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

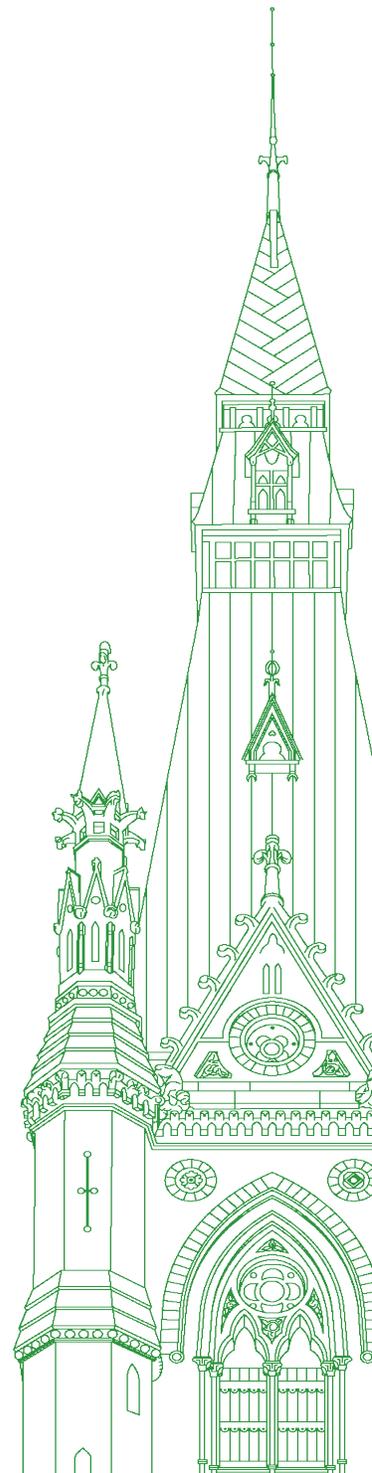
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Chair: Mr. Robert Morrissey





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

Monday, April 8, 2024

• (1530)

[*English*]

**The Chair (Mr. Robert Morrissey (Egmont, Lib.)):** Good afternoon, committee members.

Welcome to meeting number 106 of the House of Commons Standing Committee on Human Resources, Skills and Social Development and the Status of Persons with Disabilities.

Today's meeting is taking place in a hybrid format pursuant to the Standing Orders. Members have the option of appearing virtually or in the room. Witnesses and committee members are appearing in person this afternoon.

You have the option of choosing to speak in the official language of your choice. Interpretation services are available. I wish to advise you to keep your earpiece away from the mic to protect the interpreters. If there is a loss of interpretation service, please get my attention by raising your hand. We'll suspend while it is being clarified.

I remind members that all comments must be addressed through the chair. To do that, simply raise your hand in the room to get my attention, and I will recognize you.

Pursuant to the order of reference of Wednesday, October 18, 2023, the committee is continuing its study on Bill C-58, an act to amend the Canada Labour Code and the Canada Industrial Relations Board Regulations, 2012.

For today's meeting, we'll be hearing from representatives of two organizations at their request. A third organization was invited to appear, but asked to be rescheduled to a meeting later in April, so that meeting will have four organizations on the panel. I did agree to that request.

Today, from the Canadian Labour Congress, we have Bea Bruske, president; Chris Roberts, director, social and economic policy department; and from the Canadian Manufacturers and Exporters, we have Ryan Greer, vice-president, public affairs and national policy.

Each group will have five minutes for an opening statement.

[*Translation*]

Ms. Bruske, you have the floor for five minutes.

[*English*]

**Ms. Bea Bruske (President, Canadian Labour Congress):** Thank you, Mr. Chair.

Good afternoon, committee members. Thank you for the opportunity to appear before you today.

The Canadian Labour Congress is Canada's largest central labour body. We represent over 55 different unions and over three million workers in every sector and in every industry from coast to coast.

The CLC strongly supports Bill C-58 and urges the committee to strengthen the bill and to report the bill back to the House for third reading as quickly as possible.

In my over 30 years as a union activist, I have walked on countless picket lines in every part of this country. I have walked in the heat, the cold, the rain and the middle of the night with workers right across this country. I've walked with them on day one, and I've walked with them on day 123 of their strike or lockout.

Let's be clear. The decision to walk a picket line is never an easy decision for a worker to make. These are kitchen table conversations that workers have with their families. Can I afford the meagre offer the employer is putting forward? Worse, can I afford the take-aways that the employer has tabled in the concessions it is demanding from me, or am I prepared to forgo a paycheque and risk absolutely everything that I have built up with this employer in order to demand a fair deal by walking a picket line?

No worker wants to walk a picket line. What they want is a fair deal that's reached at a bargaining table with good conversations happening between the parties. Let's be clear. At times, it's not the worker's choice to be walking a picket line or not. Rather, it is the employer who chooses to lock out workers and then rub salt in the wound by hiring scab labour. That employer is sending workers one message, and it's this: If you want to see your jobs and your wages again, you had better back down and accept the offer that we are putting forward.

When employers have scabs in their back pocket, they don't need to come to the table to bargain fairly. They don't need to be serious about reaching a collective agreement. Workers, on the other hand, risk absolutely everything when they walk that picket line because—let's be honest here—some employers don't ever intend to get to a fair collective agreement. They use a lockout, or they push workers into a strike position by tabling massive concessions or to try to get rid of union representation in their workplace.

My co-worker from many years ago, Judy Starr, had worked at Loblaws for many years when our very financially sound employer demanded a reduction to our wages and benefits way back in 1987. Judy was a single parent of three kids living in social housing, and she knew that walking a picket line meant no regular paycheque for weeks to come. She also knew that not walking that picket line would mean an even harder time for her family to try to make ends meet. She rallied her co-workers—including me—to take on the employer's demands for concessions by walking that picket line, and our employer repaid workers like Judy by replacing her with scabs on day number one.

The use of scabs in that strike meant that strike dragged on for 124 days. That was 124 days where those workers had no paycheque while the employer continued doing business as usual. We workers who had diligently worked for that employer were made to walk a picket line just to keep what we had. It wasn't to make gains in that contract; it was to keep what we had.

