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(HANSARD)

Monday, October 16, 1995

Speaker: The Honourable Gilbert Parent

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HOUSE OF COMMONS

Monday, October 16, 1995

The House met at 11 a.m.

Prayers

PRIVATE MEMBERS' BUSINESS

[*English*]

ACCESS TO INFORMATION ACT

Mr. Bob Mills (Red Deer, Ref.) moved that Bill C-309, an act to amend the Access to Information Act (disclosure of results of public opinion polls), be read the second time and referred to a committee.

He said: Mr. Speaker, most Canadians believe that this is the best country in the world. However, that does not mean they agree with the status quo and do not want changes. Canadians want constructive change and near the top of every list is the desire for a more open and accountable government.

Open government means a free flow of information between the government and its citizens. It means that government informs the public rather than manipulating them. Open government means that when tax dollars are used to commission polls about the thoughts and opinions of Canadians, everyone has the right to assess the results of these polls in a timely manner.

Canadians who want access to poll results should not have to jump through bureaucratic hoops in order to get the answers. Unlike the last Parliament which was very secretive this Parliament must change the system. Never again should Canadians be faced with the situation where the information commissioner has to take the Prime Minister to court to force him to release publicly funded poll results as happened in the Mulroney regime.

The kind of backroom government that has been so common here in Ottawa must change and it must change quickly. The Canadian public will not accept that sort of secrecy any more. They will not put blind faith in their politicians. They have learned through experience that left to its own devices, government will take advantage of the situation.

Government will selectively release important information to manipulate the public and advance its own agenda. In fact, we recently witnessed a perfect example of just this type of behaviour by the Parizeau government in Quebec. While this example did not involve polls, it did involve a series of publicly funded studies that examined the consequences of separation.

As all members are probably aware, the Parizeau government realized that some of the studies cast serious doubts on the viability of a separate Quebec. These studies responsibly pointed out the economic pitfalls that would invariably be associated with separation and the Parizeau government did not like it. Instead of releasing all of the taxpayer funded studies, Mr. Parizeau only released those that reinforced his own position.

• (1105)

The point therefore is to make all polls public in a timely manner. Not only was this manipulation by the Parizeau government dishonest, it also was an example of the need for legislation that specifically prevents this kind of behaviour.

The current government has not been as secretive as the previous one. If the Liberals truly believe in the concept of open government, then they should not be afraid to put their money where their mouths are. By making open government the law of the land, Parliament can show all Canadians that times have changed and that the rights of citizens to know what their government is doing is a fundamental one. If Parliament is really serious about open government, then all members should give their consent to make Bill C-309 votable and then we should pass it.

The bill would amend the Access to Information Act to ensure that all federal departments, boards or agencies that commission public opinion polls gave notice to the designated minister and the Speaker of the House of Commons. The designated minister would then be obliged to submit to the House of Commons the results of the polls and report the following: a description of the nature of the poll; a copy of the questions asked and a summary of the responses given; the period when the poll was conducted; and the cost of the poll. The minister would be required to lay this report before the House no later than 15 days after the poll was completed. If the House is not sitting, the report would be deposited with the information commissioner within the same deadline, published in the *Canada Gazette* and then presented to

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the House of Commons during the first five days after it resumed sitting.

If Bill C-309 was made votable and passed, the results of all public opinion polls commissioned by federal government bodies would become public in a very timely fashion. This prompt disclosure would make the results available while the information is still relevant to the current concerns of the public and is what the Canadian people are demanding.

Although I hope I am wrong, I predict Liberal members will speak against the bill. Members opposite know very well that they made election promises to "make open government the watchword of the Liberal program". I doubt they are willing to live up to that promise.

This reluctance of the Liberals to honour their red book promises was clearly demonstrated earlier in the year when they were the only members from any party to vote against open government by defeating Motion No. 304. I proposed this motion. It would have opened up Parliament and crown corporations to scrutiny under the Access to Information Act. I was told it was not to be passed at that time because the whole question was under review and massive changes were to be made to the Access to Information Act. Everyone agrees that it needs revision. I wonder if we will hear the same reasons now.

Even though Liberal members had been given assurances that M-304 would not breach the confidentiality of their offices or disrupt the competitive edge of crown corporations, Liberal members unanimously voted against that motion. This was especially strange considering that several members had told me privately they favoured the motion and thought it was a great idea. We all know what really happened. Instead of allowing their members to vote freely on the matter, the top brass stepped in and cracked the party whip. Even though the chief government whip has given his word to the House that Liberal members are allowed to vote with their consciences on private members' business, those members are told what to do and as always they do it.

I would now like to anticipate the line of argument from my colleagues opposite. I predict they will say that since they have been in government Treasury Board policies on communications and information management have been changed in order to address the problems of disclosure of public opinion research. I predict we will hear that these guidelines and the promises of the public works and government services minister make Bill C-309 unnecessary. The problem is already solved, they will say, but this is not correct.

• (1110)

It is true the change in the Treasury Board guidelines tinkered with the old Mulroney system but this did not mean the problem

was solved. It was not and the government knows it. News clippings abundantly reveal the continuing problems with the new and improved Liberal system. Two headlines in the *Globe and Mail* recently say it all: "Liberal poll results rules much like the Tories", "Liberals will still allow polls to be kept secret". A *Winnipeg Free Press* article entitled "Imitating Mulroney" says:

Public Works Minister David Dingwall called the new guidelines a "breakthrough". In fact, they are little more than Brian Mulroney's policy warmed over with a little red sauce for artificial flavour. These flimsy guidelines will not require ministers to reveal information gathered at public expense, if in the opinion of the minister that information is considered advice to the government.

What does it mean, advice to the government? By tradition, advice must stay locked up in a bomb-proof vault until the minister passes on to a better place or until the paper it is written on turns yellow and disintegrates.

Let me move on to a very interesting article that was published in the normally Liberal friendly Toronto *Star* after the new Treasury Board guidelines were put in place. Its title is: "Liberals restrict access to poll results". It reads:

—previous Conservative governments were attacked for keeping taxpayer paid for polls secret, including constitutional polls. Now, the Liberal government seems determined to do an even better job of delaying and hiding poll results.

We are talking about millions of dollars of taxpayers' money being spent on public polls and their findings not being made open to the public or to this House. The author of this article, Ken Rubin, correctly calls the government's new access scheme fraudulent. He describes the flawed new process as follows:

1. The lengthy up to 90 day period for publication of poll reports goes far beyond the already too long 30 day release period possible under the Access to Information Act. There will be instances in which publication is well after 90 days.

2. The up to 90 day period for publication release begins only after a final written report is received from the pollsters. That's even though the polling results are immediately conveyed—sometimes months earlier—orally or in draft written form to the government.

3. A summary report of polling results could be all that is published, leaving out the guts of the research usually found in the technical tables.

4. Some polls still will be kept secret through applying partial or total exemption of poll results under the Access to Information Act.

It will be up to the minister to decide.

5. The Treasury Board directives formally encourage departments to consider applying for exemptions under the Access to Information Act. This policy endorses the view that polls are something other than publicly paid for, routinely released results of public response to government commissioned questions.

6. The Treasury Board's practices will make more progressive federal departments think twice before publishing certain "sensitive" poll data; after all, departments have to go to the Treasury Board to fund their polls and focus group research.

7. Once the government has decided to publish a poll result, that poll is no longer covered under the Access to Information Act. This means recipients could lose the right to complain, all the way to the federal court, about the polling results received after late receipts and publishing delays.

There is much more in this report, but we all get the point of the problems with this new legislation. The change in Treasury Board guidelines was a finesse by the government, not an honest attempt to address the existing problem. This is unacceptable and more concrete steps have to be taken.

• (1115)

I do not claim Bill C-309 by itself can fix the problems of secretive government. It cannot and no one would say it could. However, if this legislation were passed it would be a step in the right direction.

Parliament can talk about open government until the cows come home but unless we are willing to legislate change it means nothing more than words. It is time to legislate open government.

In the sincere hope that members will have the courage to act, I ask for unanimous consent to make C-309 a votable item. If this is done all members of Parliament will have a chance to get on the record on this very important issue.

The Acting Speaker (Mr. Kilger): Does the hon. member have the unanimous consent of the House?

Some hon. members: No.

Ms. Susan Whelan (Parliamentary Secretary to Minister of National Revenue, Lib.): Mr. Speaker, I rise to commend the hon. member for this proposal to extend the application of the Access to Information Act.

I am a firm believer that open government is essential to the preservation of the respect which members of the public give us as politicians and to the trust they place in their government. The Liberal Party is committed to the principle of open government.

I am not sure, however, this amendment is necessary. It is my understanding the act already provides for access to public opinion polls. Section 4 of the act provides that everyone has a right of access to any record under a government institution. In so far as opinion polls constitute such records, they are covered by the act. If specific poll results are not disclosed to the public it is because in specific circumstances a legitimate interest that competes with presumption of access is invoked. It should be noted the act performs a careful and complex balancing between a variety of interests. I am concerned that amending the act to address a specific and limited aspect of the act would disturb the various balances within the act.

In 1992 the trial division of the federal court pronounced on the question of release of public opinion research in the case of Information Commissioner v. Prime Minister. That case dealt with public opinion polls commissioned during previous consti-

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tutional negotiations. The decision of the federal court trial division of November 19, 1992 provides guidance on disclosure of such information.

In addition to section 4 of the act, the Treasury Board secretariat has issued guidelines for federal institutions on the release of public opinion polls. The Treasury Board communications policy amended last July provides that first, government institutions must make every effort to disclose results outside the formal resolution process prescribed by the Access to Information Act of public opinion research.

Second, in the spirit of the Access to Information Act, institutions are encouraged to make the final report of public opinion research available within 30 days of receipt and should resort to the 90-day allowance only if constrained by publishing requirements.

Third, in those cases in which a minister elects not to disclose the final report in response to an access to information request, the minister must send a letter to the information commissioner informing the information commissioner of his or her decision inciting the provision of the Access to Information Act that the minister has exercised. A copy of the letter will be sent to the Treasury Board for purposes of monitoring implementation of this policy.

With section 4 of the act interpreted by a recent court case dealing with opinion polls, and with a new government policy which guides government institutions on the disclosure of public opinion polls, it is not at all clear to me that there is a present and pressing problem with respect to the release of public opinion research that justifies an ad hoc amendment.

Another reason I would not support Bill C-309 is that the Minister of Justice has announced his intention to reform the Access to Information Act. I understand a review of how public opinion polls are disclosed or not disclosed to the public will be part of that review.

I trust the Minister of Justice will reform the act in providing for more open government, including greater access to polling information. I am concerned that Bill C-309 would amend the act in an ad hoc fashion.

It has been about 12 years since the act was first passed. A parliamentary committee and the information commissioner have both made extensive recommendations for reform. I believe it is time for a fundamental review that would look at all aspects of the act.

• (1120)

In addition I have concerns with specific details in this proposal. The requirement that every public opinion research contract be reported to the minister and to the Speaker of the House of Commons and that reports be tabled in Parliament or with the information commissioner and published in the *Canada Gazette* seems like overkill.

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An amendment that provides that no exemptions apply to the release of public information opinion research would have been sufficient for members' purposes. The media, citizens and parliamentarians are quite familiar with the relatively easy process of filing access requests. In any event the Treasury Board policy calls for informal dissemination public opinion research. New and duplicated reporting requirements merely add red tape and cost, which we can ill afford at this time.

Another problem I have with Bill C-309 is that it would apply to any department, branch, office, board, agency, commission, corporation or other body established by or pursuant to any act of Parliament or established by or pursuant to any proclamation, order in council or other instrument made or issued by or under the authority of the governor in council.

By defining which institutions are covered by this proposed amendment in this way the proposed amendment goes entirely against the way the rest of the Access to Information Act is structured. The act applies to all government institutions listed in the schedule, approximately 140. The purpose of listing the institutions is to make it clear to everyone which institutions are covered by the act. Going away from a list approach creates the possibility of confusing the issue of whether the act applies to a particular institution. It may mean having to go to court to find out whether the act applies to a particular institution in a given circumstance.

As a result of Bill C-309 some institutions not currently subject to the act will be subject to the specific amendment. For example, Canada Post is not subject to the act but will be subject to the proposed clause 5(1).

I am also concerned about the definition of public opinion poll, which I find extremely broad. It could include quantitative and qualitative research conducted among members of the public using a prepared questionnaire or interview schedule. A good proportion of this research would be of very limited public interest.

I do not believe Bill C-309 is needed. There is already a right of access to public opinion poll research under the Access to Information Act. There is recent case law that provides guidance to the government in disclosing such polls. There is a government policy on disclosing poll results. The Minister of Justice has stated his intention to reform the Access to Information Act.

Given all this, I do not think it is appropriate or necessary to proceed with an ad hoc amendment on the specific issue of public opinion polls. I have problems also with the fact the bill would introduce significant new bureaucratic reporting requirements, deviate from the way the rest of the act defines government institutions and potentially could apply to research of very

limited public interest. For all these reasons, I cannot support the bill.

[*Translation*]

Mr. Osvaldo Nunez (Bourassa, BQ): Mr. Speaker, the purpose of Bill C-309 tabled on February 22, 1995 by the hon. member for Red Deer is to amend the Access to Information Act. Its main objective is to oblige the government to disclose results obtained and methods used in public opinion polls commissioned by the government through various agencies.

The proposed legislation provides that the government shall lay before this House a report of the results of public opinion polls it has commissioned.

We support this initiative because it encourages openness and the democratic exercise of power. The debate on public opinion polls and the need for making this tool more transparent is mainly about whether these polls undermine the democratic process by influencing the behaviour of society in general.

Recent studies have shown that publication of these polls can have an impact on a close race, especially towards the end of the campaign. The publication of public opinion polls can have a positive or negative impact on the morale of volunteer campaign workers and donors.

• (1125)

Party strategists complain that it is hard to retrieve lost ground when the media have decided, on the basis of public opinion polls, that a party is no longer in the running. Opinion polls may be purposely misinterpreted, if the technical information provided is too incomplete to assess the validity of the results.

Clearly, the secret use of this powerful instrument is a first step towards arbitrary use of power and a practice that is a threat to democracy. What seems to be a highly scientific instrument that confers a certain authority becomes, in the hands of unscrupulous politicians, a tool for political propaganda and manipulation. I am thinking, for instance, of the group for Canadian unity, a special unit of the Privy Council of this government.

Working on behalf of the no coalition, the intergovernmental affairs office, located in an office tower in downtown Ottawa, attempts to implement the vision of the no forces, the status quo, which will make debtors and paupers of all Quebecers and even Canadians. This anti-referendum unit funded with public money has a budget of more than three million dollars. Part of this money is spent to commission public opinion polls whose methods and results are used to influence the democratic process in the Quebec referendum.

This Canadian unity group, more obscure and secretive by far than the centre for Canadian unity was during the 1980 campaign, commissions public opinion polls on a weekly basis and uses them to manipulate public opinion in a democratic society.

In fact, because of the secret nature of these polls, nothing prevents this government from using methods that are questionable from a scientific point of view and thus commissioning results that will influence the vote.

Nothing prevents the government from only disclosing polls that are favourable and eliminating those that might be less favourable to its negative vision. Polling companies play a role that has an impact not only on elections but also on policy development. Governments use public opinion polls to define their positions on various controversial issues and to determine their priorities. Federal ministers therefore take the initiative of commissioning polls to test public reaction to various options. In short, the government is no longer concerned about the content of its policies but focusses on their form based on public opinion polls. The famous Axworthy reform is an excellent example.

The amounts allocated by the federal government for public opinion polls are astronomical. During the period from April 1990 to November 1991, a mere 19 months, apparently over \$10 million in expenditures were approved by the Department of Supply and Services and committed by the federal government for public opinion polls. That amount does not include contracts awarded directly by departments.

For all these reasons it is essential for transparency to become the main objective of democratic governments when they make use of public opinion polls. Bill C-309 calls for effective measures to ensure government transparency when public opinion polls are used. The report submitted to the House of Commons must therefore indicate the nature of the public opinion poll, the questions asked and a summary of the responses given, the name of the person or firm commissioned to conduct the poll and, finally, its cost. This is a bill with the potential to change the face of Canadian style democracy.

• (1130)

Speaking of surveys, I would like to comment very briefly if I may on the results of the survey carried out by Léger and Léger for *Le Journal de Montréal* and the *Globe and Mail*, released last Saturday, the day before yesterday.

With two weeks to go until referendum day, the yes side shows a solid 49.2 per cent compared to 50.8 per cent for the no side. In only a few weeks we have taken over five of the federalists' percentage points, reducing the difference to a mere 1.6 per cent.

This considerable advance is in large part due to what the press is calling the "Bouchard factor", but it must be pointed out that this week we gained only two percentage points.

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Before distribution of the undecided voters, 45 per cent of respondents stated that they would vote yes to the referendum question, while 42.4 per cent indicated that they would vote no.

Among those whose minds were definitely made up, I must point out that 52.2 per cent of francophone respondents stated that they will be voting yes, compared to only 34.3 per cent who will vote no.

