot.

If BQ-5 is adopted, NDP-10 cannot be moved, because it is in conflict.

Is there any further discussion on BQ-5?

Not seeing any, I will call for a vote on BQ-5.

(Amendment negatived: nays 10; yeas 1)

The Chair: BQ-5 is defeated, so that allows us to move to NDP-10.

Monsieur Boulerice, go ahead on NDP-10.

I'm just going to remind members that the lights that are flashing simply deal with the opening of the House.

[*Translation*]

Mr. Alexandre Boulerice: Thank you, Mr. Chair.

We did indeed hear from union organizations and witnesses on their serious concerns about the 18-month time period before the act comes into force. It's too long. We would like people to be able to benefit from this anti-strikebreakers act as soon as possible. Personally, I would have liked an act like this to have come into force 25 years ago.

The Canada Industrial Relations Board director told us that to do things properly, time would be required for hiring and training. I believe that our amendment NDP-10 proposes an improvement. People told us that an 18-month wait before coming into force was too long and that it should be shortened. We are also, however, aware of realities. We want the bill to meet expectations and to be enforced. It has to be done well. It has to be implemented pragmatically and realistically.

I feel that reducing the length of time before the bill comes into force by six months is a major improvement.

We are therefore proposing a 12-month period.

[*English*]

The Chair: Is there any discussion on NDP-10?

Go ahead, Madame Chabot.

[*Translation*]

Ms. Louise Chabot: Mr. Chair, I disagree.

I get the impression I'm listening to the CIRB arguments. I'm not saying that they aren't cogent, but that's all about means rather than the importance of fairness for workers in the short term.

It's true that it has to be done properly, but nothing can justify such a lengthy wait if the intent is really to help them. Workers didn't come here to ask for the 18 months to be reduced to 12 months or nine months. If you check back on the testimony from most of the unions, you may find one that proposed a 12-month period. However, most of the unions in the field that are directly experiencing the harmful impact of the current situation asked us to shorten it to allow the bill to come into force immediately upon royal assent. I still don't understand how reducing the period from 18 months to 12 months is an improvement.

I will therefore vote against this amendment, and I believe I'm speaking on behalf of most of the workers we've heard from. They came to tell us that nothing could justify a waiting period before allowing workers to fully exercise their rights in their labour disputes, which they also don't want. Indeed, negotiating a labour contract is always the best way to settle a strike or a lockout.

Nevertheless, this bill does indeed represent a major step forward. I am in agreement with my colleague to some extent; a bill like this should have come into force in 1977. We in the Bloc Québécois have been calling for it since 1990. I don't know how many bills have been introduced on this by the NDP, but in our case, it's 11. We now have a bill that has been favourably received by everyone, but it still needs some teeth, by which I mean having it come into force as soon as possible.

Thank you, Mr. Chair.

[*English*]

The Chair: Thank you.

I see no further discussion on NDP-10, so we'll have a recorded vote, please.

(Amendment agreed to: yeas 10; nays 1 [*See Minutes of Proceedings*])

(Clause 18 as amended agreed to)

The Chair: Shall the title carry?

Some hon. members: Agreed.

The Chair: Shall the bill as amended carry?

Some hon. members: Agreed.

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

Some hon. members: Agreed.

The Chair: Shall the committee order a reprint of the bill as amended for the use of the House at report stage?

Some hon. members: Agreed.

The Chair: Thank you.

I just have to clarify what's going on with the lights.

Okay, is it the wish of the committee to continue to the end of our time slot? We need unanimity.

Some hon. members: Agreed.

The Chair: Thank you.

I have an item, but I'll go to Mrs. Gray, who asked for the floor.

● (1005)

Mrs. Tracy Gray: Thank you, Mr. Chair.

At our meeting on Monday, we have ministers attending. Given the recent developments that we've seen with the Minister of Employment, Workforce Development and Official Languages, I would like to move the following motion: That, given recent developments, the Minister of Employment, Workforce Development and Official Languages of Canada extend his appearance on Monday, May 6, 2024, by an hour, so that he appears for a total of two hours.

The Chair: I'm sorry, Mrs. Gray. I'm going to get you to repeat that. I was being distracted.

Mrs. Tracy Gray: I would like to move the following motion, Mr. Chair.

I move that, given recent developments, the Minister of Employment, Workforce Development, and Official Languages of Canada extend his appearance on Monday, May 6, 2024, by an hour, so that he appears for a total of two hours.

The reason is that there have been recent headlines over the last couple of days about a very concerning situation involving the Minister of Employment, Workforce Development, and Official Languages, as reported in the media; and the minister should be answering some questions. We also have a lot to cover in his portfolio, so we believe that it is not unreasonable to extend the time that he's here at the committee by an hour so that he'll be here for two hours instead of only one hour.

The Chair: Thank you, Mrs. Gray.

I'm going to allow the motion. I will allow it to proceed to discussion.

You all heard the motion. Is there any comment or discussion?

Mr. Peter Fragiskatos (London North Centre, Lib.): Can we go to a vote on it?

The Chair: Okay. I see no further discussion. Mrs. Gray's motion is clear. I have agreed that it is in order.

Madam Clerk, we'll go to a recorded vote on the motion of Mrs. Gray.

(Motion negatived: nays 7; yeas 4)

The Chair: The motion has been defeated.

Committee members, there are just a couple of items. We received four applications, four submissions, for the Centennial Flame, so we will not be extending the timeline.

I need some direction. On Bill C-322, a private member's bill, I need a deadline for the witness list.

We agreed on one witness for each of the parties. What deadline does the committee wish? A suggested date, I believe, was Friday, May 10. Is Friday, May 10, okay for you to get your one name in to the clerk as a witness on Bill C-322?

Some hon. members: Agreed.

The Chair: Also, in relation to Bill C-322, the deadline I'm suggesting for submitting amendments ahead of the clause-by-clause meeting scheduled on Thursday, May 30, could perhaps be at noon on Monday, May 27.

Are we in agreement that amendments be submitted for Bill C-322 on Monday, May 27, because we are doing clause-by-clause consideration on May 30?

Some hon. members: Agreed.

The Chair: Good.

Mr. Coteau will be tabling the committee's report on artificial intelligence on Tuesday, May 7, during routine proceedings. A draft press release was prepared and circulated.

Is it the wish of the committee to circulate the press release?

I see agreement.

With that, the next meeting will be on Monday, May 6.

Thank you, committee members. The meeting is adjourned.