Once the strike started, it was very clear that this was more than just a dispute about reaching a new collective agreement. It was about the very right of these workers to be able to have a voice at our workplace and to continue to be represented by a union.

For decades, the CLC has urged government to pass anti-scab legislation, and I want to commend the NDP and the Liberal government for working together to finally make this a reality. We have seen that this bill has unanimous support, and there is no excuse for delaying in adopting and bringing this legislation into force. Eighteen months is unnecessarily long, and it's far too long to be bringing this bill into effect.

Thank you. I would be pleased to answer any questions you may have.

• (1535)

**The Chair:** Thank you, Madam Bruske.

Mr. Greer, you have five minutes, please.

**Mr. Ryan Greer (Vice President, Public Affairs and National Policy, Canadian Manufacturers and Exporters):** Thank you, Chair, and thank you, committee members, for having me here today on behalf of Canadian Manufacturers and Exporters.

Manufacturing generates 10% of Canada's GDP, produces nearly two-thirds of Canada's value-added exports and employs 1.8 million people in high-paying jobs across the country. It is important that the views of manufacturers are reflected in your deliberations and decisions regarding Bill C-58.

Up front, I want to note that my remarks will be focused on how this bill will impact manufacturers' reliance on railways and ports—critical enablers of Canada's industrial economy. Their importance of course extends beyond the manufacturing sector. Ports and railways are the tangible connections that facilitate the functioning of our economy and the well-being of Canadians.

CME opposes Bill C-58. Many of our concerns with banning replacement workers in federally regulated industries are the same concerns that have been expressed by Parliament over the last decade and a half when it has voted against several similar initiatives.

Banning replacement workers in federally regulated industries may disrupt the delicate balance that exists in Canada's collective bargaining system. The government's own discussion paper on this legislation stated that most studies on prohibiting replacement workers showed that they resulted in more frequent strikes and lockouts.

More labour disruptions will negatively impact small, medium and large manufacturers that rely on Canada's railways and ports to access critical inputs and to get their goods to Canadian consumers and global customers.

Collective bargaining is an important part of a fair and functioning economy. However, there is a fundamental difference between a work stoppage at a port or railway and most other public or private organizations. The interconnected nature of modern manufacturing and logistics means that disruptions in these parts of the supply chain reverberate through the entire economy. It is essential that supply chains continue to function even during times of collective bargaining.

When labour action stops the movement of goods, it imposes harm on manufacturers in communities that are often hundreds or even thousands of kilometres away. This is neither fair nor functioning. It is imperative that the well-being of those businesses, their workers and their families also be taken into account in your study of this bill.

While CME does not support the legislation, we appreciate the opportunity to participate in your work in the hope that this committee will adopt amendments to the bill that would minimize its harm to manufacturers, the broader economy and Canada's reputation as a reliable trading partner.

CME recommends that this bill include a provision that grants authority to the Governor in Council to refer labour disputes in critical supply chain sectors to binding arbitration if parties cannot reach a negotiated agreement through collective bargaining.

Given the likelihood that the legislation will increase supply chain disruptions, it is appropriate to provide the federal government with the tools necessary to facilitate a resolution to disputes when they harm the national interest.

Additionally, we believe there are other amendments that could be made to the bill to further minimize supply chain uncertainty.

We recommend that proposed subsection 94(7) of the legislation be expanded to allow an employer to use a prohibited worker when there is an imminent or serious threat to the national interest or national economic security.

We also recommend that section 87.4 of the Canada Labour Code be expanded to prevent imminent harm to the national interest or national economic security.

Again, our preference is that the legislation does not proceed. However, given the likelihood that it will, we urge you to seriously consider amendments that will support the integrity and resilience of Canada's supply chains.

Last fall, Minister O'Regan announced a review process under section 106 of the Canada Labour Code to examine the structural issues underlying the recent longshoring dispute at our west coast ports, as well as some similar disputes. He had this to say:

Canada is a reliable trading partner to the world. That is a good thing for every employer and worker in this country. But our credibility depends on the stable operation of our supply chains. We must do everything we can to preserve that stability.

It is in that spirit CME is asking this committee to take steps to help preserve Canada's supply chain credibility and stability. Canadian manufacturers are depending on it.

Thanks for having us here, and I look forward to your questions.

● (1540)

[*Translation*]

**The Chair:** Thank you, Mr. Greer.

I would like to welcome Mr. Boulterice and Mr. Sheehan.

We'll start with Mrs. Gray, who will have the floor for six minutes.

[*English*]

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

Before I begin, I didn't want to interrupt the witnesses, but there's an interpretation problem again. We have this echoing. I don't know if it's going to continue for the whole meeting. I know in the past if they couldn't resolve it.... It appears the translators are working remotely again. Maybe we could just turn the sound up in the room. Otherwise you do have echoing even when listening to the same language.

**The Chair:** Thank you, Mrs. Gray.

I've had the clerk check on that. I've been advised that it meets the standards and requirements for the House of Commons translation. I'm told it's easier, as I'm doing.... I just take my earpiece away, because it is a bit distracting, I agree, but it meets the House of Commons standards.

Madam Gray, you have six minutes.

**Mrs. Tracy Gray:** Okay, great. Thank you, Mr. Chair.

I want to thank the witnesses for being here today.

It was announced last week that the unemployment rate jumped to 6.1% in March 2024, up from 5.8% in February and a full percentage point higher than a year ago.

Are you concerned about this, and are you hearing from your members or workers about it?

That question is to both witnesses, but I'll start with Mr. Greer.

**Mr. Ryan Greer:** The short answer is yes.

In addition to the figures you referenced, a lot of the underlying economic growth figures are extremely concerning to our members and the communities in which they operate, for all the reasons you would assume. They create a less favourable environment in which to hire, scale up and go after new market opportunities; they create a more challenging environment in which to attract investment; and they create issues for businesses looking to expand.

We have long advocated for a more competitive economic environment in which our members can operate. There is a range of tax, regulatory, trade and other decisions that we believe are not only desirable but necessary to help generate growth that can fund the social safety net that is important to our members, their families and, of course, everyone around this table.