There are a number of explanations for this upturn in support for the sovereigntist camp. We have the most popular, most credible, most loved leaders in Quebec on our side in Mr. Bouchard, Mr. Parizeau and Mr. Dumont. Lagging far behind them are the spokespersons for the no side, the Prime Minister of Canada, the Minister of Labour, Mr. Johnson, and the hon. member for Sherbrooke.

We will win this coming October 30 because we are promoting the project of a just society that is fair for all, a project of generosity and compassion for the most disadvantaged segments of our society: the unemployed, welfare recipients, immigrants, refugees, pensioners and so on. On the other hand, the blueprint for society of this government, of the Liberals, the Conservatives and the Reform, is to protect big capital, those who are already advantaged. The program of the ministers of finance and of human resources development, of Ontario's Mike Harris and Alberta's Ralph Klein is to protect the rich and neglect the poor.

In conclusion, I state that the Bloc Québécois supports Bill C-309.

[English]

Mr. Dennis J. Mills (Broadview—Greenwood, Lib.): Mr. Speaker, I should like to speak for a few minutes in support of the private member's bill of the hon. member for Red Deer who has done some excellent work on the issue.

In 1980-81 I had the privilege of working on the original access to information bill. I believed then and I still believe now the intention of the government at that time was to do the very thing the private member's bill suggests.

In the last 13 years to 14 years the whole access to information process has become locked in a system I call the bureaucratic MAD treatment, maximum administrative delay. As a government member I have had great difficulty on more than one occasion in getting the access to information system to work for me.

The objective of the hon. member for Red Deer is to refer the bill to committee. He has not asked the House to accept the bill line by line, comma for comma. If small amendments are required I believe they can be accommodated in committee.

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• (1135)

The whole discussion on access to information is something that would serve the government and serve the House well. What the member is saying in the bill is very much a part of our government's red book wherein we were committed to operating a much more transparent, a much more accountable, a much more open government.

Day after day the Prime Minister lives a life of transparency. We all know that these polls are being conducted and there are the results of the polls. We have nothing to hide when we conduct polls. They are done to advance public policy in a more refined and better way for all Canadians.

We on this side of the House celebrate that members of Parliament should work hard at developing and thinking some of their own ideas. This example very much fits that description. The member for Red Deer has put forward the idea that all public opinion polls should be much more accountable to Parliament and I support him in that regard.

Mr. Philip Mayfield (Cariboo—Chilcotin, Ref.): Mr. Speaker, I am pleased to rise in support of Bill C-309, an act to amend the Access to Information Act (disclosure of results of public opinion polls).

As I look through the bill it makes complete sense to me. I am sure that anyone who believes in the democratic process would agree that the bill is simply common sense. Every day public polls are conducted by media outlets, associations, academics, and especially by government departments.

There are two principal differences between the groups I have listed. First, the government is the only one funded solely by the taxpayers of Canada. Second, the government is the principal one that does not make the results of its polls easily and readily available to the Canadian public. Is there a paradox in this situation? Last year the Winnipeg *Free Press* in an editorial wrote:

During the election last fall, the Liberals made transparency and openness in government a central theme. What a difference a victory makes.

yes, what a difference a victory makes. We all know that the former Conservative government was obsessed with public polling. In 1992 the Conservative government spent an unprecedented \$140 million on public polling. Most of that money was awarded to chums of the Conservative Party, a firm called Decima polling.

How nice it would have been to be working at Decima in 1992. I see why the Liberal government criticized the Conservatives during the 1993 election campaign. Expenditures on polling prior to 1992 were about \$10 million a year. With an increase to \$140 million, who would not want to make it an election issue?

I will briefly outline the history. It is important the House knows why the Liberals are arguing against Bill C-309. Liberals will tell us that there is no problem when comparing their policy to that of the Progressive Conservatives. This may be true. Hopefully no government will ever again reach the total polling expenditures the Conservatives did in 1992.

The one key point that must be clear in the debate is that the Liberal government is doing very little to change the old style polling established by the Conservative government. The Winnipeg *Free Press* stated last year:

By tradition, advice from polling must stay locked up in a bomb-proof vault until the minister passes on to a better place or until the paper it is written on turns yellow and disintegrates.

• (1140)

This tradition is still alive and well with the Liberal government. In May 1994 the Liberal government introduced what it said was an alternative to this tradition. It introduced a series of polling measures that the Minister of Public Works and Government Services said were based on "principles of transparency and openness". The only thing transparent is the Liberal commitment to tell the Canadian people what the Liberals want them to know. The only thing that is open is the Canadian taxpayer's wallet as he or she pays for the veil of secrecy created when government polls are conducted.

Bill C-309, an act to amend the Access to Information Act, prohibits the blatant manipulation of public information gathered by government departments. The bill would force any government department or unit that commissions a public opinion poll to give notice to the appropriate minister. The minister is then obliged to submit to the House of Commons the results of the poll. The minister would present four key components of the poll: first, a description of its nature; second, a copy of the questions asked and a summary of the responses given; third, the period of time when the poll was conducted; and fourth, the cost of the poll.

This seems to be a logical progression of events. Ministers of the crown should not even need legislation compelling them to submit poll results. By their very nature as chief representatives of departments in a democracy, all information gathered at the department should be open to public scrutiny. As it stands, the ministers are picking and choosing the poll results that are most beneficial to them in promoting their policies.

The government will argue that it has answered all the concerns of Canadians about access to public polls. The government will claim that in May 1994 it released guidelines to ensure that information was made public. However last December the Toronto *Star* called the guidelines "a fraudulent new access scheme". The Toronto *Star* was absolutely correct.

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There are a few catches that the Liberal government failed to mention when it introduced the new guidelines. It failed to mention that the government still has the ability to keep some poll results secret. It is able to do so if the individual minister feels the results would be injurious to the public interest or to federal-provincial relations. That seems to give the ministers room to impose total personal discretion. What one cabinet minister may see as injurious to public interest may be necessary information to the average Canadian.

Mr. Kenneth Rubin, an expert on government documents, called this ethics package "so vague it is hard to criticize it precisely, but the specific rules for withholding polls are what the Tories practised". This vagueness is a blessing only for cabinet ministers as they are able to interpret it to their own benefit.

Another benefit to cabinet ministers and their friends in the polling companies is that they are given 90 days to release poll publications, which is an absolute absurdity. After 90 days the issue is likely dead and Canadians have little interest in old news or dead issues. Also quite often the government has already used the information to its advantage by this time.

The 90-day period of silence is stretched even further as often the polling companies give the government a verbal or a brief written synopsis of the results. There is no requirement to release poll results until 90 days after the government receives the final written report. This in reality can add months to the 90-day period. The information commissioner in his annual report in June called this "a loophole of monumental proportions".

Even then, if the 90-day period is not long enough, the minister can still apply to have it extended indefinitely. In effect a minister can sit on an issue as long as he or she chooses. The government can also use the extended period provision to avoid criticism and legal action. Once the government has decided to release the poll results the poll is no longer open to further scrutiny under provisions of the Access to Information Act. That means any right to complain to the federal court about information quality or delays is no longer an option.

• (1145)

If all this security is still not enough for cabinet ministers, they have even more ways of ensuring the Canadian public does not receive poll results accurately. They can instruct their friends at the polling companies to provide only summaries of the results and leave the real meat and bones of the research in the technical tables.

Another creative method of avoiding the public is that the government can purchase omnibus polling packages from companies that are providing them to other organizations as well.

These poll results then remain the property of the polling company and do not have to be made public, even though government money paid for this information.

Bill C-309 responds to all these loopholes by offering a straightforward method of dealing with the publishing of poll results. It requires the ministers to submit polls to the House of Commons no later than 15 days after the poll is completed. If the House is not sitting the report must be submitted to the information commissioner, published in the *Canada Gazette*, and presented to Parliament upon its return. This is simple logic and is democratic. Bill C-309 eliminates all the vagueness that allows the government to abuse the system.

The information commissioner wrote in his 1995 annual report: "The Liberals promised to do better than the Conservatives, much better. Many Canadians thus anticipated a new government with the self-confidence to be candid". In my opinion, it is quite clear that this government is no more candid than the former government. This is not merely my opinion. The information commissioner, who is an expert in the field, agreed when he added in his report that "expectations for a bright new day with sunshine in all the old dark places were unrealistically high". The information commissioner is clearly not satisfied with this government's commitment to openness. Canadians are not satisfied either.

The information commissioner and the Reform Party are not the only ones that are not content with the government's lack of commitment to open government. The Ottawa *Sun* criticized the government accurately last fall when it stated: "Who knows, one of these days the government might even poll you for your opinion on whether it should be forced to release the results of all its opinion polls. Tell them what you think, just don't ask them for the results. You might be told it's none of your damn business".

It is the business of Canadians to know what questions and issues are being polled. Canadians deserve the right to know what is the popular opinion of the nation. They deserve to know what the government is doing with the results it receives. They deserve to know if the government departments are polling for legitimate reasons or for the government party's own political gain. Finally, Canadians deserve the right to see how much money is being spent by the government and for what reasons.

The Acting Speaker (Mr. Kilger): Colleagues, I find myself in a situation we all do from time to time. I know the practice is not to recognize people in the gallery. However, I would want the group from St. Timothy Catholic School to know that if I could recognize them I would, but it is not our practice to do so.

Mr. John Bryden (Hamilton—Wentworth, Lib.): Mr. Speaker, that was very well done, if I may say.

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I will make my remarks brief. I rise to speak in support of Bill C-309. It is a pleasure to do so. I believe reform of the Access to Information Act is very necessary and long overdue. My feeling on Bill C-309 is that while I support it wholeheartedly, it does not go anywhere near far enough. The time has come, in the name of opening up government, in the name of opening up the bureaucracy, to review the provisions of the Access to Information Act.

I have had a lot of experience with the Access to Information Act over the years, particularly in the matter of getting historic records. As the member for Broadview—Greenwood said, the act as originally designed is not the act as it is currently practised. We have a situation where an act that was originally intended to open up government documents is now being used in many instances to withhold government documents.

I want to say to the member for Red Deer that I join him in supporting this bill and putting this bill forward. I hope it is a first step for a complete overhaul of both the Access to Information Act and the Privacy Act.

• (1150)

Mr. Mike Scott (Skeena, Ref.): Mr. Speaker, I wish to recognize the individuals on the other side who are supporting this bill. I would like to ask those members who do not support the bill why they do not support it. Why did we not have unanimous consent to have this bill made a votable bill?

When these people were in opposition to the Conservatives they ripped at the Conservatives all the time. They said we have to change the access to information laws, open government up, and let Canadian taxpayers, who are footing the bill for this information, have access to it. Why the change of heart once the Liberal Party was elected as government? Why the difference?

I think the fundamental reason for that lies at the very heart of what is wrong with our approach to governing in this country. It is because we have among the three old-line parties an elitist, top down approach to governing. Once the political party of the day gets into power it is not much interested in listening to the people in the sense of shaping policy or developing legislation. It is very much a command and control government that we have. It wants to have information so that it knows how to shape its messages and sell its policies but it is not really interested in having policy developed or shaped by the Canadian people. In this milieu, it is not particularly helpful to have information available to the public. It is much more advantageous to keep that information to yourself and use it for your own purposes and not allow the Canadian people to have access to it.

I would use the gun control bill as a perfect example of a bill that is widely hated by Canadians. The government is refusing to acknowledge that fact. It is using polling as a means of trying to determine how it can best sell this odious piece of legislation. It

is not really interested in listening to the views of Canadians from coast to coast who take real offence to this legislation.

I would make the argument that the situation we find ourselves in is not likely to change. We will have opposition parties forever decrying the lack of access to information and ridiculing and condemning the government of the day for not changing the access to information rules. However, once these parties get into power they will act the same way unless we have a fundamental change in our whole approach to governing.

That is what the Reform Party of Canada stands for. We believe that not only do we come here with a set of policies and principles we would like to put in front of the Canadian people, but we also suggest there has to be a fundamental change in the way Canada is governed. Ordinary Canadians should have much more say through referenda, through initiatives, and through recall to have their views and wishes incorporated into the policies and legislation of the government.

Until we have these fundamental changes, until we have a break away from this elitist, top down approach to government in which information is always going to be very tightly corralled, where there is no advantage in making that information known to the general public, we are never going to have the changes we would all like to see. I would suggest that while the members opposite talk about opening this up and having better access to information, it is not going to change until we change the system.

• (1155)

The Acting Speaker (Mr. Kilger): Seeing no other members rising, I wonder if the House might be disposed to this. The motion stands in the name of the hon. member for Red Deer. The understanding is that no one else will speak after the hon. member for Red Deer closes the debate. I would seek the member's co-operation, if he would reply under the right of reply for two minutes and no more, to in fact close the debate on Motion No. M-309 which stands in his name.

Mr. Bob Mills (Red Deer, Ref.): Mr. Speaker, what we have heard is a general agreement that the access to information legislation needs to be reformed. I would like to believe there is an honest will to do that and that the justice minister will deliver on the promise to change the legislation.

The problem is there are a lot of issues on the justice minister's plate and I honestly do not believe he will get around to the changes in the legislation or will be able to deal with them in this Parliament. For those of us in the House who believe there should be changes, I believe that the onus is on us to continue to bring forward these ideas and the desire of the Canadian people to have more openness in government. The people are demanding it. They are saying that it must happen. I believe that we as parliamentarians must respond. I would urge all members to get behind the changes and to pressure their parties to make these changes.

I would like to thank the House for this opportunity. I would like to thank the members who spoke in favour of the bill. We should keep up the fight to ensure that the justice minister does find the time to change the access to information legislation.

The Acting Speaker (Mr. Kilger): I thank all members for their co-operation.

The time provided for the consideration of private members' business has now expired. Pursuant to Standing Order 96, the order is dropped from the Order Paper.

GOVERNMENT ORDERS

[English]

EMPLOYMENT EQUITY ACT

The House resumed from October 6 consideration of the motion that Bill C-64, an act respecting employment equity, be read the third time and passed.

Mr. Jack Frazer (Saanich—Gulf Islands, Ref.): Mr. Speaker, it is my privilege this morning to rise to speak to Bill C-64. I will be speaking against the bill.

Bill C-64 extends and supersedes the 1986 Employment Equity Act, which covered crown corporations and federally regulated private sector employees. It covers banks, airlines, railways, and telecommunications, which employ about 5 per cent of Canada's workforce.

According to the government, the purpose is to "achieve equality in the workplace so that no person shall be denied employment opportunities or benefits for reasons unrelated to ability and, in the fulfilment of that goal, to correct the conditions of disadvantage in employment experienced by women, aboriginal peoples, persons with disabilities and members of visible minorities by giving effect to the principle that employment equity means more than treating persons in the same way but also requires special measures and accommodation of differences". It is to be reflective of Canada's population as a whole.

While it does not bear directly on the federal scene, it certainly impacts on the bill at hand. I would like to quote from Friday's editorial page of the *Globe and Mail*. It is entitled "Why merit matters", and reads as follows:

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Ontario's new Conservative government has introduced legislation to repeal the one-year-old Employment Equity Act. All Canadians, whatever their status or background, should be glad.

Despite the denials of its supporters, Bill 79 was unquestionably a "quota law". Employers were expected to set targets for creating a workforce that reflected the racial and gender make-up of the community at large. The bill was also clearly discriminatory. By requiring employers to favour members of the designated groups, it effectively required them to discriminate against members of the undesignated group: that is, able-bodied white men.

But these are not the worst aspects of Bill 79. The main evil of the law is its implicit attack on the principle of merit.

Appeals for the importance of merit tend to have an elitist sound to modern ears. In fact, merit has always been cherished most dearly by the disadvantaged, who regard it as a ladder to better things. For generations, even centuries, disadvantaged people have pleaded to be released from the pigeon holes in which others place them and evaluated on their ability as individuals. "See me for who I am, not what I am. Judge me on what I can do, not what I look like".

The supporters of employment equity would throw all this out the window. The merit principle, they will say in their honest moments simply hasn't worked. The disadvantaged are still disadvantaged. The colour blind, gender blind world is an impossible dream. We need to try something else. So instead of disregarding the group identity of people in hiring and promotion, we will fixate on it. Instead of encouraging employers to hire the best person for the job, we will require them to tot up their workers like so many jelly beans. Instead of encouraging new immigrants to become part of the wider society, we will tell them to define themselves by race.

In a diverse society with high levels of immigration, this is a terribly dangerous thing. Designed by well meaning people to encourage integration, employment equity in fact works against it, encouraging Canadians to huddle together in groups and feeding the unhealthy obsession with race and gender that has seized Canadian society in the 1990s. This obsession has already infected universities, museums, writers' organizations and women's groups. Bill 79 would have made it a law. Every Canadian should give it a hearty, "Good riddance".

● (1200)

This does not directly bear on Bill C-64 but I think the same arguments apply against the imposition of Bill C-64. In our case new equity laws will immediately cover approximately 230,000 Treasury Board employees. They will affect all federally regulated businesses and businesses with over 100 employees undertaking federal contracts.