**Mrs. Tracy Gray:** Thank you.

I'll turn it over to the Canadian Labour Congress.

**Ms. Bea Bruske:** Of course we are very concerned about any rise in the unemployment rate. Workers, quite frankly, want good, stable employment, and that means earning a living wage in a community in which they can afford to live that has transit they can afford to take to work. When those pieces are missing, and when employment is precarious, part-time or casual, it is an impediment to taking on other roles when there is a lack of child care or elder care in the community. We need to look at all aspects of our society to determine how we can best support workers so they can take on some of those jobs.

● (1545)

**Mrs. Tracy Gray:** That's great. Thank you very much.

In contrast, we saw unemployment in the United States drop to 3.8% because of the strength of the U.S. economy. Do you have a sense, based on your experience or what you're hearing, why more people in Canada are losing their jobs than in the U.S.?

I'll put the same question to both of you, and I'll start with Mr. Greer again.

**Mr. Ryan Greer:** There are a number of reasons for this disparity, but at the heart of it is the difference in productivity between Canada and the U.S. and the significant productivity increase in the U.S. that we haven't seen in Canada.

There are some structural reasons for that. You might think of the types of investments that help drive productivity in the U.S. military industrial complex, but there are also a bunch of underlying policy reasons around taxation, regulatory and other decisions that drive investment, along with regulatory, project and—germane to this discussion—supply chain uncertainty. Customers and investors look at disputes like the one last year on the west coast involving B.C. ports, which create questions in their minds about investing in this market or buying from Canadian manufacturers.

**Mrs. Tracy Gray:** I'll put the same question to Ms. Bruske.

**Ms. Bea Bruske:** Again, workers want jobs that are steady and give them the opportunity to progress. That generally means working under a collective agreement that gives them a voice at work. We very much encourage working with employers at bargaining tables to set the scene for long-term employment for those workers. It is critically important to have access to a union card; to be able to sit down at a bargaining table to discuss the issues that matter at a particular workplace; to have regular wage increases; and to have opportunities to advance at work. It's a tripartite situation we need to take on to bring employers and levels of government to the table to look at the conditions that might encourage full employment.

**Mrs. Tracy Gray:** Thank you.

For my next question, I wanted to dive into the context of working-class people who are trying to build their lives and/or look towards retirement. Figures just released show that the average Canadian family must now pay 63.5% of their total pre-tax household income in order to afford the mortgage payments on a typical home in Canada. For the members and organizations you represent, it's even worse in British Columbia, where that figure is 106%, which means the family must pay more than their entire income to buy a home.

Are you hearing these concerns from members or workers?

Again, I'll ask you both the same question, starting with Mr. Greer.

**Mr. Ryan Greer:** Yes; it goes back to the previous answer around Canada's labour productivity. More productive labour markets mean more job creation, lower unemployment and higher earnings, all of which raise the quality of life for Canadians, Canadian workers and their families. Tackling the underlying issues that are driving Canada's low productivity, we believe, is a way to help reverse that trend in the figures that you've cited.

**Mrs. Tracy Gray:** Thank you.

Ms. Bruske.

**Ms. Bea Bruske:** Affordability is top of mind for all workers in Canada, regardless of where you go, and who you speak with in any sector. Speaking with a classroom of students just last week, they cited that as their number one issue, and, of course, that's what we hear everywhere, right?

Second to that issue is the issue of housing, and that's tightly tied together. Workers are looking for all levels of government to come up with solutions to affordability issues. That means coming up with investments for colleges and universities to lower tuition rates, for example. That means finding solutions to the housing crisis, and finding a variety of different kinds of housing that speak to the vari-

ety of needs of Canadians, whether they're first-time homebuyers or elderly individuals looking to live in a co-op kind of environment. We need to make investments in those kinds of things. It means things like a pharmacare system, so they can actually afford their medications. It means building our employment insurance system for it to be robust, so that people can rely on those things. That's what workers are looking for.

**The Chair:** Thank you, Ms. Bruske and Mrs. Gray.

Mr. Sheehan, you have six minutes.

**Mr. Terry Sheehan (Sault Ste. Marie, Lib.):** Thank you very much to the presenters, as well, for their presentations.

Lana Payne from Unifor testified here, and mentioned that strikes with replacement workers last longer than regular strikes. One of the things that you had mentioned...and we're keeping on the theme of affordability, because you brought this up, Bea. You've walked the line and you've supported people in strike positions. You mentioned that they make less pay. I think they call it strike pay.

How does that work, Bea, and how is that challenging for a middle-class family? We heard at this committee about a grandmother who was trying to support her children and grandchildren.

Could you please explain to the committee what strike pay is?

• (1550)

**Ms. Bea Bruske:** Absolutely. When a worker is out on strike, or when there's a lockout, generally speaking, most unions will have a strike fund. How much workers get paid while they're out on a strike will differ based on what their union can afford, quite frankly. Some unions might be able to almost make you whole, but that's very rare. For the most part, you're taking a significant hit in your paycheque. It would be less than 50% of what you would be making if you were at work.

That is a calculated decision that workers have to make as to whether or not they can actually afford to go out on strike. We might think that's an easy decision to make. They're upset. They're angry. They want to take strike action. That is not an easy decision. Something has to build up in front of those workers before they make that kind of a decision. It's generally multiple rounds of bargaining that have led to this particular situation. It's often because the employer is looking to take something away, there's a respect and dignity issue in the workplace, or there's a significant affordability issue. These things are not overnight decisions. These are difficult decisions.

**Mr. Terry Sheehan:** That creates a challenge, then. You have replacement workers being brought in. You have workers trying to support their families and themselves while making significantly less, so you can see why some folks wouldn't support using replacement workers when it's challenging workers. I really appreciate you clarifying that for us.

I want to bring up one other thing. The previous government brought in two pieces of legislation which quite frankly the union movement of all stripes said were the most anti-union pieces of legislation that it had seen in forever. They were Bill C-377 and Bill C-525, I believe.

Could you please explain to the committee what they were, and why were they punitive?

**Ms. Bea Bruske:** When workers decide to go on strike, it's after a lot of frustration that comes to the fore. I will point out that in many situations where scabs are used, scabs are hired, and paid more than the very workers who are out on strike. That was certainly the case in my home province of Manitoba where there was a liquor control commission strike last year. The employees were making near minimum wage as new hires, whereas scabs were hired at \$20 an hour. That is a further frustration that leads to a lot of anger on the picket line.

You mentioned two very egregious pieces of legislation, Bill C-525 and Bill C-377. Bill C-377 was really designed to ensure that unions were tied up in knots with all kinds of regulations, and reporting their union finances to outside agencies.

Union leaders are democratically elected. Union members have the right to see their financial statements at any given point in time. Union members are elected to boards as trustees. They have regular access to their union statements. They know how their union is spending their money and defending their interests. That was specific in tying unions up with a whole bunch of time, paperwork and energy surrounding the ability to not be able to perform, and not be able to represent their members as well as possible.

Bill C-525 was really designed to limit the amount of unionization within the federal public sector. We know that when you carry a union card in your back pocket, you have a greater chance to be part of Canada's middle class. We want all workers to have the ability to sit at a bargaining table, if they so choose, and be represented by a union to bargain a fair deal.

**Mr. Terry Sheehan:** Thank you.

Bill C-58 could be said to eclipse Bill C-377 and Bill C-525—pun intended. I really appreciate that.

Ryan, you mentioned the different transportation networks that you wanted to talk about. I'm also on the trade committee. At the trade committee, the longshore people mentioned that they kept using replacement workers and whatnot, and it was really hard to get the employer at the table. This was their testimony. Quite frankly, they felt it prolonged what happened out west, and it shouldn't have.

Would you not agree that the best deals are done at the table, and that we ought to get people at the table consistently? This longshoreman—it was “man” at the time—said they would have to present, and the union would present to the opposite, and they couldn't make decisions because they weren't the employer either. They were representatives. They'd have to go back. It was delaying things forever.

Do you have any comments about that?

• (1555)

**Mr. Ryan Greer:** First, I would agree, and I think everyone at this table would agree. Absolutely, the best deals are reached at the bargaining table.

The challenge with negotiations such as that one.... I have no inside knowledge or information of that one, but I certainly heard conflicting accounts about the positions of both the employers' association and the longshoremen. That strike should serve as a warning to us all about how we make decisions that impact the balance in Canada's collective bargaining system.

We did a survey of our members during the strike and found that it was costing manufacturers an average of \$207,000 a day. I know we heard all of the figures around \$10 billion to \$11 billion of trade being disrupted, but it was impacting our members to the tune of an average of \$200,000 a day.

All of our members share an interest in resolving these disputes as quickly as possible.

**The Chair:** Thank you, Mr. Sheehan.

[*Translation*]

Ms. Chabot, you have the floor for six minutes.

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

I would like to thank Ms. Bruske and Mr. Greer for being here to discuss this important bill.

Before becoming a member of Parliament, I was a union leader. As we all know, Quebec has had anti-scab legislation since 1977. It's now 2024, and time for Canada to follow suit. The Bloc Québécois has already tabled 11 bills on the issue.

I particularly want to applaud the workers and union members who have been fighting for decades for equity of treatment. In Quebec, people who work for a provincially regulated organization have access to this type of legislation. However, people who work for a federally regulated organization fall under a different system.

There's a clear example of this situation in Quebec. The dockworkers at the port of Quebec have been locked out for 18 months. There are replacement workers and no one seems to care. The workers are quite concerned. This undermines morale and labour relations, and poses health and safety issues.

When Mr. Bolduc appeared before the committee for the FTQ—one of your major affiliates, Ms. Bruske—he basically repeated what you and I have been saying. There's a difference between introducing a bill and passing it.

In your opinion, how can we speed up the process to get this bill passed?

Would you suggest any amendments to certain clauses of the bill? For example, you talked about the implementation period after royal assent. Can you elaborate on this?

[English]

**Ms. Bea Bruske:** Yes, we urge a very quick adoption of this bill. This is something that labour has been fighting for—literally for decades—and as you pointed out, it exists in Quebec, it exists currently in British Columbia, it is being tabled in Manitoba and it was even tabled in Nova Scotia. We think that this is absolutely an issue of equity, of fairness and of getting to the bargaining table with the view to getting a deal done, versus one party, also at the same time, planning to utilize scabs to keep the workplace going instead of participating, in a fair way, at the bargaining table to actually get to a deal.

First and foremost, a quicker implementation period is what we are after. We believe that the Canada Industrial Relations Board is well-suited to implement the aspects of this bill in a much quicker way, and so we suggest that a shorter timeline, rather than 18 months, is what we're looking for.

We also believe that a scab is a scab is a scab. It doesn't matter what your title is: Whether you're a contractor, you're working at another workplace location or you're a management person, if you are performing struck work, you are doing the work of somebody who's walking a picket line. There should be a full ban on any type of labour for the workers who are out on strike, barring, of course, the essential services that the parties have agreed to so as to ensure that neither life nor limb is going to be harmed, or that there are no health and safety issues, those types of things. Those are the two key items that we want to table.

[Translation]

**Ms. Louise Chabot:** Would you suggest any amendments other than the amendment regarding the 18-month implementation period after royal assent? Do any specific clauses of the bill stand out?

Some union representatives have told us here about troublesome clauses. These clauses would enable an employer that wants to lock out workers to check for available subcontractors before giving no-

tice to bargain. As a result, the employer could indirectly accomplish what it couldn't directly accomplish.

Have you referred these types of situations to the government so that proposed amendments can be considered?

• (1600)

[English]

**Ms. Bea Bruske:** Yes. Under subclause 9(5), contract workers hired just before a strike should also be considered scabs because, yes, the employer has the ability to hire prior to a labour dispute, a lockout or a strike starting.

Also, under subclause 6(1), the essential services provision, the parties have 15 days to come to an agreement, and after that the CIRB has 90 days to render a decision if there is no agreement reached. We think that's a very long period of time, especially if the parties are—hopefully—in bargaining during that time, that a 45-day window is a much more reasonable period of time to render a decision and that the Industrial Relations Board should be well staffed in order to meet that kind of deadline.