Due to the increased cost this law will cause, it will hold off implementation indefinitely on certain agencies such as CSIS, the RCMP and the armed forces. In practice Bill C-64 means enforcing racial and sex based numerical goals to correct perceived past discrimination. The numerical goals are quotas in disguise. If numerical goals are enforceable they serve exactly the same function as quotas.

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For years employment equity has been at work within the public service. It will be difficult or impossible to introduce it at the moment because the government is cutting jobs and has a hiring freeze in place. Public service employees declared surplus have ironclad job security which guarantees them another reasonable job offer within the public service.

Admittedly men still account for more than 50 per cent of public servants and this is also reflected in the executive ranks. Most of the top managers within the bureaucracy were hired 25 years ago when government was growing. The bureaucracy still reflects a nation of a quarter century ago. For those same 25 years women have been entering the workplace with roughly the same educational credentials and the same job aspirations as men.

In the private sector women have successfully moved into every profession: medicine, law, accounting, advertising, banking. Progress has been impressive. Why? The world has changed for women. Gender alone is no longer a very big influence on opportunity and life. Education and ability count for far more. Unquestionably racism and sexism do exist but discrimination alone does not explain the vastly unequal outcomes in life for different groups of people.

Government and Canadians have an obligation to open doors for the disadvantaged but they are not always who we think they are. This matter is more complex than simply passing laws or imposing quotas. Current data and statistics are not enough. With the reduction in the public service the new laws will not radically affect or change the face of the current bureaucracy. Most of the data and conclusions are taken from self-identification surveys which are to identify women, disabled, aboriginal peoples and visible minorities, but the accuracy of these data is at best questionable.

Many individuals do not perceive themselves to be disadvantaged or do not wish to admit it. Employer specific surveys do not reflect information accurately. In many cases people do not view themselves as disadvantaged unless specifically required to address the issue but are protected with anonymity such as in national surveys.

• (1205)

The 1992-93 report on employment equity in the public service states the number of visible minority employees may be underidentified by one and a half times. The number of disabled may be underidentified by two and a half times.

With distorted data, conclusions based on the underidentification of designated groups means there may be already higher numbers of disadvantaged people in the workforce. Alternately there is an incentive to falsify self-identification surveys based on perceived advantages of being considered disadvantaged. For example, a 1994 annual report on the Employment Equity Act

noted that as of 1991 nearly 2.3 million Canadians reported having a disability, an increase of 30 per cent over 1986 surveys.

Due to fiscal constraints the government will be using employment equity figures from the 1991 census until the year 2003. How reliable are these figures? Statistics Canada acknowledges that in 1991, 10 per cent of the aboriginal population was not even enumerated. Only 3 per cent of Canadians reported their ethnic/cultural origin as Canadian.

The existing Employment Equity Act calls for a comprehensive review every three years. The last review was in 1992, but the mandatory review for this year has not been undertaken. Basically the government is moving ahead with new legislation without having the benefit of this review.

Since Canada has a shrinking bureaucracy there will be little direct impact on government but there will be an impact on businesses with over 100 employees who wish to conduct business with the federal government. What does that mean for them? No comprehensive study has been done in Canada on that outcome.

To quote the Reform minority report on employment equity, the American magazine *Forbes* is the only source which has attempted to calculate the costs of affirmative action. It cited that the cost for regulation and compliance alone stood at \$17 billion to \$209 billion annually. It verified that U.S. affirmative action costs were \$113 billion per year since 1980, or 4 per cent of the GDP.

In 1992 the Conference Board of Canada defined small, medium and large businesses and gave the annual average cost of employment equity for each category. Due to the lack of comprehensive studies in Canada, Reform took these figures, with the assistance of the Library of Parliament, to cover businesses across the nation. If all Canadian businesses were subject to equity legislation which was in place in Ontario, where firms with more than 50 employees were asked to have an employment equity plan, the total annual direct costs would be \$1,035,223,000.

These direct costs exclude compliance, opportunity and other indirect costs. The *Forbes* study showed that total costs were six times the direct costs. Based on this, the cost to Canadian business would reach \$6.5 billion per annum, nearly 1 per cent of our GDP. The Library of Parliament has confirmed in writing the reasonableness of our figures.

In essence this is another costly tax on business. The government's debt and deficit are already choking our economy. Taxpayers are unable to sustain even more expense, be it direct or indirect. The department of public works is already implementing a strategic procurement initiative which applies to all government departments and grants preference to aboriginal businesses bidding on federal contracts up to \$2 million.

By giving preferential treatment to native businesses in government procurement, the government hopes to provide a sustainable economic base for native self-government. However, employment equity carries a stigma and a presumption of racial or gender inferiority. Equity programs do not remove sex and race bias from the workplace; they institutionalize them.

Brian Lee Crowley's article "Does counting bodies add up to fairness?" details findings of a 1987 study. What happens when women are promoted under a program emphasizing gender over ability is that they consistently rated their performance more negatively, took less credit for successful outcomes, were less eager to persist in their leadership roles. They also viewed themselves as more deficient in leadership skills. In other words, it diminished their worth in their own eyes.

• (1210)

In other areas such as education, law school, if doors are opened to individuals who are ill prepared to take on the challenge, the outcome can lead to failure and creates a dependency on government programs rather than fair competition.

This spring the supreme court sent a clear message the charter is meant to protect individual rights rather than group rights. Section 15 of the charter of rights and freedoms claims Canadians are equal before and under law. It adds governments cannot override this basic equality to enhance groups disadvantaged because of their race, national or ethnic origin, colour, religion, sex, age or mental or physical disability.

Madam Justice McLachlin in the Miron case stated the larger purpose is simply the protection of individual human dignity and freedom which are violated whenever individuals are denied opportunities based on the stereotypical application or presumed group characteristics rather than on the basis of individual merit, capacity or circumstance.

This hard hitting ruling clearly spells out that every person has the right to be judged on his or her own merits and not on the basis of group characteristics.

Reform's minority report to the standing committee's report "Employment Equity: A Commitment to Merit" has two very clear messages: employment competition based on the merit principle is key to both equality and productivity, and that employment equity legislation is the denial of basic human rights. I encourage all members of the House to read that report. It is not the status quo, but it does contain pertinent facts that tend to be glossed over.

Politically, employment equity gives the appearance of being the expedient means to achieve equity in the workplace; it is politically correct. It is hard for the government to move into new directions, to change the status quo. We grant that.

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In the example I quoted earlier, on the Harris government's scrapping the employment equity law we heard screams of "unfair". For some, change becomes uncomfortable and they are unable to envisage innovative directions where there is equality of opportunity.

The government is intent on moving forward with a new law without a proper review. I stated earlier that some government agencies would be exempt, defence being one. The Department of National Defence has conducted a diversity survey which could be and probably will be a step toward affirmative action. During the defence review Liberal members pushed to have hiring quotas official defence policy. The Canadian forces anti-racism policy does exempt affirmative action programs from classification as racism.

In the 1970s promotion of thousands of francophones was distorted by going well down promotion lists to find someone with a suitable background. By this I do not mean 10, 15 or 20 names, I mean 40 or more. The same is going on at the moment for women, although to a lesser extent. Eleven per cent of the Canadian forces are women.

If all Canadians are equal before and under the law, we must not continue to support laws that patronize designated groups, in essence assume their mediocrity. Merit should be the underlying principle. Anything that detracts from the merit principle, civilian or military, is bad policy. Diversity studies clearly signal the government is moving to introduce characteristics other than merit to hiring or promotion programs.

Government's role should be to ensure equality of opportunity rather than the equality of results in the public sector. It is government's responsibility to provide a standard of secondary education which is accessible to all, local responsive post-secondary institutions, affordable student loans based on need, bursaries and scholarships based on need and excellence, sensitivity training in the public sector which supports inherent equality, dignity and worth of all.

We should ensure that laws against discrimination are enforced. Government should lead by example, by laying out objective testing regimes, by broad based advertising of all job postings and by offering facilities to accommodate disabled people wherever they may work. As Madam Justice McLachlin pointed out, the protection of individual human dignity and freedom is important for all.

• (1215)

We are not all equal in ability. Those who wish to pursue education or a vocation should not face discrimination barriers. Those who pursue this course deserve to reap the benefits and rewards of hard work.

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Clearly, legislated equity does not achieve its goals. It is costly and it is unfair. Merit should be the sole hiring criterion in an environment free from arbitrary obstructions to hiring or promotion. Merit must be restored as the sole basis for hiring and promotion in the public service.

Mr. Maurizio Bevilacqua (Parliamentary Secretary to Minister of Human Resources Development, Lib.): Mr. Speaker, I often hear hon. members of the Reform Party referring to the Ontario Employment Equity Act. Somehow they try to tell Canadians that we are speaking about the same act.

I would like to take the opportunity to clear up some of the misconceptions that have been stated by the Reform Party. I want to put on the record that our legislation specifically prohibits the imposition of quotas. Another fundamental difference is that Bill C-64 takes a unique human resource planning approach. Ontario's legislation is modelled more on a human rights approach with third party complaints. I would point out that under the Ontario system any person can lay a complaint, including interest groups, job applicants, employees, unions, public or private corporations, or any other individual. There is no such provision in our legislation.

With regard to the rules and regulations that govern the two pieces of legislation, Ontario has set out the obligations of employers in considerable detail and there are extensive provisions for detailed regulations. Bill C-64, on the other hand, is much less prescriptive and minimizes regulatory burden by limiting new regulations to just a few essential areas. A criticism of the Ontario act is the very broad regulation making power it confers on people.

There is a substantial difference in just what is covered by the federal and Ontario legislation. The Ontario act has a much broader scope. For example, the threshold for private sector coverage in Ontario is 50 employees while under Bill C-64 it is 100 employees. Keep in mind as well that the Ontario legislation covers about 17,000 employers while our act targets approximately 350 employers, and many are leaders in the business community.

To enforce its legislation Ontario established two new independent government agencies, the Ontario Employment Equity Commission and the Ontario Employment Equity Tribunal. Hon. members know that Bill C-64 will utilize two existing government agencies, namely Human Resources Development Canada and the Canadian Human Rights Commission.

I trust that I have helped to clarify for the hon. member the key differences that exist between the provincial and federal legislation.

If that is not enough, I would like to remind hon. members of some very interesting survey results. Roughly two thirds of Ontario businesses responding to a poll just after the recent

Ontario election reported that they are in fact in favour of reforming or keeping that province's employment equity law as it is. The business position is reform it but do not repeal it. Only 8 per cent said they would cease implementing employment equity initiatives if the law is repealed, with 69 per cent saying it would not have any impact on their company's equity plans.

I appreciate this time to make some comments. I think that in this debate it is important that the Reform Party face the facts and the truth.

● (1220)

Mr. Frazer: Mr. Speaker, that was very instructive. However, when we talk about quotas, whether we take guidelines or equity of employment for various groups, we are specifying they are quotas. If we say that 5, 10, 20 or 30 per cent of the population falls into certain categories, the implication is that 5, 10, 20 or 30 per cent will be given jobs based on those percentages. This demeans people. It tells them it does not matter how good you are or how hard you can work or how capable you are, you will get your job because you belong to this group. I think that is not only divisive but also is totally and absolutely unfair.

As I said in my previous remarks, in the study on women it has been found that the practice now instituted in the federal hiring system of giving a certain quantity of jobs to women actually undermines their self-confidence. They think maybe they got their jobs because they are women, rather than because they deserve it, they are qualified for it and are good at it. They measure themselves as inadequate and they feel inadequate because they were given preferential treatment for hiring.

The Reform Party wants equality of opportunity for all, regardless of their race, their colour, their gender, their language or whatever. Give them a fair chance at the job. If they are up to it, they will do it and they will do it well; otherwise, they should not be in the job.

Mr. Dick Harris (Prince George—Bulkley Valley, Ref.): Mr. Speaker, of course I have to say that I support the hon. member in his position on this bill.

The point the Liberals opposite are missing is the principle of this bill. The principle is the social engineers of the Liberal Party are trying to legislate that businesses in this country will have to enter into hiring practices that will be based on things other than merit or abilities.

This country was made strong by Canadian workers who got their education and their training and did everything they could to prepare themselves to be competitive in the marketplace. They did that and achieved individual rewards as a result. As my colleague has pointed out, this bill seeks to destroy that individual initiative by placing special considerations on special groups. What happened to merit? There is no merit mentioned in Bill C-64.

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For this member to tell me that businesses in Ontario are supporting this bill, this employment equity idea, over a fundamental principle of hiring people based on their individual merit is absolute nonsense. I would like to meet a businessman who responded to that survey who would tell me in all truthfulness that he does not care about the merit, the qualifications of the employees, but would rather base his hiring practices on this absurd legislation the Liberal Party is attempting to bring in here.

I ask these social engineers across the way to give us a break. That is not the real world any more.

Hon. Ethel Blondin-Andrew (Secretary of State (Training and Youth), Lib.): Mr. Speaker, I am proud to be associated with this important initiative, Bill C-64.

I believe the hon. member does not know what we mean when we talk about merit. I have worked with the under-represented target groups for many, many years. In 1984 to 1986 I worked with the Public Service Commission where we instituted a number of initiatives because there was such a gross under-representation of those target groups.

For instance, aboriginal people are the lowest paid on a national average. They are paid less than all of the average working population. If you are a disabled person you are grossly under-represented. It is very difficult for a disabled person who has merit to get a job on a meritorious basis.

• (1225)

These hon. members should be looking for ways to integrate the under-represented people rather than keeping them out and marginalized. Those aboriginal people who make it into the system are still mostly located in the technical and clerical areas. That is a fact and it has nothing to do with merit. Those people have merit. The problem is that they are not getting promoted. Even though they have merit, the qualifications, the experience and the skills, they are being paid less than other people. Talk about inequality. Those are the facts.

Let the hon. members know there is nothing wrong with sharing an equal place in the workplace, shoulder to shoulder with a woman, an aboriginal, a disabled person or a member of a visible minority. There is nothing wrong with that. No one said that if you are an aboriginal person, a woman, a disabled person or a member of a visible minority you have to be stupid or unqualified to make the employment equity program. That is not what this bill states.

This bill states that everyone will have an opportunity because of systemic discrimination and because the opportunities have not made themselves available over 125 years to those people to enter with equality into the workplace. This bill states that they will have the opportunity now. There are still fewer

people of those four target groups who are paid as much and who have as many promotions. I do not know why the hon. members cannot accept that fact.

The other day the hon. member for Wild Rose put a rather disparaging human face on employment equity by using his son. I have three children, but I am not going to come out here and plead a case for my children. I have worked to get them an education. They can fend for themselves and work for themselves. This is about broad public policy; it is not about one case.

If there ever was a case, listen to this. In my riding there is an aboriginal man who is now severely disabled. He is an elder in the community. In 1959, along with his four partners, he was working in a sawmill. He was in a serious accident while sawing wood for the government employees in a place called Rocher River. His friend was decapitated and this man's arm was amputated. He made a number of attempts to receive some type of compensation for his loss but had no success. This is an employment equity issue, an equality issue, a human rights issue.

Because this man lived in a harsh and inclement environment he had to rely on his skills. He went to residential school in that area but was not an educated man. He was a trapper. He had children. His children could not pursue or finish their education simply because he needed them to stay home and cut wood, haul water, and do all those things necessary to survive. I am not sure where the system failed. This man's wife has worked all of her life and has no regrets, but it was a severely difficult case.

These are the kinds of things we are talking about. We are talking about having a human mind and heart to the toils and the struggles of the average Canadian. We are not talking about creating gross inequality and promoting people so that they are falling off the top.

This is a very disparaging and discouraging kind of discussion we are having with members opposite. Why is it so difficult for them to understand the struggles of that kind of individual rather than bringing in people who are saying they did not get a job because they are not the right colour? That is not what it is about.

There are people who are disabled, women, visible minorities, aboriginals, and a combination thereof who have severe difficulties. On the national average, when these people make it into the system they do not get paid as much as the person who is already there. They are paid less for the same work.

• (1230)

There is another problem. When they get into the system they are at the bottom. Aboriginal people, for instance, are mostly in clerical and technical areas. They are not in senior management areas. That is changing but very slowly.

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We need some help and this provides help, but it does not step on anyone to do it. I challenge the Reform Party to come up with facts to prove that it does. The facts will not bear its position out.

As a country we value diversity. We support our many communities as a source of social stability and economic strength. As individuals too many Canadians continue to face enormous barriers to employment which prevent them from achieving their full potential.

I have met with the disability groups. I have seen those people. I have spoken with them. It is all right to stand in the House of Commons and isolate oneself from that constituency, but sometimes one should go to the source. We as elected members have to go to the source, keep open minds and respond to those people rather than criticize them and stomp on any opportunities they might have.

It is ridiculous. We have to help those people. They have less than we do in terms of opportunities. As a disabled person mobility is a problem and the work environment can be a problem. Those are the things we have to work on.

If people live in high unemployment areas or in areas of extreme poverty as do some aboriginals, they are marginalized socially. They do not have a mode of transportation. There are many barriers facing them. Some are institutionalized; some are systemic. That is true. That is a fact. That is something we cannot deny and we have to face reality.