[Translation]

**Ms. Louise Chabot:** Mr. Greer, are you aware of the recent ruling, which once again supports the port of Montreal's dockworkers, that their services and supply chains aren't considered essential?

How do you view your suggested amendments to the bill? Wouldn't they undermine strike and lockout rights, in your opinion?

[English]

**The Chair:** Give a short answer, please.

**Mr. Ryan Greer:** Yes, our members are aware of and are very concerned about the potential for a strike at the port of Montreal, for all the reasons you would expect, as it will impact their business, their employees and the livelihoods of their families.

In terms of the bill itself, some of the amendments that we suggest are just to take into account the national economic interests. As I said, when you have labour action at some of these supply chain nodes, it impacts communities and families that are often hundreds or even thousands of kilometres away from a situation that they have no control over whatsoever, and so that's why we propose what we're suggesting.

[Translation]

**The Chair:** Thank you.

Mr. Boulerice, you have the floor for six minutes.

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

I want to thank the witnesses for meeting with our committee to discuss this crucial bill. My political party and I have contributed to the bill. This issue is close to my heart.

As Ms. Chabot pointed out, after major union struggles in Quebec, anti-scab measures were adopted in 1977. This happened because men and women got organized, stood up for their rights and fought to improve their working and living conditions.

At the federal level, we aren't there yet, unfortunately. However, there are more and more examples at the provincial level, so that's a good sign. We're almost there.

I started working for the Canadian Union of Public Employees 22 years ago. Two weeks after I started, the year-long labour dispute at Vidéotron began. The dispute lasted as long as it did because replacement workers were used. I think that this was my first exposure, in real life, to the impact of the lack of legislation in this area.

I'm not just talking about situations that took place 20 years ago. For example, two years ago, Ocean Group in Sorel-Tracy was locked out. The employer paid replacement workers more than the locked-out union members were asking for under their collective agreement. These are truly anti-union tactics.

Right now, the dispute at the port of Quebec has been going on for over a year and a half.

Meanwhile, at Vidéotron in Gatineau, just across the river, hundreds of workers have been locked out. Every day they see other people taking their jobs and their pay.

In your experience, Ms. Bruske, how does this type of situation affect the lives of the families and spouses of these workers, who are watching their livelihoods slip through their fingers?

[English]

**Ms. Bea Bruske:** Absolutely.

When you see a replacement worker or scab crossing your picket line to go to work, of course that provides a significant amount of anger and frustration. We know that where replacement workers are utilized there's a significant division within the community, sometimes within families, especially in smaller communities and communities where there's one main employer and people work at that location.

We have seen violence on picket lines and we have seen incitement of workers and incitement of scabs, quite frankly, as well as management crossing the picket lines. People are struggling to put groceries on the table while they're on strike because, again, these are not quick decisions as to whether you're going to walk a picket line. To then be demoralized by having your employer rub salt in that wound by not offering you a fair deal and then hiring scabs and often paying them more than what they are paying you right now to break that strike is incredibly demoralizing.

It's been over 30 years since I was personally on a picket line but I can tell you every single person who walked that picket line with me and I can tell you every single person who crossed that picket line. That's well over 30 years ago.

• (1605)

[Translation]

**Mr. Alexandre Boulerice:** Unfortunately, it has an impact.

We heard people say that the current bill would upset the delicate balance of power at bargaining tables. I'm a bit surprised, Ms. Bruske. In my opinion, in the federally regulated sectors, there isn't any balance at all. There's currently an imbalance. If the employer can use replacement workers, it doesn't face any economic impact. The employer continues to operate and revenue continues to flow in. There isn't any financial incentive to negotiate. Why would the employer return to the bargaining table to negotiate an employment contract if it can continue to operate, regardless of whether its activities are carried out by unionized workers or by replacement workers? There isn't any balance of power. Furthermore, in certain sectors, the federal government may threaten to pass special back-to-work legislation.

I would like an explanation of how this lack of a balance of power actually works when the imbalance is created by the use of replacement workers.

[English]

**Ms. Bea Bruske:** I spent 10 years at bargaining tables in my work career with the private and public sector workers Manitoba. I can tell you that not every employer is going to use scabs but those who do will indicate that pretty much on day one of bargaining. They will make that indication by the kinds of proposals that they table and by the attitude that they bring to the bargaining table about whether they are seriously looking at your proposals. They will be looking at tabling very aggressive proposals. Also, they will be looking to incite that situation rather than coming to the table to actually collectively discuss the issues at hand in a meaningful way to find a fair and reasonable resolve. Whether there's a mediator involved or not, it doesn't much matter if an employer is not prepared to actually come and fairly bargain a collective agreement.

By having the opportunity to continue to operate while there's an ongoing strike there's always going to be an imbalance because that means that there's no need for that employer to come to the bargaining table with the actual intent of reaching that collective agreement.

[Translation]

**Mr. Alexandre Boulerice:** You said, in your remarks and in your responses, that the bill allows for exceptions where people can be brought in to work, for example in the event of a threat to human life, a threat to public health and safety, or a risk of a catastrophic environmental impact. I think that we all agree that these exceptions are perfectly reasonable.

However, I'm wary of concepts such as national interest or national economic interest. These concepts are sometimes a bit vague and can become a catch-all for anything to restrict workers' rights.

[*English*]

**Ms. Bea Bruske:** Certainly, this bill provides an opportunity for essential services agreements to take those things into consideration and to come up with a resolve that the parties can agree on before a labour dispute starts.

Our issue is we want to make sure that the Canada Industrial Relations Board has a shorter turnaround window to get back to the parties in terms of what essential services need look like for that particular workplace, and then to let the parties continue in that bargaining process.

[*Translation*]

**The Chair:** Thank you, Mr. Boulerice.

[*English*]

We'll go to Mr. Aitchison for five minutes.

**Mr. Scott Aitchison (Parry Sound—Muskoka, CPC):** Thank you, Mr. Chair.

Thank you all for being here.

I actually want to take a bit of a different tack on this. I know the Canadian Labour Congress has affiliates in the construction business. Of course, we are in desperate need of more homes in this country. We know that builders are already struggling to attract and retain skilled tradespeople. In fact, the job vacancy rate in the construction sector in the third quarter of 2023 was 5.1%, which is among the highest across all of Canadian industries.

I'm wondering if there's anything about this bill or in this bill that you, Ms. Bruske, think might help attract more skilled tradespeople to the industry to help us build the homes we need.

• (1610)

**Ms. Bea Bruske:** Any time workers see they have a job to go to, and they're not likely going to be out on a picket line for any length of time—because their employer is going to come and bargain a fair collective agreement—it provides some comfort.

We know that trade unions are very focused on making sure that they are able to hire up into that trade stream so that we can meet the needs of builders and of communities as they're building these new houses, and we very much encourage that active participation. However, we also know that those workers want to see a fair and free collective bargaining agreement.

**Mr. Scott Aitchison:** Of course, a lot of folks in the sector are aging out, and young people are not being attracted into it. Do you think that over the next 10 years, this is the same kind of argument that will help attract young people into the industry?

**Ms. Bea Bruske:** I think what's going to help attract people into the industry is, first of all, understanding that these are good jobs. They are good family- and community-sustaining jobs.

I think attracting newcomers to Canada, women and racialized workers into that industry is going to be incredibly important, and it's going to be an opportunity for unions to sit down with employ-

ers to find out what those challenges are to bring folks to that particular industry. It's things like child care. I know lots of women who want to work in trades, but if you don't have child care at seven in the morning when your shift starts, you're not going to be able to work in that particular field.

There are many things that need to be addressed, and I know that the trade unions are on these issues. They are very much focused on finding solutions, and we're going to be working with them to be able to achieve that goal.

**Mr. Scott Aitchison:** Thanks.

I want to thank you for being here.

There are some emerging issues, and I need to raise this now, unfortunately. I apologize for having to do this, but this is an issue that's come up.

I have a motion, Mr. Chair, that I'd like to move. Would you like me to read it?

**The Chair:** Yes. The floor is yours, Mr. Aitchison.

**Mr. Scott Aitchison:** I move:

Trudeau is recycling the same costly promises that have already doubled housing costs in the last eight years. He has doubled the rent, doubled mortgage payments and doubled the needed down payment for an average home. Housing costs have worsened more in Canada than any other G7 country in Trudeau's eight years.

According to a recent report from RBC, housing became more unaffordable in every single market tracked, including Toronto, Vancouver, Ottawa, Montreal, Halifax and more, with some markets reaching all-time unaffordability levels. The average Canadian family must now pay 63.5% of their total pre-tax household income in order to afford mortgage payments on a typical home in Canada; therefore the committee report its concern regarding this matter to the House of Commons; and

(a) Invite the Minister of Housing, Infrastructure and Communities to appear before committee for no less than two hours, by April 18, 2024; and

(b) Invite RBC Assistant Chief Economist Robert Hogue to testify before the committee for no less than two hours, by April 18, 2024.

**The Chair:** Thank you, Mr. Aitchison.

The clerk has advised me that the motion is in order. It has 48 hours' notice to the committee members. This is a processing committee. The member has moved a motion in his time. Now we must discuss that motion until we dispose of it.

For discussion, I have Mr. Fragiskatos and then Ms. Gray.

Mr. Fragiskatos, go ahead on the motion of Mr. Aitchison.

**Mr. Peter Fragiskatos (London North Centre, Lib.):** Thank you, Mr. Chair.

Here we are discussing very important, arguably historic, legislation that is before this committee, legislation that shows what's possible when parties collaborate towards a common goal, and that is to support workers across this country. If anything needed to be exposed about the Conservative discourse recently, that whole messaging around workers and how they're "the party of workers"—they say—has been exposed today. Why put this motion forward when we're discussing such an important issue at the committee with respect to the legislation?

Regardless, housing is a critical issue. We're glad to take up the motion that's been introduced here. What I would propose is the following amendment, and that's been circulated to the clerk already.

The first paragraph would be dropped. It would begin, "According to a recent report", and so on and so forth, ending at the word "levels". It would continue with "The average Canadian family must now pay 63.5% of their pre-tax household income in order to afford mortgage payments on a typical home in Canada." That would conclude the second paragraph.

Then finally, "Therefore the Committee invite the Minister of Housing, Infrastructure and Communities and RBC Assistant Chief Economist Robert Hogue to testify before the committee on the study of homelessness and affordable housing adopted on February 12, 2024."

I'll remind you, Mr. Chair and colleagues, that this particular motion opened the door to a housing study that will be taking place at the beginning of June, if my memory serves. I think we agreed to it at the subcommittee on an existing agenda. These issues are important, but so are the other issues that are before the committee.

I think we're acting in good faith here to have the witnesses the Conservatives want to come before committee at the appropriate time, when we take up the housing study. It will be an important housing study—and I look forward to it very much—to explore the various ideas that each of the parties has on housing and to see how this committee can make a constructive contribution towards the entire issue of housing in Canada.

• (1615)

**The Chair:** Thank you, Mr. Fragiskatos.

An amendment to the motion has been moved. The clerk will take a minute or so to have it circulated, but the amendment is in order.

**Mr. Peter Fragiskatos:** Let's go to a vote, Mr. Chair.

**The Chair:** We have two more, and they will be speaking to the amendment. In order for it to be fair, everybody needs to have the amendment. As soon as the clerk advises me, Mrs. Gray and Ms. Ferreri will speak on the amendment by Mr. Fragiskatos, which is in order. Then it's Mr. Boulerice.

I'll remind the witnesses that this is a procedure within committee. We had a motion that was introduced and must be dealt with.

[Inaudible—Editor] must only occur on the amendment that has been moved.

Madam Clerk.

**The Clerk of the Committee (Ms. Ariane Calvert):** Members, I just sent the Word document by email. Inside the Word document, I indicated, in track changes, what Mr. Fragiskatos's amendment is.

If you accept the tracked change, it will be the motion including his amendment.