I spoke about an individual who has endured, who has worked many years on the land with one arm. The individual said to me: "My arm must be worth \$100,000". Any insurance company would say: "How can we put a value on the loss of one's arm or any extremity?" It would be putting a value on a life. It would be putting a value on the man's capacity to provide for his children so they can pursue and finish their education and his wife can be there to raise their children with him. That was not made available to that family. These are the kinds of situations that arise out of the inequities, the barriers, the obstacles.

In 1994 the Employment Equity Act annual report painted a depressing picture for people with disabilities, members of visible minorities, women and aboriginal people. Since 1991 employment has declined more severely for employees covered under the act than for employees in the Canadian economy.

In spite of an increase in the population of designated groups fewer of them found their way into the labour market. They are not a threat. Believe me, the jobs are safe. They just want an opportunity to do something, to make themselves independent.

Members opposite on a daily basis wail away about how people have become so dependent, are on welfare and are living off the system. Here is an opportunity for them to help those

people to integrate into the system, to be independent, to have self-respect, to have a job and to support their own families.

Members of designated groups still find themselves at the lowest end of the social and economic scale. Not only do they not have the opportunity, many of them are also the poorest. It is not correct that the wage gap between visible minority employees and other full time workers has widened for men and remains almost the same for women since 1987. There has not been that much movement.

I do not know why the intimidation. I do not know why the perverse, twisted language that strikes fear into the hearts of the average Canadian. It is so seductive to speak that way. It is so easy to use colourful, provocative gross language that overstates the case and sells it unfairly. That is not right; that should not be done. Let the facts speak for themselves. There is something seriously wrong when talented, educated women continue to be over represented in clerical, sales and service jobs but under-represented in upper management and technical jobs.

• (1235)

How can we call ourselves a caring and passionate society when we deny people with disabilities accessibility and the dignity that comes with a job? It is a source of national shame that our first peoples account for only 1.04 per cent of the workforce, occupy the lowest paying jobs and are on the losing end of the wage gap when compared with other Canadians.

It is unacceptable that university educated aboriginal young people experience an unemployment rate twice that of their white male counterparts, considering the barriers that face them when they enter high school.

In some places I have visited there is a dropout rate in excess of 85 per cent. Those children who make it into the system, who make it through high school and who make it through university are in an alien, foreign environment. It is different. It is difficult. I have done it. I know. It is difficult for them. They need support. They do not need criticism, opposition and confrontation. Leaving employable people on the sidelines does us all a disservice. It damages individuals. It wastes enormous talent. It hinders our economy and diminishes society as a whole.

Employment equity is quite simply fairness in the distribution of jobs. Bill C-64 is designed to ensure that nobody is denied employment opportunities or benefits for reasons unrelated to ability. Inequality by comparison is a drag on our economy. Passive income support costs all Canadians, not the least of whom are the individuals affected. There is a pressing need for the legislation.

By the turn of the century two-thirds of entrants to the workforce will be from the four designated groups: women, aboriginal peoples, members of visible minorities, and people with disabilities. The country needs the wealth of their talents. We cannot afford to overlook any segment of the population any longer.

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Will those two-thirds be the unemployed? Will those two-thirds be the ones on welfare? Will those two-thirds be the ones who are not moving anywhere, not promoted, not given any employment, not given any opportunities?

Those are the real questions to be answered. People are our most important natural resource. Strategies that capitalize on the underutilized capabilities of every employable Canadian are clearly in the best interest of the country.

Employment equity improves the workplace environment and promotes productivity by encouraging a more tolerant and integrated workforce. This is the intent of Bill C-64. That is why I ask members opposite what is so reprehensible. What is so wrong with having the four designated groups standing shoulder to shoulder and sharing the workplace with the rest of the population? That is the way it should be. That is what our country is about.

We are a mosaic. We are not a melting pot. Canada is that kind of a country. We do not try as in the United States to make everybody the same. We are all individuals in the House which does not stop us from respecting one another. We do not have to agree ideologically with each other to respect one another as people. That is not the way the country should be proceeding into the future. That is not the way a country as diverse as Canada will work.

Individuals benefit from contributing to their communities. Canada profits from the skills and strengths they have to offer. In short we all benefit not just in better social conditions which are critical but in realizing our national economic potential. It is good business for Canada to have those people integrated into the workforce. It is good business for Canada and for us as elected officials to have those people independent, integrated, promoted, and to have them utilize their skills and their merits as they should.

• (1240)

We can recreate our country in a way that better reflects us by working shoulder to shoulder with designated groups and by acknowledging the contributions of members of the designated groups to the economic wealth and rich cultural diversity of our country. Every one of us has a contribution to make but we can only make it if we are given the opportunity.

Thank God for the opportunities given to those people. I have seen them work. I have seen programs clearly targeted to those groups and they work. They have given disabled people an opportunity, such as some of the programs where disabled people are integrated into banks and into some other areas. Be they clerical or whatever, they are a start. We know that and are working on another part of it such as promoting those people if they have the capability and the merit to do it. Why not? That is the way it should be.

Employment is the great equalizer. Jobs give us satisfaction, self-esteem and mutual respect. They also give us wages which allow us to provide a better standard of living for our families. Work gives us reason to believe in ourselves and for others to believe in us. This is the equality women, persons with disabilities, aboriginal peoples and members of visible minorities are seeking. We can take an important step toward that goal by adopting Bill C-64 and by doing so help our goal of building a more vibrant economy and a stronger country through a more representative workforce. We can make a positive contribution to Canada by helping disadvantaged Canadians build better lives for themselves and their families.

I appeal to my colleagues on the other side to take another look and to have a more tolerant view of what equality and equity are all about. It is not about rising above the rest, being better than anyone else and pushing people out of the way. The numbers are not there to substantiate that. They are stagnant; there is no movement there. Those people are not a threat. They need our help. We can do enormous good for those people. We can make a contribution to the country by helping them lift themselves up.

I appeal to my colleagues and I appeal to all other Canadians to take a tolerant view toward the bill and those people.

Miss Deborah Grey (Beaver River, Ref.): Mr. Speaker, I appreciate the remarks of my colleague. I should like to ask her a question or two.

The minister related the incident about the sawmill accident. I certainly give my regards to that family. I could imagine what a disaster it would be in terms of the family income as well as the personal and tragic loss. I appreciate that the fellow who had his arm amputated was obviously unable to work in the sawmill industry after. The minister said it was a human rights issue. I suspect more specifically it might be a disability issue. Of course he faced that and was unable to work in the same area and provide for his family.

I can be called naive or whatever, but I cannot make the leap somehow logically that employment equity would solve that problem. Could the member enlighten me? I hate to plead ignorance here but it seems incredible to me. If all of a sudden employment equity or Bill C-64 had been an issue, how would it have made life different for him?

Would it not be wiser for that company to say that he had skills in the sawmill business? Maybe he could have been used in a different capacity which perhaps was not so physical that he needed to use his arms. If he had merit, capabilities and competence in the industry, surely they would have been able to work him into that. How in the world would employment equity all of a sudden solve those problems? I cannot see it.

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Ms. Blondin-Andrew: I appreciate the hon. member's question. On a professional and personal level I felt the case had to be highlighted and maybe this was the only opportunity I would get as a member of Parliament. It also demonstrates that this person, who is aboriginal and disabled as I emphasized in my speech and members can check *Hansard* if they want, has struggles which are many. Many programs and services are available but not all of them can overcome the struggles.

• (1245)

Bill C-64 may not address this issue. However, I felt it was a very important issue to be raised on behalf of a person who belonged to one of the four under-represented groups or targeted areas. That person has an opportunity to have a voice through me. That happens with many of us in the House of Commons.

I do not have the opportunity to get up to make statements which is something I would have done as a member of Parliament in the previous session. I felt that because this person was a disabled aboriginal person and his case was so specific that it needed a bit of profile. I have provided the opportunity at this time.

In terms of employment equity, if we look at all of the information I have provided, the hon. member will know that perhaps this was stretching it a bit. However, I felt that because of this individual case, which has had very little success, perhaps it would be an opportunity for it to have a bit of attention.

Mr. Dick Harris (Prince George—Bulkley Valley, Ref.): Mr. Speaker, I would like to make the observation that members opposite, in particular the last member who spoke, are confusing discriminatory hiring practices with the term employment equity.

We have laws in Canada that prohibit discriminatory hiring practices. We have laws that prohibit employers from not hiring qualified people because they happen to be a member of a certain visible minority group or because they may be physically or mentally disabled. There are laws which prohibit businesses from discriminating against people based on who or what they are.

This bill ensures that if two people of equal merit, of equal training, of equal ability, apply for a job and one happens to be a member of a designated group and the other one is not, that favour be bestowed on the person who is in the designated group and disfavour be bestowed on the person who is not. I fail to see the logic of the bill.

The government is trying to tell free enterprise how to hire people. The fact is that the government is already in the face of business too much and it is hurting the economy.

The hon. member related a very tragic case. She brought it down to a personal level. I would like to bring it down to a personal level as well.

My oldest son has a learning disability. He probably would fit into one of the designated groups. I expect that my son will become employable because my wife and I are doing everything we can to ensure that he receives training and obtains the ability to become employable, not because he is handicapped in his learning, but because he has the skills to do a job.

I do not want the government to look after my son's future. I want him to be independent. That is why I want him to be trained and to have the ability to hold a job.

• (1250)

The state should not be determining the future of my son. When it does that, it takes away his independence, his ability to function as an independent Canadian, to acquire the skills and to merit getting a job, not because of his disability but because of his strengths.

That is why I am fundamentally opposed to this bill. It will diminish the qualities, the abilities, the training of individuals and will place them in a category that will get them a job because of who they are and not what they are or what they can do.

Ms. Blondin-Andrew: Mr. Speaker, throughout the course of the constitutional talks I learned a very important lesson from Canadians. Treating all people the same does not necessarily express equality. Needs are different based on the individual needs of a person.

I salute my colleague for the efforts he has made on behalf of his son. However, we are not talking about one individual. We are talking about four designated groups. Those groups have a disadvantage in the system. It is not that blatant.

I know there is an appeal process. If a person feels discriminated against he or she can go to the Canadian Human Rights Commission. However, if a person is systematically ignored, not promoted or marginalized year after year and if the statistics bear out no movement for certain designated groups, systematically there is a problem. It is very subtle because employers can ignore employees they do not favour. They can engage in a very subtle approach and make it difficult for employees by ignoring them, by not promoting them or hiring them for other jobs. It is very hard to prove.

As I indicated before, because these four designated groups get paid less and are under-represented on promotion lists, they need our help. That is something the hon. member should think about. It is not to discriminate, not to make more dependent and not to hire people who do not have the talent or merit. It is to

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enable those people who have the merit and the talent to integrate into a system that has not allowed them to do so. The doors have been closed and we need movement there. We need to open not only our hearts, but the doors to employment and training opportunities for those designated groups.

Miss Deborah Grey (Beaver River, Ref.): Mr. Speaker, I would like to say to my colleague at the outset that I appreciate the fact that there were serious differences in the comment she made and she was, in fact, stretching it. Employment equity is not going to solve those problems. That is in *Hansard* forever more. I do appreciate the case of that family in the north.

This is an interesting debate. I find myself amazed as I look at the charter of rights and freedoms, section 15(1), which states: "Every individual is equal before and under the law and has the right to the equal protection and the equal benefit of the law without discrimination and, in particular, without discrimination based on race, national or ethnic origin, colour, religion, sex, age or mental or physical disability".

That seems fairly clear to me and probably clear to everybody else who is listening to this. The Canadian Charter of Rights and Freedoms protects us all, regardless of race, gender, language, ethnic background, et cetera.

I want to know how in the world we can get from that, where the charter protects us, to Bill C-64 on employment equity. Frankly, I have not heard an answer from the government side. I have heard stories, passionate story telling and all kinds of situations where people have talked about individuals. I could relate all kinds of them myself. However, when I hear my colleagues saying Bill C-64 is going to be the answer to all this, there is just no way on the earth that I am convinced and I suspect that most Canadians who are listening to the debate are simply not able to make that leap.

● (1255)

With the protections under the Canadian Charter of Rights and Freedoms I question why we are even debating this bill. There seems to be no reason. It is not going to resolve any situations. It is not going to make people's lives easier. The very institution that should be protecting the fundamental rights vis-à-vis the charter of rights and freedoms of all Canadians is being used to suppress one of those rights. It says: "We will look after this person but we will not look after that one. We will give one special treatment but not for the other, I am very sorry".

Bill C-64 will deny the right to equal protection and equal benefit of the law without discrimination. Once we start travelling down that fork in the road I see nothing but flag warnings and signals ahead that we had better be careful. As was talked about in the Charlottetown accord, once people start saying to particular groups that they get distinct society status, they get

special attention because of this or there should be so many women in the Senate, that takes us down a dangerous path where we do not think we could ever get back to that fork in the road.

When I hear the stories being talked about this morning, the alarm bells go off. I have to ask myself where it leads us. It is exactly as we saw in Charlottetown. What road does that lead us down? Are we ever going to be able to get back to that tributary? I really do not think it will help us a lot.

This bill will officially sanction discrimination against non-designated groups. As soon as somebody is designated, then someone else becomes non-designated. As soon as an individual or a group is committed to something, suddenly other people are left out by the sin of omission. Why do we have this obsession in this Parliament to make sure some people are labelled? I am sure my friend the minister across the way does not think it is good or right to label people. Yet here is legislation that he supports where he is starting to label people, then by omission others are left off the table.

There has to be a hint of discrimination displayed against designated groups. If there is, that is when there are problems. Just let there be a hint against those designated groups and the equity control patrol will suddenly swoop in. They are hot on the trail to right those wrongs and impose stiff penalties on the offenders. It amazes me when I think about it.

For instance, why should we have equity police? Heaven forbid, we sit in a Chamber where there are 53 women, which I will talk about a little later. I have heard colleagues, especially in the last Parliament but certainly in this Parliament as well, saying that 51 per cent of the population are women so 51 per cent of members of Parliament should be female. That is ridiculous. Later I will talk about the fact that I am a female MP but I will do it on ability and competence rather than just on the fact that I am a female.

The equity police are to be people going around checking up to make sure that everybody is doing what they are supposed to be doing. Mr. Speaker, you can see that will lead down a road to trouble as well. Imagine if someone were on you all the time saying: "I do not think he is doing the right thing. I think his hiring practices in his House of Commons' office are questionable".

Mr. Speaker, can you imagine the fear, the nervousness, the sense of being watched that you would feel? I am sure you have read *1984* where George Orwell talks about how the thought police are going to be on us all the time. Although I do not want to sound like an alarmist it seems this legislation provides a possibility for that. It may be setting up these equity police. They will be going around making sure that everybody is hiring the right people and doing all this stuff in their offices.

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The human rights commission is to be the overseeing group that looks after this. It will send in the equity police to make sure that everything is going according to Bill C-64. It is interesting to note that absolutely zero funding is to be given for that.

Suddenly this new bureaucracy or group is being set up that says: "We are going to have the equity police to make sure that everybody is hired properly. Maybe there is just the right number of people at the table; maybe the House of Commons staff can be broken down just fine". It is impractical. It is divisive. It is not going to work.

I get to these equity police. Dear knows how they are going to be assembled. I am not sure. I suppose they would have to fit under the right group. Who polices the police in this situation? There is zero funding for this bunch that will work under the human rights commission. How in the world are we ever going to be able to police such a thing?

We want less government. We want people to walk around in freedom, to be able hire who they think will do the best job for them and make sure that everybody is going to do the best he or she possibly can.

• (1300)

Knowing there is always someone trying to run a business, a government department or whatever, there is nothing that would make any of us, whether MPs, senators or whatever say we are really nervous and we want to make sure all the right things are being done. I am not sure the people who will be equity police will have the qualifications to do the cop job the government will be asking them to do.

The most amazing thing I find about this piece of legislation is with regard to the province of Ontario. This is not my home province but I visit here from week to week with my job. What an incredible turnaround when the socialist government, which was in power for several years, was thrown out on its left ear in June because of the Conservatives and Mike Harris and all he stood for. My friends will remember that just last year even a socialist NDP government in Ontario could not get this type of legislation through.

I know my friends over here are in full favour of Bill C-64. I have a question for one of them from Ontario. If the NDP socialist government in Ontario cannot pass employment equity legislation, how in the world will the Liberals do it? I know my friend from Broadview—Greenwood is very concerned about this. Although he is from downtown Toronto, a hair bigger than my hometown of Heinsburg, I would like him to answer the question seriously. Will it solve the problems? Will it make sure people have employment? Will it help the employment situation? I know numbers in employment are important to him.

He says it will and I have a great deal of faith in him, but I am not sure we can make this leap of logic that it will make a whole lot of difference. If an NDP socialist government could not even

get it through, how in the world will it fly across the country? It will not.

We have seen what has happened to the NDP and socialism. I can remember in the last Parliament I used to sit back there and the NDP was down here. What is happening worldwide? There is a move away from that government interference in our lives. We now see the NDP as a fourth party in the House. We will see that continue to move away. It has happened in Ontario and right across the country.

Hiring habits are wonderful but as soon as someone tells us we have to do this or they will come after us if we do not, we know even in our human nature that as soon as someone says we have to do this they are toast. It is as simple as that. It did not work in Ontario and it simply will not work here. Employment equity legislation flies in the face of the merit principle.

Is the Revenue Canada document "The Employment Equity Action Plan for 1995-96" a start or is it the be all and end all? Will 1995-96 be the big watershed year for employment equity or will it be the start of something that leads us down the path of divisiveness and danger?

A really good example in this document states how hiring quotas would work, quotas being what we are talking about. The government is refusing to acknowledge that. It says it is not talking about quotas or specific numbers. It is numbers, it is quotas and it is tokenism that we are really talking about here.

Under women the document states females are under-represented in certain occupational groups, namely auditors, managers and senior managers. The solution to the problem is the following discriminatory statement from the document: "Consider only female recruitment when external hiring is undertaken as an ongoing policy".

If the men in the Chamber cannot see through that, surely the women can. Can anyone imagine anything so pathetic as somebody saying we should consider only female recruitment when external hiring is undertaken as an ongoing policy? That is absolutely ridiculous.

Let us look at our own situation in the House of Commons. I am a woman involved in politics. I represent one of the 53 women MPs out of 295. We are under-represented in the House of Commons but let us keep working on it. There were 40 women in the last Parliament. We are 53 in this Parliament. My friend over here is a new MP which is great because we have more numbers. Would she not sooner work with a smaller group of really committed, class act, competent women rather than having 51 per cent of the MPs here elected just because they were women?

Let us look at people who have some abilities in this place. I said this before in the Chamber and I am not ashamed to say it again. If I go anywhere in my constituency and say: "Hello, Mr. Mills, my name is Deborah Grey, I am your member of Parliament, I am your Reform candidate, please vote for me, I am a woman", I would expect him to take me into his house, sit

me down, give me a cup of coffee and say: "Come on now". It is incredible. That is what this legislation would lead to.

• (1305)

Mr. Speaker, you know as well as I do because you sit with the governing party and you were here in the last Parliament, when people were getting ready for nominations—remember the wrangle before the 1993 election—some women in this party, in the NDP and, bless it, the memory of the Conservative Party anyway, did not even have to go through a nomination process. Certain women said certain ridings were for them. They did not have to go through a nomination process because they were anointed or appointed to that. My friends know this. There is absolutely no way they can deny it.

A few women in the House got the nomination by acclamation. Is that right? Is that employment equity? Absolutely not.

I would like to think that I and the two women sitting in the Chamber right now won the election because we are competent. Is that agreed? Absolutely. They had some skills and they had some ability and they would be effective members of Parliament. It is not just because the leaders of the parties said they think we should have so many women. The NDP gives extra funding for people.

There were nomination meetings held at which some men were told they would not get the chance to run because certain seats, NDP, Liberal or whatever, were designated for women. Let us look at the numbers and see how effective that was. Many people were nominated. I do not know the number of women nominated in ridings who did not actually win their seat, but I do know my numbers of women elected.

For the Liberals, 36 out of 178. That represents 20 per cent of their caucus. We appreciate that and we celebrate it, up from 13 per cent. I suppose that is a great start. It is interesting that it was up from 13 per cent but they did not have employment equity to do it. Of the Bloc Quebecois, eight out of the 53 are women, 15 per cent. For the Reform Party, we are seven women out of 52, 14 per cent. The NDP elected one, 11 per cent of its nine members. As for the Conservatives, their numbers are quite interesting. Fifty per cent of their caucus is female and I certainly respect them for that.

A record was set in 1989 when 100 per cent of the Reform caucus was female, myself of course. Do members see what we can do with numbers? It is absolutely ridiculous.

The sad part was there were so many more women who were candidates in that election. They did not win their seats for the Liberal or the governing caucus. Why? So many of them were told they would be run in such and such a constituency. They knew they did not have a hope.

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Somebody said they were spear carriers for that, not even dreaming they would ever get the seat. It is true. I know of a couple of situations in B.C. in which some NDP fellows wanted to run for the nomination and could not. I think they had a pretty good idea they would not win the seat. Reform took most of the seats across B.C. except in the lower mainland.

Nothing would be more pathetic than if my party leader or someone else came to me and said they were going to put me in here. They would like me to run in such and such a riding. They do not think I have a chance of winning but they want a woman in that seat. I would say no, forget it. I do not want any part of that. If I cannot run fair and square regardless of my being a woman, I will not participate in something like that and I hope these people would say the same thing.

One of my heroes of this place is Agnes Macphail. She was cool. I am sure all the women and men in the House would agree she was a wonderful woman. She was the first woman ever elected to this place.

I was nervous in 1989 as the only Reformer and some of the new members of Parliament may have been nervous because this place is inspiring. We were all awe struck when we came.

Agnes Macphail was elected in 1921 for the Progressive Party. She sat with the Progressives from 1921 to 1935 for the constituency of Grey South East. She then moved to the CCF and was the member for Grey—Bruce as it was called then from 1935 to 1940.

• (1310)

If Agnes Macphail were here today, I would love to hear what she would have to say about employment equity and that the government is trying to push through Bill C-64.

They did not have the blessing of microphones in the Chamber then so one had to speak loudly to be heard. The best line I can remember from Agnes Macphail, truly my hero, was when one male member of Parliament said: "Agnes, have you ever been mistaken for a man in the Chamber?" She said: "No, have you?"

That is a class act. I do not think employment equity would have helped her a whole lot. I think she would be absolutely scandalized by Bill C-64. Someone asked her if she had ever been mistaken for a man. What a ridiculous thing to ask. We have come a long way since then.

This morning I was at the Governor General's residence for the presentation of the awards to six women who did a wonderful job in the Persons case with the famous five from Alberta. It was a wonderful ceremony. I am not sure why my friend is laughing across the way. It is a pity she was not there because these are great women who were awarded the Governor General's medal today. It was excellent. They have all done work on the Persons case and they were all being rewarded for the work they are doing.

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It was interesting when they gave us the history that Nellie McClung, Emily Murphy and all those wonderful women from Alberta in the 1920s were not even recognized as persons. They took it to the Supreme Court and it was turned down. They did not even get to be called persons. Then in 1929 they took it to the privy council. They went to Lord Chancellor Sankey in England, trying to get overturned the ruling that said: "Women are persons in matters of pains and penalties but are not persons in matters of rights and privileges".

Emily Murphy found that a bit hard and somebody challenged her because she was a magistrate; imagine, a magistrate in Alberta. They challenged her that she was not a person. Five people were allowed to appeal that and away these women went. On October 18, 1929 they were granted by Lord Chancellor Sankey to be persons.

I find it pathetic that somebody has just snorted here and thought this was a real laugh. I want to honour these people for what they did back in 1929. Because of that, she was and I am able to sit in the House of Commons. We are treated as persons. Then of course women got the vote after that.

This is the kind of stuff that is important. I would like to know what those women would think about it. Emily Murphy challenged married women's property rights. If a woman had property with her husband back then and her husband died, she would be tough out of luck. She would lose the title to that land.

Things have come a long way since that day. I really appreciate that. We need to celebrate that. I do think this legislation will take us down a very dangerous, divisive road down and we will be sorry we cannot turn around.

Again I tell my colleagues across the House that as hilarious, scornful, mocking or whatever they think this is, they need to be aware that it will not solve the problems. The NDP could not pass it in Ontario. It will get rammed through the House of Commons but there will be waves and repercussions making it very frightening for people across the country.

Employment equity will breed resentment because it will be assumed that designated groups attained employment not by the merit principle but by legislated coercion. It will label designated groups as being inferior and unable to compete on a level playing field. It is patronizing, hierarchical and elitist. It assumes designated groups need a higher order to run interference for them. It is wrong. It is bad. I am really sorry the government will ram through Bill C-64.

Mr. Ian McClelland (Edmonton Southwest, Ref.): Mr. Speaker, my colleague mentioned Agnes Macphail. I am presently reading the memoirs of Eugene Forsey. For members who do not recall Eugene Forsey, he was a force of the New Democratic Party. He had a strong ethic for fairness in Canadian society when this was an important thing for people to be doing, as it is today.

• (1315)

In the memoirs of Eugene Forsey he recounts a tale of Agnes Macphail. Members will know that Canadians watching this debate on television do not realize that just outside the Chamber of the House of Commons is a bust of Agnes Macphail. Every time we walk into the opposition lobby we can see the bust of Agnes Macphail.

When Agnes Macphail was at the founding convention of the CCF in Regina in the 1920s there was a motion put forward at the convention in the true socialist manner stating that 50 per cent of all people sitting on committees within the CCF would be women. Women would have employment equity within the party. There would be a balance. No matter what committee it was, 50 per cent of the members would be women.

It was reported by Eugene Forsey that the shortest speech ever made by Agnes Macphail was when she spoke to the convention. She said that she had achieved what she had achieved in her own right, not because she was a woman. It did not work for her and it did not work against her. She wanted to be judged as a person who was capable of achieving her own ends in her own right. She felt that was the appropriate way for all people to be treated.

I thought I would share that little anecdote with members.

I do not suggest that the Liberals have evil motives in bringing this forward. I think their hearts are in the right place, but I do not think their minds are necessarily connected.

I would ask my colleague from Beaver River if she would comment on the notion that perhaps we should be putting our energies into the prevention of discrimination and we should be using the facilities of the country to educate rather than to legislate. What we really have to do is talk about how we can have values in our country, values all Canadians can share, which have to do with the prevention of discrimination and the fact that we are all of us equal Canadians, no matter when we arrived here, no matter the colour of our skin, no matter our gender. We should be addressing the values, we should not be writing laws.

Miss Grey: Mr. Speaker, I appreciated the story about Agnes Macphail. She realized that we are not going to get anywhere by somebody saying we are going to give Agnes special treatment or we are going to give babysitting money to someone when they are running as a candidate.

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When I ran as a candidate I ran thinking that somebody somewhere might elect me on the basis that they thought maybe I could string two or three sentences together, that I love my country, and that I am committed to being a member of Parliament. I am glad to say that it happened not only once, in 1989, but again with a larger majority in 1993. I appreciate that, but never once would I be able to go around and say I am a woman, so elect me or re-elect me; or that I am getting special funding from my party; or if somebody wanted to challenge me for the nomination in the constituency of Beaver River that my party leader would say: "No, you are not able to challenge Deborah because she is the sitting MP and I want her there". That is ridiculous.

We need to encourage wide open nomination meetings for people who want the job. It makes for a good race and it is democratic. What could be worse for true democracy than a party leader saying no, sorry, you cannot run because I have so-and-so and she is going to run in this riding?

We have to put our energies into educating people. That is far and wide the most beneficial thing we can do. We are not going to legislate all the problems out of Canada. That is simply bizarre. We have seen any number of times that it simply does not work. It does not work when a government says we know best and we are going to do all of these wonderful things, especially when the whole idea of employment equity has just blown up in its face. The Ontario members know that. They just saw in their own province that it did not work.

• (1320)

How do we think we can legislate these things? We have to spend our time educating. That would involve such things as starting here in the House of Commons, where we would not see political hanky-panky going on and party leaders engineering and telling us who we will have as candidates and as MPs. Surely the House of Commons would be a good place for education to start.

Some Wednesday, because almost everyone is here for question period, I would love to see a show of hands from people who did not have anyone challenge them for their nomination. Would that not be a great educational tool to see how many people were anointed or appointed as candidates? I bet members would be too ashamed to put up their hands. I know I would.

If my party leader said: "Deb, we are going to put you in here and no one else can run against you", I would be ashamed. If a news reporter ever asked me how many people challenged me for the nomination, I would have to say there were going to be two or three, but I was anointed as the candidate so they were not allowed to run. Can you imagine how pathetic that would be? Imagine the signal that would send to the rest of the country. My friend knows about it. What kind of signal would that send to the country? It is pretty pathetic. Those are the kinds of educational things we need to get going.

I would like to correct something I said earlier about the fact that there would be employment equity or equity police for those of us who are hiring our staff. I was wrong on that and I admit it. But this bill does not even extend to the House of Commons. I ask some of the experts over there if I am correct on that. Does it extend to the House of Commons staff?

Could anyone, even in the gallery, explain to me how in the world the House of Commons becomes exempt from this? Well, it is good enough for everyone else in the public service, but this group is exempt. By the very fact that the people who are working here are exempt from it, we have the sin of omission again. As soon as there is a sin of commission because we commit names and groups to people, then there is the sin of omission and it does not even extend to the House of Commons. I think people watching us on television today should be well aware of that. It is absolutely incredible that the House of Commons is exempt. All of a sudden we are special again.

If anything takes us down the road of something that is dangerous and divisive, it is that it is good for everybody else across the country but we are exempt from it here. It sort of makes me smell the MP pension issue all over again, as a matter of fact. We are cutting out all the pensions for all these people and we are sorry that we have to lay off 45,000 public servants, but we MPs will keep our pension plan. Instead of \$6 to \$1 for employer to employee contributions, we are just cutting back, folks. We are just slicing the fat off this. Now our employers are only going to give \$4 to \$1. So MPs are exempt.

There is another group of people who all of a sudden become special. I am sure my friends are well read and I am sure they remember the novel *Animal Farm* by George Orwell. I am sure they will remember the phrase in there that all animals are created equal but some are more equal than others. If anything smacks of that, it is Bill C-64. If anything smacks of that, it is the MP pension plan, which no other person in the country is able to get.

My friend the President of the Treasury Board knows it full well. I have spoken at public meetings and I know he has as well. If he had asked for a show of hands from any of those groups he spoke with asking if anyone qualified for this kind of a pension plan, there would not have been a hand up in the place. But it is okay to tell everyone else across the country they have to tighten their belts.

My friend over here just hollered out that I was going to get \$100,000 instead of \$1.4 million that I am eligible to collect. I do not know where he got that number. Let me put it on the record that I am getting back only the contributions I have made. The President of the Treasury Board told me: "You take all of your pension or you take zero". Those were my options. He would not even grant me a one to one contribution like anyone else would get. We were exempt from the federal civil service pension plan, that act where the employer would have to put in at least 50 per cent of the money. I am not getting that. I am getting back \$32,000 of my contributions at 4 per cent. No mutual fund would ever give that little money since 1989. I get \$32,000 back that I can roll over into my RRSP, and some \$16,000, much like

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he gets, except he is not rolling it anywhere, except into the trough for a very large pension because we are about the same age. I get \$16,000 back, which I will have to pay tax on at 46 per cent, which is my tax bracket.

• (1325)

There it is. If it were a hundred grand I would love it, and I would do what I could with it, but because I have opted out of that pension plan, I will be exempt. I know I will certainly sleep with a clear conscience, knowing that at least I am not ripping the taxpayer off for that much money.

Hon. Arthur C. Eggleton (President of the Treasury Board and Minister responsible for Infrastructure, Lib.): Mr. Speaker, I am pleased to rise as a co-sponsor of this piece of legislation, in so far as it relates to the federal employees, the Public Service of Canada.

Let me first of all express my gratitude to my colleague, the Minister of Human Resources Development, for bringing forward this legislation, bringing the private and public sector together under one piece of legislation, and for members on the Standing Committee on Human Rights and the Status of Disabled Persons for their significant contribution to the debate.

[*Translation*]

The committee's main report reflects the collective wisdom of those who testified.

[*English*]

Together they described employment equity as a sensible and balanced measure that strengthens our social fabric.

Canadians have an excellent understanding of what equality is all about. They appreciate that for there to be a harmonious and well-balanced society, all of its members must have an opportunity to contribute to it as well as share in its benefits. That is what employment equity and this legislation are all about.

Employment equity has been criticized, we have heard it in just the last few minutes, on the grounds that it introduces discrimination into the workplace. In fact, the opposite is true. Employment equity helps individuals compete for employment on an equal basis. Nobody receives special advantages, nobody receives special privileges under this legislation. To claim that anyone does represents a serious misunderstanding of the principles involved in Bill C-64.

Employment equity simply seeks a diversity in the workplace similar to what can be found in society. Therefore, we must remove barriers to employment opportunities to better reflect the population as it is today. These barriers are frequently buried in systems and longstanding practices.

For example, if for no particular good reason except tradition all police officers must be six feet tall, then most women could not compete. This sort of systemic barrier was once commonplace in this country, yet there would be few today who would argue that it makes much sense now, if in fact it ever did.

Let me give another example, rather less obvious perhaps. If a recruitment or promotion board were composed of three people, all males, all graduates of the same university, and all about the same age, one could be forgiven for wondering if this board would be much open to the perspectives of persons with different values, different experiences, different traditions. Selection boards require greater diversity to ensure that no candidate's talents are overlooked.

We must take measures to encourage equitable access to opportunities for employment and opportunities for advancement in the public service. This may mean, for instance, establishing training positions, so that those who are disadvantaged can develop skills and acquire experience to compete on an equal footing. When we make full use of all available human capital, then our society will truly benefit.