**The Chair:** Mrs. Gray, go ahead on the amendment.

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

You mentioned a brief suspension. I think that would be appropriate, because we literally just got it. I'd like to read it. There are quite a lot of changes.

• (1620)

**The Chair:** I will suspend for two minutes. This still allows us to get back before the end of our first hour.

• (1620)

(Pause)

• (1620)

**The Chair:** Members, the committee will resume.

I understand there may be a minor difference in the translation, which Mr. Boulerice will speak about.

However, I'm going to return to Mrs. Gray and Ms. Ferreri. Then it's Mr. Boulerice.

• (1625)

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

I'll be very brief so we can move on, here.

The Liberals have basically gutted the entire motion. What they've said is that we will deal with this when we're working on the greater study, which doesn't happen until June. Here they're saying that we're not going to talk about housing until June, yet there are all of these new numbers coming out that are reiterating what kind of housing crisis we're having. For that, they've removed everything being requested.

I can't support it based on what they've done.

**The Chair:** Thank you.

Ms. Ferreri, go ahead on the amendment.

**Ms. Michelle Ferreri (Peterborough—Kawartha, CPC):** Thank you, Mr. Chair.

I'll speak to the motion that was put forward to study housing and the amendment that was put forward by the Liberal member.

To his point, we do have witnesses here and we are studying a very important bill. These witnesses, who represent the majority of workers across Canada, have told us very strongly today that housing is the biggest issue for a lot of these workers.

You can't move and you can't rent if you don't have a job. You can't get a job if you don't have a house. We know that these stats are staggering. In particular, according to an RBC report, it was the "toughest time ever to afford a home" in Canada, based on ownership costs as a proportion of median household income.

The motion put forward by my colleague was to study this and report the matter to the House of Commons so that we can get to the bottom of this.

The average Canadian family must now pay 63.5% of its total pre-tax household income. The amendment put forward has removed the piece to report this to the House of Commons, which is where it would be debated and where you would actually get policy and legislation in place.

There's nothing here, so I can't support this amendment.

**The Chair:** Thank you.

[*Translation*]

Mr. Boulerice, you may speak about the amendment.

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

Obviously, I'll be supporting the amendment moved by the government representatives. The original version of the motion is really a stalling tactic to delay the discussion on the anti-scab bill and the adoption of the bill. The committee has already scheduled a study on the important issue of housing for June. That seems reasonable. We must also take into account the comments made by the witnesses here today and at the previous meeting. They said that we must work diligently. However, given the proposed dates, the Conservative motion would delay the study of Bill C-58, which we in the NDP consider unacceptable.

However, I would like to move a subamendment. The Liberal amendment before us contains a discrepancy between the English and French versions. In the French version, the Governor of the Bank of Canada is invited, but in the English version, he simply isn't mentioned. I would like to move a subamendment to make sure that the two versions match and that the Governor of the Bank of Canada is invited.

**The Chair:** Thank you, Mr. Boulerice.

[*English*]

Is there any discussion on this subamendment from Mr. Boulerice?

I'm going to call a vote on this subamendment.

(Subamendment agreed to: yeas 11; nays 0)

(Amendment as amended agreed to: yeas 7; nays 4)

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

**The Chair:** For the benefit of the witnesses, I'm going to conclude the second round, which will be five minutes each for Mr. Collins, Madam Chabot and Mr. Boulerice. That will carry us into committee business.

• (1630)

**Mrs. Tracy Gray:** On a point of order, Mr. Chair, Mr. Aitchison still had time because he moved a motion.

**The Chair:** We have gone through this before. When you call a motion in your time, the clock runs until it expires. If you conclude it before that, we go back to him. He had two and a half minutes

left in his five-minute time when he called the motion, and we've used about 15 minutes on that, so we've already reviewed that, and I made my decision on that.

Mr. Collins for five minutes.

**Mr. Chad Collins (Hamilton East—Stoney Creek, Lib.):** Thanks, Mr. Chair.

Ms. Bruske, I come from Hamilton. Some legendary conflicts have occurred there in the past involving United Steelworkers and the use of replacement workers, scab workers, back in the 1940s. Books have been written about that and their fight for a 40-hour work week. Stelco used replacement workers, and—I think to your point in terms of decades later now—people still remember those stories and that fight. It created a very adversarial relationship. Even after the 80-day strike was over, the conflict and the relationship between the employer, the employees and the union was soured for decades.

Can you talk about the impact that using scab workers has on the workplace after conflicts are settled, whether they're short-, medium- or long-term disruptions?

**Ms. Bea Bruske:** Absolutely.

Walking into a workplace when there's been a labour dispute, when you've had to walk a picket line, especially when scabs have been utilized and have literally taken food out of your children's mouths, is not something that workers forget or that they will ever get beyond. The situation and the atmosphere within a workplace become extremely challenging. There is ongoing distrust and ongoing animosity, and all of that make every round of bargaining thereafter that much more difficult.

In order to actually reach a good collective agreement, there has to be a bit of a relationship of trust. That doesn't mean you have to agree with each other but you have to be able to be in the same room to explore what the issues are and to really understand where the other party is coming from and what issues you're seeking to find a solution to.

The best opportunity you have is to actually have that relationship of trust to be able to deal with difficult issues. In order to actually put forward what the issue at hand is, workers need to feel that they have dignity in the conversations.

When there is the kind of dispute in which you are basically discarded and disposable, you're not going to feel any kind of empathy towards that employer, and you're not going to have that trust that you can actually express what the concerns are.

These are decades-long situations in which rebuilding has to take place, and there often needs to be a change in management in order to actually rebuild that kind of relationship.

**Mr. Chad Collins:** Thank you for that answer.

The Canadian Chamber of Commerce has sent correspondence to the committee about the impacts the legislation will have on the daily lives of Canadians if in fact it's passed. It talked about disruption in telecommunications services and our ability to travel when there may be a strike or a lockout. It also talked about the impact on the economy and about how maybe there will be some hesitancy in terms of investors looking at Canada as a place to invest.

Can you talk about those comments and about whether or not you see them as valid?