[*Translation*]

The face of Canadian workers has changed.

[*English*]

It has changed dramatically. Women, aboriginal peoples, persons with disabilities, and people in a visible minority now represent the largest share of new entrants to the labour market. In just 10 years the representation of women in the labour force has risen from 40 per cent to 45 per cent. This 5 per cent shift represents some 750,000 women. Employment equity helps the labour market adapt to changes of this magnitude.

• (1330)

It might be helpful to speak in more concrete terms about creating an environment that takes advantage of diversity. The Public Service of Canada is a good example. Diversity within the workforce means more than just having people of different backgrounds working together. It is not enough to hire an employee with a disability without helping to build the employee's relationships with his or her colleagues. It is not acceptable to ignore the support and training that women need to advance within an organization. Diversity within an organization calls for the acknowledgement and accommodation of differences.

The Treasury Board has issued a publication called "Alternative Formats Access for All". It provides guidance on how to produce material in alternate formats for persons with disabilities. An alternate format might be large type on a page or a cassette recording of printed material. The alternate format not only helps public servants but at the same time better serves the public.

The Treasury Board has also published a series of best practices as well as guides to assist public service managers to implement employment equity. Two most recent best practices that have been published deal with women and persons with disabilities. Both draw on practices that have proven effective in a range of organizations across the country.

Also we have just printed guides concerning the management of employees with psychiatric and developmental difficulties. We have also produced guides with respect to retention of aboriginal employees.

To ensure that employment equity is implemented effectively, departments and agencies must prepare an employment equity plan with goals and timetables. These are not quotas but goals they will strive to achieve. However the merit principle still prevails.

The plans are public documents as are the reports on what has been achieved under them. The plans will not be effective unless they build on the advice that the diversity of employees can provide. Some of this advice is provided by consultation groups reporting to the Treasury Board but much of it comes from advisory committees set up within departments.

The views of the public service unions are also important. I want to acknowledge the spirit of co-operation that inspires public service unions on employment equity matters. We are mindful of the need for continued collaboration with them. We are confident the provisions of the legislation will bear fruit.

We have established the framework to help the advancement of employment equity in the public service of the nineties. The framework places employment equity firmly within the practice of good human resources management and business planning. The legislation in front of us will continue to provide a solid legal foundation. It is not a radical break from the past; it is indeed a bridge to the future.

It is important to remember that although we tend to speak of diversity in terms of groups the focus is actually on the individual. It is not the group that is recruited as a filing clerk or that is considered for promotion to executive ranks. It is one particular person. Can anyone object to the need to reach out to all members of society based on their individual qualifications and merits? Some people would argue that employment equity encourages candidate selection to be made on the basis of sex or ethnic origin or a disability rather than merit. I beg to differ.

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As a matter of fact the essential point is that appointments to the public service are governed by the Public Service Employment Act which enshrines the merit principle. It is far different from the kind of legislation that was talked about earlier by the member for Beaver River with respect to the province of Ontario. Our act enshrines the merit principle. The administration of the act rests with the Public Service Commission, an independent agency that reports directly to Parliament.

Progress in the area of employment equity has been made in full respect of merit. It is the principle on which a non-partisan, highly professional public service has been built. This cornerstone of human resource management will not be eroded.

• (1335)

Employment equity is not about preferences. It is a method of creating a fairness that might not otherwise exist. Several years ago the Conference Board of Canada issued an interesting paper on employment equity. The introduction revealed that women, visible minorities and persons with disabilities make up close to 60 per cent of the new entrants into Canada's labour force. It then went on to say that the full participation of these entrants to Canada's labour force constitutes a vital resource and that their full participation in the workplace will be fundamental to the ability of organizations to understand and respond to the needs of the rapidly changing marketplace. That is what the conference board said.

To achieve this goal organizations need solid policies and fair practices. For example, the same board found that if we want to attract minorities it is a good idea to advertise job openings outside the mainstream media and put them into the ethnic media. The conference board finding related to culture was of significance because organizations which implement interviewer training considered it a particularly effective measure in raising employment levels for designated groups.

I have made it clear that employment equity is not about introducing discrimination. It is not about reverse discrimination in the workplace. Rather, employment equity is about providing opportunities by removing barriers and establishing policies and programs to address the needs of designated member groups.

[*Translation*]

Employment equity is about including everyone, not excluding certain individuals.

[*English*]

No one should be excluded from access to employment opportunities for reasons unrelated to competence, for reasons unrelated to ability. That is what Bill C-64 is all about and that is why I stand to support it today.

Government Orders

Mr. Ian McClelland (Edmonton Southwest, Ref.): Mr. Speaker, I listened with great interest to the comments of my colleague opposite regarding the legislation, in particular his comment in our other official language which I thought was very well done. While I appreciated the language I sure have a problem with the content.

It is interesting the minister opposite just finished talking about how the employment equity legislation has fairness as its cornerstone, has no quotas and has to do with providing opportunity, not providing opportunity to people specifically because of their race, their gender or the colour of their skin.

Let me read into the record from the employment equity guide of the Department of Justice some of the non-quota targets. The heading of the chart is "New Employment Equity Targets". They are not quotas. They are targets. The legislation will make these targets into quotas because it has penalties for companies that do not meet the target requirements. Somehow that seems like it could be a quota. As a matter of fact the legislation repealing the Ontario employment equity act of 1993 which the Government of Ontario is using is the job quotas repeal act. It is strange, is it not?

In any event I will quote from the employment equity targets in a Department of Justice document: "Women by occupational category, promotions 93 per cent; aboriginal people, promotions 1.7 per cent; persons with disabilities, 2.8 per cent; and visible minorities, 2.7 per cent".

• (1340)

I will continue: "Recruitment for aboriginal peoples, 2.2 per cent; persons with disabilities, 2 per cent; visible minorities, 4.4 per cent. Recruitment for women, 43.8 per cent; administrative, 39.9 per cent; technical, 49.3 per cent".

I ask the minister opposite whether these numbers that are targets have the force of law behind them and a penalty for non-compliance through the equity police of up to \$50,000 if companies are not in compliance. What are they? Are they quotas or targets? If this is not a quota, what is?

The Acting Speaker (Mr. Kilger): Before giving the floor to the hon. minister I advise the House we have now passed five hours of debate at third reading of the bill. From here forward members will have 10 minutes without questions or comments when we resume debate on the bill.

Mr. Eggleton: Mr. Speaker, numerical targets have long been established as part of employment equity programs. They are not quotas. It is not the same as the American system where they are obligated to try to reach certain numbers. They become goals; they become objectives. However for various reasons they may not be able to be met. If an honest try or an honest effort is made and they cannot be met, there are no fines involved in that.

It is expected that an organization will take a look at its composition to see how it relates to the workforce in general and will take some measures to try to have a balanced workforce. That is what we are trying to do here. We do not have that at the moment.

In terms of aboriginal peoples, people with disabilities and visible minorities, they are under-represented in the federal workforce. They are under-represented in the federally regulated companies that are also part of the legislation. We have greater numbers in the workforce. They are having a hard time getting into the system.

The bill is all about giving them the opportunity to get to the door. On their own merit they still have to make it into the job. None of that has changed in terms of the principle that guides the employment service act of the federal public service.

Targets become a goal and objective. I am sorry the member does not understand that. It has long been established. I can remember when I was mayor of Toronto that we established those kinds of goals. Sometimes we made them and sometimes we did not but there were reasons why we did not. People put out the best effort they possibly could.

Over time we make progress. It will not happen overnight, particularly now that we are into downsizing. It takes more time to reach the goals. It helps us to focus without getting into quotas, without in any way abandoning the merit principle. It does not relate to the province of Ontario legislation which it has now decided for whatever reasons to repeal. This is not the same kind of legislation at all. This clearly upholds the principle of merit.

Mr. John Williams (St. Albert, Ref.): Mr. Speaker, it was rather ironic that the President of the Treasury Board would stand to tell us that this is always about merit. When we think back to his nomination we think of the fight he had. He was picked by the Prime Minister to fight the election in his riding rather than having to go through the competition of a real nomination process so that he could demonstrate to his constituents that he deserved their merit by winning the nomination.

I would like to ask a question of the President of the Treasury Board. If he is to try to achieve these quotas or targets that he speaks about—he can choose his word—basically he can influence only two opportunities in the make-up of the federal civil service: first, when people are hired and second, when people are fired. He has no control over those who go of their own volition.

Does the President of the Treasury Board intend to advance the civil service toward achieving the targets he talks about through the early departure incentive program, through the early retirement incentive program, where he will end up with a different ratio or mix in the civil service as we advance toward the numbers and targets he has set out?

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• (1345)

When he and Treasury Board go through this exercise of downsizing, are those who dominate the civil service at this time likely to find a pink slip on their desks because he wants to move toward achieving the targets that he has set out?

Mr. Eggleton: Mr. Speaker, the nomination process in York Centre has nothing to do with employment equity goals. However, I have fought and won a lot more elections than the hon. member has ever even thought about, some 11 of them. In this past election the people of York Centre gave me a plurality of somewhere over 20,000. I won every single poll. The voters of York Centre spoke quite well, as they have in most parts of the country, by electing a very solid Liberal majority government to represent every aspect of the country, not just some portion of it.

With respect to the downsizing, we are not being detracted in terms of the employment equity goals by that. It is obvious that a lot of people in those four target groups are going to be part of the downsizing. Given that we operate on the merit principle would indicate the reverse order of merit as being paramount in that case.

The situation is being monitored very carefully to try to maintain the numbers as best we can. After all, we do not have enough aboriginal people, the disabled, or people who are in the visible minority groups, as well as women in executive groups. Therefore, I do not want to make the situation any worse if we can help it by staying within the principles of merit which the Reform Party keeps telling us we should. We are monitoring the situation carefully.

I am pleased to say that as a result of the report issued last week by Treasury Board, of the over 8,000 positions that had been removed, there has been no change of that balance. In fact in some of the groups a little bit less has been reduced. The one exception to that would be people with disabilities. This would be largely because a number of them are going out under the early retirement incentive, people who are closer to retirement age perhaps, more than disabilities, but those are people who are taking a very conscious, positive decision about leaving.

I am very pleased to say that of the over 8,000 people who are gone and in particular those who were in the indeterminate or permanent positions, none of them went involuntarily. They all went voluntarily. That shows we are trying to treat people who are departing the public service in a fair and humane way, as well as those who continue to stay to operate the programs and services.

After all, we have to bring about that reduction. We do not particularly like it. The hon. member is critical of it but, at the same time, he and his party are critical of the deficit. This is all part of getting our fiscal house in order and reducing the deficit. We are treating people in a very fair and reasonable way. We are

keeping a very close eye on our employment equity goals at the same time.

Mr. John Williams (St. Albert, Ref.): Mr. Speaker, I am pleased to rise today to speak about Bill C-64 dealing with employment equity.

Equity is one of the most important things that Canadians should, and I believe do, stand for. However, there is a major difference between the equity being proposed by the government and the equity Canadians would like to see.

I think back to the pioneer days and the days the west was developed because I am from St. Albert just outside Edmonton. Equity back in those days was opportunity. If we are going to talk about equity we should always talk about opportunity rather than results. Tens of thousands of people came to this country, and still do, for the opportunity to succeed, the opportunity to prosper and the opportunity to make the mark that would have been denied them in other countries. That is the type of equity I believe Canadians want.

Through the hard work of pioneers, they built a country of which we are proud. They built a country that recognizes the equality of all our citizens. That is one of the great platforms of the Reform Party. It says we are not into hyphenated Canadians. There is only one kind of Canadian and that is the ordinary Canadian who works hard and makes the country work.

• (1350)

A letter on employment equity appeared in the *Edmonton Journal* a few weeks ago. In some ways one might think it superficially drew the situation out to the extreme. It talked about the hypothetical situation of an Olympics with men and women being equal. Of course 51 per cent of race winners would have to be women and 49 per cent men. How would that be achieved? By putting weights on the legs of the men and so on. While the point is ridiculous there is a moral to this story. To have equality of results, somebody has to be penalized. That is the point I want to drive home. To have equality of results the obvious winners have to be penalized in order to allow others to win their share.

Our position is that rather than penalize the winners, we should do our best to give everybody the opportunity to win through education. It is education that determines whether or not someone is going to succeed. It is not because they are black or white, or male or female, or handicapped or crippled, or whatever. The point is if they are educated they have a chance to succeed.

Last week, a study was released which indicated that of the top 10 per cent of income earners in this country the vast majority attributed education to their success, not who they were, not what they were, not their family background, not whether they came from a rich background. Education was the dominant factor which determined whether they were able to succeed or not. That is why the House should focus on making sure people have the opportunity to succeed through education, not by introducing quotas that will penalize those who have the

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desire to succeed, those who have the willingness to work hard to succeed, those who go far beyond the others and want to succeed. Why hold them back? Unfortunately that is the nature of the government's way of doing things.

We want to ensure we can get back to the days where hard work is equal to prosperity rather than having it guaranteed by government legislation.

If failure is to be eliminated, as this legislation tries to do in many ways, it comes at a cost. The cost of eliminating failure is equal to the price of success. If we do not let some people succeed because we want no one to fail, then we will bring everyone down to the lowest common denominator. We saw what happened in eastern Europe in Russia. They refused to allow anyone to succeed and the whole country failed.

While this legislation is but one small piece along that road, Reform Party members feel that Canadians will be far better pleased and a lot more confident that this country can dig itself out of the hole if those who have the will to succeed are allowed to move ahead and help the rest of us and to provide education to those who need to get their feet on the ladder.

I have a constituent who has been in to see me several times. He would like to be a Mountie. In the west the Mounties are a revered police institution. Everybody knows the Mounties. They are known throughout the world as that great Canadian police force. They are recognized and revered around the world.

This constituent wants to be a Mountie. Every year he does 600 hours of volunteer police work with the RCMP. He sat the exams and met the minimum standards. He has a university education. The only thing that stops him from being a Mountie is the fact that he is a white male. Other family members are in the force. He would dearly love to be in the force but because he is a white male he cannot be what he dreams to be. That is because this government brings in what it calls targets, which I call quotas, and denies someone who would be a first class policeman. We have denied him his dream.

• (1355)

That is why we have to recognize that this legislation is out to lunch and the fact that we need to build people up, not hold them down.

This past week while we have been away I attended three graduation ceremonies in my riding. At a couple of them I presented the Governor General's award. I had an opportunity to talk to people about education. I cannot encourage them enough because in this complex and technological age we live in we need all the education we can get.

If we tell people that it does not matter how much education you have, how much motivation you have, how much will you have to succeed because you just happen to be in the wrong category, then we are sending the wrong message to young

people and we have received the wrong message from the people who built this country. In many ways that is part of the reason we are so far in debt. We have lost our way and that is a great shame.

In an earlier debate the member from Beaver River talked about the fact that this legislation is going to be forced on businesses, forced on the civil service, but the House of Commons is exempt. Why would the House of Commons be exempt? Why would we in typical fashion tell the people to not do as we do but just do as we say?

This is why the Reform Party is totally opposed to this legislation. I would gladly support anything the government would do to ensure that education became the reason for equity.

The Speaker: It being 2 p.m., pursuant to Standing Order 30(5), the House will now proceed to Statements by Members pursuant to Standing Order 31.

STATEMENTS BY MEMBERS

[English]

ROYAL MINT

Mr. Elijah Harper (Churchill, Lib.): Mr. Speaker, as the member for Churchill, the polar bear capital of Canada, I would like to commend the Royal Mint for choosing the polar bear to appear on the back of our new \$2 coin.

In addition to being a distinctly Canadian symbol of strength, the polar bear also represents one of Manitoba's best known tourist attractions. I would like to invite all members of this House and all Canadians to come north to Churchill and see for themselves the inspiration for Canada's newest coin.

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[Translation]

QUEBEC ECONOMY

Mr. René Laurin (Joliette, BQ): Mr. Speaker, according to this morning's *Le Devoir*, the American computer industry giant, Ameridata, intends to increase its share of the Quebec market, regardless of the outcome of the referendum. The president of Ameridata Canada, Jan Kaminski, stated that the company was in business, and the results of the referendum were of little importance.

The Toronto firm Falconbridge is not worried about the outcome of the referendum either. It has just announced an investment of \$500 million in Quebec. Mr. Pugsley, the president of a subsidiary of Falconbridge, summarized the situation by saying that the company has been doing business in Quebec for 50 years, it was a good place to do business and, as far as the company was concerned, it was business as usual.

Some businesses are responding to the campaign of fear being waged by Mr. Johnson and the no side by deciding to invest.

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[English]

CANADA VOLUNTEER AWARD CERTIFICATE OF MERIT

Mr. Hugh Hanrahan (Edmonton—Strathcona, Ref.): Mr. Speaker, as the member of Parliament for Edmonton—Strathcona, I was very pleased to learn that Mrs. Therese Chicoine, a constituent, has been selected to receive the Canada Volunteer Award Certificate of Merit. This certificate is awarded each year to recognize those who have made valuable voluntary contributions toward improving the health and social well-being of their fellow citizens.