**Ms. Bea Bruske:** I think there's a little bit of fearmongering in those comments. At the end of the day, what we want is for employers to come to the table with a clear view of reaching a collective agreement. Ninety-five per cent of collective agreements are signed without a labour dispute, without any kind of a disruption, without any kind of stoppage. In those cases where there is a dispute or there is a stoppage, there's a small number in which scabs are actually in use.

What we are trying to deal with here is those egregious examples in which employers have zero intent of actually reaching a collective agreement. What I'm most concerned about is the economic reality for those workers who are having to walk that picket line.

**Mr. Chad Collins:** When the legislation passes, there will be provinces that look at this and they will undertake studies in the future at committees just like the one we're sitting in today, and they'll talk about British Columbia and Quebec and the impact the legislation has had there. We'll implement this and we'll see the benefits and gains that will accrue to unions and their members. How will this help other provinces and territories that may look at this legislation in the future and say, "You know what? We should be going down the same path provincially, in our respective province."

• (1635)

**Ms. Bea Bruske:** I think this legislation simply modernizes labour relations in Canada, and it's beyond time for us to actually be getting to this particular piece of legislation. This is something we should have had for many decades.

We see that with this legislation the sun still rises in Quebec and still rises in B.C., so this is not egregious. This is actually resetting the balance at the bargaining table to help the parties get to a fair collective agreement.

**The Chair:** Thank you, Mr. Collins.

[*Translation*]

Ms. Chabot, you have the floor for two and a half minutes.

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

Ms. Bruske, it was also pointed out that this bill excludes public service employees.

Should the current version of the bill apply to federal public service employees?

[*English*]

**Ms. Bea Bruske:** I would absolutely be in agreement that this bill ought to be expanded to include all public service workers. We think that's an oversight and we think all employees should have the protection of this bill.

[*Translation*]

**Ms. Louise Chabot:** I would like to address another aspect. The purpose of anti-scab legislation isn't to create conflict. It's quite the opposite. We sometimes hear people say that, with this type of legislation in place, disputes will escalate and last longer. However, that isn't true.

One factor is missing from the equation. I would like you to tell me about it. You already touched on it. The replacement of strikers interferes with harmonious labour relations and may constitute a violation of the right to strike. This right is now recognized by the Canadian Charter of Rights and Freedoms, an integral part of the Constitution.

Can you explain how this legislation will contribute to harmonious relations, rather than having the opposite effect?

[*English*]

**Ms. Bea Bruske:** Absolutely. We see the right to strike as a charter right, and we believe the right to strike really is the right to reach a fair collective agreement. Again, as I noted right off the top, no worker goes to a bargaining table and says, "I want to go on strike because I think it would be nice to have a break from work." Nobody says that.

The reality is that people want a fair deal so they can clothe, feed and house their families; so they can have a good workplace relationship with their employers; so they can address the issues that are at play within their workplace, whether they're health and safety, respect and dignity, hours of work, training or otherwise.

This legislation forces both parties to be very thoughtful about their approach at the bargaining table. It forces the parties to actually want to conclude a collective agreement and to deal with the issues at hand and to take the opportunity to have in-depth, longer conversations, rather than glibly saying, "no" or glibly saying, "We actually need this and we're pushing this agenda through."

The right to strike, the right to collective bargaining and the right to representation as charter rights are critically important to us, and this is simply modernizing what needs to happen in labour relations in Canada.

[*Translation*]

**Ms. Louise Chabot:** Thank you.

**The Chair:** Thank you, Ms. Chabot.

To finish, I'll give the floor to Mr. Boulerice for two and a half minutes.

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

Ms. Bruske, you spoke about the 90-day period, which you find a bit long and which you would like to see shortened to 45 days.

In our previous discussions, we talked a great deal about the resources of the Canada Industrial Relations Board, such as its human resources, financial resources and training capacity. None of this is written in the bill. However, it does have an impact in real life. I'm thinking in particular of the ability to check whether replacement workers are secretly being used, to send inspectors out into the field, or to carry out investigations and audits.

In your opinion, how important is it for the board to have these resources?

[*English*]

**Ms. Bea Bruske:** I have a great amount of respect for the Canada Industrial Relations Board, for the chair and for all of the workers there who really work very hard to ensure that workers and employers get fair treatment when it comes to issues of dispute or whatever the issue of the day might be.

We need to make sure that board is properly resourced, that training and recruitment can happen and that we have long-term staff who are very well trained and have years of experience. These are difficult and challenging situations in which to try to intervene as a mediator or as a conciliation officer in a dispute, so you need to have the trust and respect of the parties. That means having a decades-long ability to understand the nuances that happen at the bargaining table and where the pressure is coming from for both the employer and the employee group, and being able to actually provide that assistance to those groups.

Making sure we have the resources at the Canada Industrial Relations Board is critically important so they can do the hard work that we as a society are all relying on.

• (1640)

[*Translation*]

**Mr. Alexandre Boulerice:** Thank you. I completely agree with you, of course. I just wanted to focus on that aspect.

You spoke about the 18-month implementation period. It's spring 2024. The committee is currently studying the bill, which will then return to the House for third reading before being sent to the Senate. Since the current government is a minority one, we don't know when the next federal election will be.

You argued for a period shorter than 18 months. What would be the impact of maintaining such a long period?

[*English*]

**Ms. Bea Bruske:** Again, the impact would be more chance of ongoing strikes happening in that 18-month period of time.

We want to get to a point where there is more of an impetus for parties to gain a collective agreement struck at the bargaining table. We think 18 months, quite frankly, is far too long. We are looking for a much shorter window of time. That means the CIRB needs to be properly resourced and have their needs met in order to deal with the essential services component of it, give decisions in a more timely manner and make sure they are staffing up in anticipation of this particular bill being passed.

[*Translation*]

**Mr. Alexandre Boulerice:** Thank you.

**The Chair:** Thank you, Mr. Boulerice.

[*English*]

That concludes this hour.

I want to thank the witnesses for attending and addressing the questions from the committee members.

We'll suspend for a few moments, then go in camera to resume committee business.

[*Proceedings continue in camera*]

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