Mrs. Chicoine is a key player in both the administration and the delivery of the emergency services response team of the Canadian Red Cross Society. She was also instrumental in the establishment of the unrelated bone marrow donor clinic. Her list of volunteer achievements seems endless and is a testament to Canada.

I know that my hon. colleagues would like to take this opportunity to congratulate Mrs. Therese Chicoine on her award.

* * *

NEW DEMOCRATIC PARTY CONVENTION

Mr. John Solomon (Regina—Lumsden, NDP): Mr. Speaker, I am very proud today to stand in the House on behalf of the NDP caucus to extend warm congratulations to our new leader, Alexa McDonough.

Alexa was elected at the NDP convention held this weekend in Ottawa. Over 1,800 delegates along with 1,000 visitors and guests joined together to boost the NDP on their road to renewal.

We give notice to the Liberals and the Reform Party that New Democrats across the country are rising up in solidarity and unity to fight against their demolition of medicare and other social programs and are renewing our efforts for jobs and fair taxation for Canadians.

With our new leader, Alexa McDonough, Canadians have a reinvigorated voice to hold this government accountable for the destructive measures it is inflicting on Canadians. Canadians do

have a choice. It is to join us in recovering a more caring and sharing Canada and reclaiming Canada for Canadians.

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BREAST CANCER

Ms. Jean Augustine (Etobicoke—Lakeshore, Lib.): Mr. Speaker, October is Breast Cancer Awareness Month, a time for all of us to remember that in 1995 an estimated 17,700 Canadian women will be diagnosed with breast cancer and 5,400 will die from this terrible disease.

The leading cause of cancer deaths among women, breast cancer can be eradicated through education, awareness, good health, and with the support of our community. The collaboration of survivors, health professionals, and governments must also continue in order to address breast cancer issues and to ultimately find a cure.

Chances are we have all known someone who has had breast cancer. I therefore invite you to visit the Canadian breast cancer memorial tribute this week in the foyer of the House of Commons. With this memorial we will remember the many Canadian women who have battled courageously but have lost to this disease. In their memory we must continue to provide support to those who are fighting for their lives.

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WOMAN ENTREPRENEUR OF THE YEAR

Mr. Alex Shepherd (Durham, Lib.): Mr. Speaker, I would like to draw the attention of the House to an award that was presented on the weekend to the woman entrepreneur of the year. This award is an initiative of the University of Toronto Faculty of Management and it counts organizations such as the *Financial Post* among its sponsors.

For the category of international competitiveness, my constituent, friend, and client, Paula Lishman, was the recipient. I have known Paula for many years. Her intuitive designs in reversible furs are respected throughout the world.

Paula exemplifies the fight of small and medium sized businesses, and women in particular in the country to get established and win the confidence of the financial community. Trading internationally and creating meaningful jobs in Durham and in Canada have been the results of her efforts. I know about her struggles because I was her accountant and sat with her on the other side of many bank managers' desks.

Paula's perseverance in the face of adversity is a lesson for all small and medium sized business operators. I am proud and happy that Paula Lishman has earned the recognition she so justly deserves.

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• (1405)

GOVERNOR GENERAL'S AWARDS

Ms. Shaughnessy Cohen (Windsor—St. Clair, Lib.): Mr. Speaker, I am sure that I am joined by all members of the House in paying tribute to the six outstanding women who are the recipients of the 1995 Governor General's awards in commemoration of the Persons case, which were presented this morning at Rideau Hall.

We recognize Marthe Asselin Vaillancourt of Jonquière, Quebec for her continuing efforts to prevent violence against women, children, and the elderly.

We recognize Dr. May Cohen of Burlington, Ontario for her leadership and pioneering work in the field of women's health.

We recognize Dr. Ruth Flowers of Makkovik, Labrador for her community activism and dedication to improving the quality of women's lives.

We recognize Sheila Kingham of Victoria, British Columbia for her belief in the power of collective action and her tireless advocacy on behalf of rural women.

We recognize Carolyn G. Thomas of Dartmouth, Nova Scotia for her courage as a human rights activist.

We recognize Alice E. Tyler of Edmonton, Alberta for her promotion of women's advancement through her art.

Our congratulations from this House go to these remarkable women who have each contributed substantially to the furtherance of women's equality.

The Speaker: Would these outstanding women please rise in the House. We would like to recognize you.

Some hon. members: Hear, hear.

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[Translation]

CANADIAN BROADCASTING CORPORATION

Mr. Jean Landry (Lotbinière, BQ): Mr. Speaker, the Government of Canada is inundating us with subliminal advertising in the midst of the referendum campaign, which is not a problem for Radio-Canada. The no side's messages state that the sovereignist leaders are claiming to be the only real Quebecers, when in fact they have never said such a thing. And yet, Radio-Canada is airing this message.

However, the message of the yes side showing how the federal government has systematically refused to listen to Quebec's demands is not acceptable. Radio-Canada suddenly remembers its advertising standards and refuses to air this message. This decision is incomprehensible and surprises even the Telecaster Committee, which approves its broadcast.

The truth is that the yes side's message was so effective government officials demanded it be rejected. This is the behaviour of a side in a panic and with nothing to offer Quebec.

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[English]

GRANTS AND CONTRIBUTIONS

Mr. John Williams (St. Albert, Ref.): Mr. Speaker, the government has lost control of the public purse. Once again I stand in the House to ask the Liberal government why it does not practise fiscal restraint in these tough economic times.

While the government refuses to allow Parliament to reduce public expenditures, it continues to curry favour by handing out \$11 billion in grants and contributions largely without the knowledge of the Canadian public.

I have published the first issue of my waste report which highlights some of these expenditures, many of which cannot be justified. Examples are: United Steel Workers of America, \$108,000; Canadian Labour Congress, \$10,000; Canadian Chamber of Commerce, \$4.5 million.

The Reform Party advocates eliminating all funding to special interest groups and sees no reason why \$11 billion in grants and contributions cannot be cut at least in half.

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[Translation]

REFERENDUM CAMPAIGN

Mr. Paul DeVillers (Simcoe North, Lib.): Mr. Speaker, to compensate for the weakness of his separatist arguments, the leader of the Bloc Québécois decided yesterday to resort to drastic measures. He stated, and I quote: "There is something magical about a yes vote. With a wave of our magic wand, we will stir up a feeling of solidarity among Quebecers".

The leader of the Bloc Québécois has just traded his pilgrim's staff for an all-powerful magic wand to convince the people to vote in favour of Quebec's separation. This silly statement by the separatist leader is a good indication of how desperate the yes side is two weeks before the referendum.

The way things are going, it would not be surprising to see the separatist leaders criss-crossing Quebec astride witches' brooms before the campaign is over.

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QUEBEC ECONOMY

Mr. Benoît Serré (Timiskaming—French River, Lib.): Mr. Speaker, there is an article in today's *La Presse* about a study done by the Center for Strategic and International Studies in Washington on the economic impact of Quebec's separation and its effect on existing trade agreements.

The author of the study starts out by announcing that an independent Quebec would have none of the rights and obligations resulting from Canada's membership in several trade agreements with the U.S. including NAFTA, the World Trade Organization and the Auto Pact. A Quebec separated from Canada would have to negotiate access to all these treaties.

• (1410)

This study confirms what our Minister of Finance recently said. An independent Quebec will have to renegotiate all international treaties it is already a part of because of its status as a Canadian province.

The price to be paid for the separatist obsession is much too high and, on October 30, the people of Quebec will say no.

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REFERENDUM CAMPAIGN

Mr. Don Boudria (Glengarry—Prescott—Russell, Lib.): Mr. Speaker, the Leader of the Opposition has suggested that magic powers would help bring Quebecers together again after the referendum.

He told participants in a meeting at a CEGEP: "There is something magical about a yes vote. With a wave of our magic wand, we will stir up a feeling of solidarity among Quebecers. They will no longer be divided into sovereignists and federalists, and I will be confident of negotiating on behalf of all Quebecers". Abracadabra, says the opposition leader.

We are pleased to see that the separatist leader is now taking an interest in what comes after the referendum, when the magic vanishes. Of course, we would like him, with his magic wand, to have the same attitude and preach the same virtues of reconciliation the day after a no victory.

* * *

REFERENDUM CAMPAIGN

Mrs. Christiane Gagnon (Québec, BQ): Mr. Speaker, last week, Senator Jacques Hébert displayed an unspeakable lack of respect for Quebec women, in calling political scientist Josée Legault a "separatist cow".

By heaping such abuse on women with convictions, Mr. Hébert once again shows them that the Liberal Party of Canada and the no side would not be able to meet their expectations in any way after October 30. The number of women in favour of a sovereign Quebec is growing day after day, and rude remarks like these can only strengthen them in their decision.

S. O. 31

Mr. Hébert, a member of the Liberal Party of Canada and the government whip in the Senate, must publicly apologize to women in Quebec, and take back his offensive comments.

* * *

[English]

THE SENATE

Miss Deborah Grey (Beaver River, Ref.): Mr. Speaker, yesterday the Reform Party presented its new confederation proposals, 20 measures to modernize and decentralize Canada.

One of the proposed changes is to the Senate of Canada. All future appointments to the Senate would be made by means of elections based on the model of the 1989 Alberta Senate selection process.

Stan Waters made Canadian history twice on this day, October 16, 1989. He was the first elected senator in Canada and he was the first Reform Party member to sit in the Senate. His passing in September 1991 left that seat vacant and the Prime Minister filled it with a typical patronage appointment.

Canadians are tired of this old Liberal lament that we hear time and time again that because the Charlottetown accord failed Canada can never have an elected Senate. I say bunk. It has already happened in Alberta. It can happen in every province in Canada.

I know traditional parties will not want to see the house of patronage disappear. Where would they put the old boys and girls like the last four Liberals appointed to the Senate? I know where they should go. They should be put out to pasture.

The 21st century is coming. Let us democratize and have an elected Senate.

* * *

[Translation]

REFERENDUM CAMPAIGN

Ms. Marlene Catterall (Ottawa West, Lib.): Mr. Speaker, on October 14, the leader of the official opposition said: "Do you think it makes sense that we have so few children in Quebec? We are one of the races of whites with the least children".

What does the colour of the children born in Quebec have to do with the referendum campaign?

First, several members of the yes side suggested that non French speaking Quebec residents would not have the same rights as those of French origin, and now the Bloc leader is raising the issue of race and colour.

Quebecers are not racists. They are well acquainted with the values of tolerance, social harmony and justice, and they will vote no on October 30.

*Oral Questions***REFERENDUM CAMPAIGN**

Mrs. Pierrette Ringuette–Maltais (Madawaska—Victoria, Lib.): Mr. Speaker, over the last few days, the Bloc Québécois leader decided to focus his campaign on women. However, the message that he is sending to Quebec women is dubious to say the least.

The Bloc leader said: “Do you think it makes sense that we have so few children in Quebec? We are one of the races of whites with the least children. It doesn’t make sense. This means that we have not solved family issues”.

This statement by the official opposition leader is totally unacceptable and is also an insult to the freedom of choice which Quebec women have been exercising for years regarding motherhood.

• (1415)

The opposition leader is sadly mistaken if he thinks that, in a separated Quebec, women will readily comply with the demographic demands of the government. Separation will not be achieved on the back of Quebec women. On October 30, they will vote no.

ORAL QUESTION PERIOD

[*Translation*]

REFERENDUM CAMPAIGN

Hon. Lucien Bouchard (Leader of the Opposition, BQ): Mr. Speaker, in desperation, Daniel Johnson mentioned a commitment made in 1992 by the Liberal Party of Canada to recognize the distinct identity of Quebec, in an attempt to convince himself that the political will for constitutional change exists. However, on September 11 this year, the Prime Minister of Canada told him, and I quote: “Distinct society—we are distinct, no need to put it in the Constitution. When you look at me and hear me speak English, you know I am distinct”.

My question is directed to the Prime Minister. I want to ask him whether he intends to remind Mr. Johnson that the federal government has no intention of amending the Constitution to recognize the distinct identity of Quebec, as he himself, the Prime Minister of Canada, said on September 11 this year.

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, twice Canadians have been asked to vote on this. I remember the distinct society was part of the Charlottetown accord. I voted for the accord, Mr. Speaker. The Leader of the Opposition voted against it. The leader of the Bloc Québécois voted against it. The members of the Parti Québécois voted against it. Jacques Parizeau did. We were in favour of the accord.

They voted against it, but today they want it back. I think that is a little ridiculous. As we said before, today the issue is not the Constitution. Today we have to answer a question put by the Leader of the Opposition and his former leader, the Premier of Quebec, about whether we should separate.

When asked the question: “Should we separate?”, the people of Quebec will say no. Today we are not talking about the Constitution but about answering the question put by the Leader of the Opposition.

Hon. Lucien Bouchard (Leader of the Opposition, BQ): Mr. Speaker, so constitutional change is not important enough to discuss at a time when it happens to be the focus of the debate on the future of Quebec. That is rather strange.

The Prime Minister just referred to Charlottetown. He knows perfectly well that the Canada clause made recognition of Quebec’s distinct identity devoid of all substance by subordinating this recognition to the fundamental principle of provincial equality.

I want to ask him: Would he confirm that because of the sacrosanct principle of provincial equality, he refuses to recognize Quebec as a distinct society, as he is being asked to do today, alas in vain, by Mr. Johnson who will not learn the lessons of Meech and Charlottetown?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, Mr. Johnson voted for the distinct society in the Charlottetown referendum, while the Leader of the Opposition voted against the distinct society when we had a referendum. Mr. Parizeau voted against the distinct society when we had a referendum. Funny how they have changed their minds today. Why did they not consider what they were doing at the time?

They wanted to vote against the accord so they could go on complaining and then have a referendum on separation. We will have one two weeks from today, when people will answer the question on the separation of Quebec from the rest of Canada. The people of Quebec know that their future is about remaining full members of the federation of this great country, Canada.

Hon. Lucien Bouchard (Leader of the Opposition, BQ): Mr. Speaker, if the Prime Minister voted for Charlottetown, it was because recognition of Quebec’s distinct identity did not mean a thing. That is why he voted in favour of the accord and that is why we are going to vote against it.

I want to ask the Prime Minister how he expects Quebecers to trust him after what he did the day after the no in 1980, when he did a job on Quebec by isolating it and imposing a constitution that Quebec still refuses to sign.

• (1420)

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, the Leader of the Opposition likes to talk about the past. I have nothing to hide. At the time we were, legally speaking, a colony of Great Britain, and we had to patriate the Constitution. We had no Charter of Rights and Freedoms in Canada, something we wanted to have. The Constitution at the

time did not include the recognition of French and English as Canada's two official languages, which was done in 1980, fifteen years ago.

The country has continued to progress, while he is still back in 1980 and we are heading for the 21st century, and he says he has the answer, the magic wand. You wave the magic wand and poof, the studies commissioned by Le Hir vanish into thin air; another wave, and all the risks of separation disappear; another, and the concerns of everyone, from the Prime Minister of Canada to the leaders of other countries, are no more. And then suddenly, another wave and Mr. Parizeau, the leader of the no side, has vanished.

Mrs. Pierrette Venne (Saint-Hubert, BQ): Mr. Speaker, my question is for the Prime Minister.

Clearly short of arguments to defend the federalist cause, Liberal Senator Jacques Hébert, government whip in the Senate, used coarse, derogatory and unacceptable language in describing political scientist Josée Legault as a separatist cow.

Will the Prime Minister publicly dissociate himself from this inappropriate remark by his old friend Jacques Hébert and will he offer an apology, on behalf of the Liberal Party of Canada, to the women who have been offended by it?

The Speaker: My dear colleague, the government's administrative responsibilities do not extend to the Senate. I would ask my hon. colleague to rephrase the question, which will perhaps be acceptable.

Mrs. Venne: Mr. Speaker, given the unacceptable nature of this remark and the responsibilities of the senator, who was appointed by the Prime Minister to perform official duties, I am asking the Prime Minister whether he will relieve him of his duties.

Mr. Chrétien (Saint-Maurice): Mr. Speaker, I would like to respond.

The Speaker: Just a minute. I will allow the question, and the Prime Minister will be able to answer it.

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, if this remark was made, I deplore it. That is all I can say. I was not present. I am told it was made in a private conversation. It was not said publicly, but if it was made, I deplore it.

Everyone makes mistakes, perhaps the senator made one here. I have also made mistakes. This senator has faithfully served Parliament and Quebec society. He may have made a mistake—it happens—I regret it.

Oral Questions

Mrs. Pierrette Venne (Saint-Hubert, BQ): Mr. Speaker, we are not talking about deploring a remark, we are talking about dissociating oneself from it.

Some hon. members: Oh, oh.

The Speaker: The hon. member for Saint-Hubert, on a supplementary question.

Mrs. Venne: Thank you Mr. Speaker. This is not a matter of deploring a remark, it is a matter of dissociating oneself from it, and this is what we are asking the Prime Minister to do today. Will he dissociate himself from the remark Senator Hébert made about Ms Legault?

• (1425)

Hon. Sheila Finestone (Secretary of State (Multiculturalism) (Status of Women), Lib.): Mr. Speaker, I would much prefer the apology come from Lucien Bouchard for his racist and sexist remarks—

[English]

The Speaker: We do not usually address each other by name in the House in our comments. I find the language is getting a little strong. The hon. member for Macleod.

* * *

HEALTH CARE

Mr. Grant Hill (Macleod, Ref.): Mr. Speaker, the health minister has failed in her bid to squash semi-private clinics in Canada. Two of the largest provinces just ignore her and four provinces have bluntly said no to decreased medicare funding and no to longer waiting lines.

However, it is never too late to operate co-operatively. We call on the minister to put aside her silly squabbles. We call on her to work with the provinces toward health care reform which puts patients rather than bureaucrats first.

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, the Minister of Health is defending something voted on by the House of Commons, the five principles in the Canada Health Act.

We all agree with her that these principles have to be protected. Unlike the Reform Party, we do not want a two tier system. However, at the same time she has agreed to talk about some specific problems with the provinces in order for them to operate in a way that is completely acceptable according to the principles of medicare. She has the support of this whole party.

Mr. Grant Hill (Macleod, Ref.): Mr. Speaker, the Prime Minister wants specifics. Maybe he will listen to the patients on waiting lists throughout the country. The cardiac waiting lists in Canada today are longer than they have ever been in history. Why? They have no choice. The minister offers no choice and no alternative.

Oral Questions

Does the minister have anything to say to Canadians on waiting lists other than “just line up and shut up”?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, the hon. member should know that administration occurs on a daily basis and discussions on how to operate medical services within the provinces are completely provincial responsibilities. We are not running hospitals. They are run by provincial governments.

However, it is very difficult for me to understand that these people are always complaining that we should not spend money and should cut all the time but then they want us to increase payments to the provinces. I would like the member to say so and by how much. I will listen to him.

Mr. Grant Hill (MacLeod, Ref.): Mr. Speaker, the Prime Minister continues to say we do not need more money in the system, but how much less do we need?

This rigid centralist solution will not work. This kind of government is why we are in so much trouble with health care and indeed with Quebec.

The provinces know this edict on semi-private clinics will not work. I call on the Prime Minister to abandon this approach. When will the Prime Minister join the provinces in real reform, real health care reform?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, we have established a forum on that. We have experts operating under my leadership on how to reform medicare. We have a problem with that in Canada. I recognize that. We included in our red book that it was to be reviewed. We have formed a committee of experts listening to the views of Canadians.

However in the meantime, and we said it very clearly, we have to reduce the cost of medicare from what it is today, 10 per cent of GDP, to around 9 per cent. It will be done although it will not be easy.

The provincial governments are also doing their share. They are cutting and we have to benefit a bit from their cuts because the federal government has deficit problems. Some provinces cut \$500 million so we must have the right to cut in relative terms if we want a balanced situation in Canada. We are having ongoing discussions with the provinces on this. I am happy to know that the Reform Party does not want us to spend more money on it.

* * *

• (1430)

[Translation]

REFERENDUM CAMPAIGN

Hon. Lucien Bouchard (Leader of the Opposition, BQ): Mr. Speaker, the no side shows how desperate it is when it

distorts, the way it just did, the comments I made on Saturday, by claiming they were sexist.

I want to ask the Prime Minister whether he would agree, as I said on Saturday, that the government must provide the right socio-economic conditions so that couples who want children and have none because they cannot afford it, would be able to have them?

I want to ask the Prime Minister whether he would agree that we must create the right socio-economic conditions so that couples who want children can afford to have them? I want to ask him whether he would agree that we must give them that option by creating conditions that will help them develop both their own and their children's potential?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, I think the Leader of the Opposition is trying to do some damage control, considering the terrible blunder he made when he implied that since we are in Quebec, we are white. He then implied that Quebec—

You know, what is disturbing about the comments of the Leader of the Opposition is that to be a good Quebecer, it is better to be white than coloured and it is certainly better to speak French than English. If you are a separatist, you are a good Quebecer; if you are a federalist, you are not. If you happen to be a woman, maybe you should have more children.

This is a matter of personal choice for every woman. We may be in favour of certain policies in this respect but they should not be connected with race and with relationships that deny the equal status of men and women in society.

Hon. Lucien Bouchard (Leader of the Opposition, BQ): Mr. Speaker, it is simply appalling that a Prime Minister should stoop to distorting comments to such an extraordinary degree. This is intolerable. Everybody knows there is a problem with the birth rate in Quebec and that it concerns all governments. Everyone knows that in Quebec many couples, and we all know people like that, would like to have children but cannot afford to.

So I want to ask him whether he does not realize that we will have to introduce appropriate measures for financial support, measures to make day care available to everyone, and I want to ask him whether he realizes that by threatening to cut social programs as he has started to do and will continue to do more and more after the no, he ignores the needs and interests of women and married couples?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, since I am being accused of misquoting the Leader of the Opposition, I will read to you what he said: “Do you think it makes sense that we have so few children in Quebec? We are one of the white races that has the least children. That does not make sense”. Are Quebecers members of the white race? There are Quebecers of every colour and every religion.

Is the decision to have children the responsibility of the government and women themselves? That is where the Leader of the Opposition made a blunder, and he made it clear where he is coming from when he talks about these problems.

* * *

[English]

SOMALIA INQUIRY

Mr. Jack Frazer (Saanich—Gulf Islands, Ref.): Mr. Speaker, both the Prime Minister and the Minister of National Defence have said that they want to get to the bottom of the events in Somalia. They have pledged to act after the commission of inquiry submits its report.

However, section 69 of the National Defence Act requires that a trial for most services offences must begin within three years of the alleged offence. Because the commission is not scheduled to report until June 1996, it seems that discipline and leadership failings of late 1992 and early 1993 will go untried.

Was the minister aware of this limitation when he called the inquiry? How exactly does he plan to get to the bottom of events if charges cannot even be laid?

• (1435)

Hon. David M. Collette (Minister of National Defence and Minister of Veterans Affairs, Lib.): Mr. Speaker, the government is fully aware of the provisions of the National Defence Act with respect to the statute of limitations on non-indictable offences. I am sure the commission on Somalia is also well aware of it.

With respect to the question on charges, we do not presume that further charges are to be laid, but we do not preclude it either. I would ask the hon. member and his party to let the commission do its job and we will do our job in government. Then we will have justice served.

Mr. Jack Frazer (Saanich—Gulf Islands, Ref.): Mr. Speaker, this Liberal government took a year to announce a public inquiry. It was almost another full year before the inquiry began to hear witnesses.

Last November I asked the minister to suspend the courts martial and proceed immediately with the inquiry. He refused. How can this minister explain to the Canadian public that because of his delays justice will be denied by a technicality?

Hon. David M. Collette (Minister of National Defence and Minister of Veterans Affairs, Lib.): Mr. Speaker, unlike the Reform Party, we have a profound respect for the justice system in this country.

The hon. member is fully aware that we were precluded from calling the inquiry because there were courts martial in progress and then subsequently there were appeals. Until we had the Westray mine decision of the supreme court in May of this year, we could not have started a commission without risking having the charges quashed of people currently on trial.

Oral Questions

If I had done what the hon. member advocated we do and people who have subsequently been charged and convicted were then not subject to the justice system, he would be the first one yelling and screaming in the House of Commons that somehow the government was responsible for the denial of justice.

* * *

[Translation]

ELECTIONS CANADA

Mr. Michel Gauthier (Roberval, BQ): Mr. Speaker, a common thread runs through the Prime Minister's entire political career. Every time Quebec wanted to assert itself, he has stood in its way. We just learned that Elections Canada has initiated the whole process required for holding a Canada-wide referendum. This is probably not a spontaneous initiative by Elections Canada.

Are we to understand that the Prime Minister is refusing to recognize Quebecers' verdict in the referendum and getting ready to hold a Canada-wide referendum in order to overturn the democratic decision of Quebecers?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, I did not speak to the Chief Electoral Officer. If he has decided to set the whole machinery in motion, an election will certainly be held within two or three years. For the moment, my only goal is the one we all share: winning the referendum in two weeks.

Mr. Michel Gauthier (Roberval, BQ): Mr. Speaker, since the Prime Minister can see that it is less and less likely that he will win the referendum in Quebec, I ask him again: Does he realize that by staying extremely vague on the Elections Canada manoeuvres, he is raising doubts as to his democratic intentions?

I ask him again: Does the Prime Minister reject the idea of holding a referendum in order to counter the democratic decision Quebecers will make in two weeks?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, the Chief Electoral Officer reports directly to the House of Commons. All the hon. member has to do is call and ask him why he is getting ready to hold an election. An election can be called any day. I could get up tomorrow morning and call an election.

That is a prime minister's privilege.

Some hon. members: Oh, oh!

Mr. Chrétien (Saint-Maurice): You should at least be here for another two weeks because you would not be coming back.

Call the Chief Electoral Officer and ask him. As far as I am concerned, the referendum is what we are working on at this time. We did not need to get rid of the leader of the no side. Mr. Johnson is doing an excellent job. We did not have to change our strategy because we are clearly telling citizens that all statements by the Leader of the Opposition or the so-called structures he might develop by negotiating with God knows whom— We are simply telling Quebecers that these people are

Oral Questions

separatists who do not have the courage of their convictions and who are trying to sell them something they do not want to buy.

* * *

• (1440)

[English]

GOVERNMENT APPOINTMENTS

Mr. Jim Abbott (Kootenay East, Ref.): Mr. Speaker, last May when the justice minister was attempting to justify the Liberal patronage appointments that his revenue minister wanted for Vancouver Island crown counsel positions, he said that the sole criterion for their appointment was that of competence.

Well, their competence showed up last week when one of the Liberal appointees turned up in a Nanaimo court totally unprepared, incapable of proceeding, and a serious drug case was thrown out. Is this the Liberal justice department's measure of competence?

Mr. Russell MacLellan (Parliamentary Secretary to Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, what the Minister of Justice said on these appointments still holds true.

The matter to which the hon. member refers is an incident where perhaps more through an administrative mix-up the new agent was unable to get the files for the court. It had nothing to do with the agent's competence. The matter is being looked into by the Minister of Justice.

Mr. Jim Abbott (Kootenay East, Ref.): Mr. Speaker, this particular case has been before the court since September 1993, a full two years.

In addition to this case, in Victoria last week another Liberal appointee turned up in the court unable to even qualify with an ordinary argument for law in the court. That case was thrown out.

In a second case in Victoria the crown prosecution witnesses turned up but surprisingly the crown prosecutor did not. That case was thrown out.

When is the justice department going to wake up?

Mr. Russell MacLellan (Parliamentary Secretary to Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, if the agent is unable to get the information and unable to get the files then the agent cannot do the job if the agent is not granted a postponement by the court. If this is the case, as I believe it may well be, then certainly there is nothing whatever to discredit the agent.

As I have said, the Minister of Justice is looking into this matter.

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[Translation]

IMMIGRATION

Mr. Osvaldo Nunez (Bourassa, BQ): Mr. Speaker, my question is for the Minister of Citizenship and Immigration. His department has speeded up citizenship processing in Quebec since the referendum campaign has begun. Never, in any recent provincial or federal election, had such an extensive operation been undertaken to issue certificates of citizenship. Because of this accelerated process, more than 15,000 new citizens will be able to vote in the upcoming referendum.

How can the Minister of Citizenship and Immigration justify this eagerness to expedite the processing of citizenship applications in Quebec, when his own officials have confirmed that never before had such an extensive operation been conducted just before an election anywhere in Canada?

[English]

Hon. Sergio Marchi (Minister of Citizenship and Immigration, Lib.): Mr. Speaker, what is being done with respect to citizenship processing in the province of Quebec leading up to the referendum is nothing different from any lead up to any provincial campaign.

My department has done likewise with the provinces of Manitoba, New Brunswick and Ontario. If we compare the number of citizenship processings with the year of the Ontario election, it is up some 45 per cent.

Is the hon. member suggesting that we should somehow slow down the process? Is the hon. member suggesting that it is not proper to have the persons exercise their democratic right to vote? Exactly what is his point?

Mr. Osvaldo Nunez (Bourassa, BQ): Mr. Speaker, in my case it took one year to become a citizen, and the minister did not do that before the elections in Ontario and New Brunswick.

[Translation]

Will the minister admit that the explanation for his sudden concern for democracy can be found in the letter he sends all new citizens, asking them to help build a strong and united Canada.

[English]

Hon. Sergio Marchi (Minister of Citizenship and Immigration, Lib.): Mr. Speaker, the member is wrong on both counts.

The government does not assume how newcomers or immigrants will vote. Perhaps the party on the other side is assuming somehow that new immigrants will vote a different way from the intention of their party. That is not my business as minister of

citizenship. My business is to ensure that people have the franchise to vote, whether it is in a referendum, a provincial election or a federal election. We make no apologies for that.

• (1445)

The member of Parliament accuses me of writing wrong letters to all the people who become new citizens. Let me quote from the former secretary of state in the preceding government, who is currently the leader of the Bloc Québécois. He stated in the letter: "I wish to extend to you my personal congratulations and those of the Prime Minister on the occasion of your becoming a Canadian citizen. Your government is pleased that of all the nations of the world you have chosen Canada as your new home".

* * *

PORCUPINE CARIBOU

Mr. Gordon Kirkby (Prince Albert—Churchill River, Lib.): Mr. Speaker, the U.S. Congress is considering legislation to allow oil and gas development in the calving grounds of the Porcupine caribou herd in the Arctic national wildlife refuge in Alaska. An all-party report supported protecting the calving grounds of the herd which migrates between Yukon and Alaska.

Could the Minister of Foreign Affairs tell the House what the Canadian government has done to protect the calving grounds of the Porcupine caribou herd?

Hon. André Ouellet (Minister of Foreign Affairs, Lib.): Mr. Speaker, Canada has expressed its strong opposition to the congressional proposal. Indeed I wrote to Warren Christopher about the question. My colleague, the environment minister, also wrote to her counterpart. The Prime Minister has spoken to President Clinton.

We certainly hope the congressional proposal will be amended. If not, the president will exercise his veto.

* * *

FISHERIES

Mr. Mike Scott (Skeena, Ref.): Mr. Speaker, my question is for the Minister of Fisheries and Oceans.

When the Liberals announced the Atlantic groundfish strategy in May 1994 they called it a program to end all programs. Significant funding was allocated to reduce industry capacity and for retraining.

The government has already siphoned money away from retraining. Last week the minister announced funding reductions to the \$300 million buy back program, the heart of capacity reduction, because TAGS benefits are running unchecked resulting in a massive deficit.

Oral Questions

Will the minister admit to the House and to the fishermen in Atlantic Canada that TAGS is in total chaos and will do nothing more than perpetuate income dependency?

Hon. Brian Tobin (Minister of Fisheries and Oceans, Lib.): Mr. Speaker, I will make no such admission.

The Reform Party really has to sort itself out. Its members spend most of their time calling for a total cancellation of the TAGS program, cancellation of all forms of unemployment insurance assistance and, if we read between the lines, cancellation of Atlantic Canada on most days.

The Liberal Party announced last week in consultation with my colleague, the Minister of Human Resources Development, the beginning of the early retirement component of that program for fishermen between the ages of 55 and 64, the first round of a licence retirement program. The Minister of Human Resources Development will proceed shortly with details on early retirement programs for plant workers.

We are well on our way to achieving our 50 per cent capacity reduction objective and we are on our way to rebuilding the Atlantic fishery for the long term.

Mr. Mike Scott (Skeena, Ref.): Mr. Speaker, this is not our program; this is their program. They are not meeting their own targets.

Fishermen in Atlantic Canada tell me that TAGS has a \$400 million projected deficit because, to be frank, just about anybody could qualify for benefits. One fish plant operator told me that one-third of his workforce left their jobs to go on TAGS. Another fisherman told me: "All you need to do to qualify for benefits is show up at a TAGS office wearing a pair of rubber fishing boots".

• (1450)

Will the minister admit that TAGS is an abject failure because it has been totally mismanaged and will now do almost nothing to reduce industry capacity?

Hon. Brian Tobin (Minister of Fisheries and Oceans, Lib.): Mr. Speaker, it is tragic when a member is on the job for a short period of time as a critic and then perpetuates certain rather destructive myths about a region of the country. "All you have to do to qualify for assistance is show up with a pair of rubber boots" is the kind of cruel and twisted humour that does nothing to solve the problems of Atlantic Canada.

The reality of the TAGS program is that 39,000 people qualified, but only 25,000 have actually taken assistance. The others have been able to find new kinds of work in the fishery or in other sectors. Fourteen thousand people who qualify based on the criteria have gone off to find a new start in their lives. Thousands more have entered training programs and many more thousands are now in the process of moving out of this industry and making a new beginning in their lives.

Oral Questions

If the member really cared about Atlantic Canada, really cared about the fishery, he would take more than 60 seconds or a one-day visit to write a new prescription for the problems of the region and he would address the House with some sensitivity and with, frankly, some intelligence.

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[Translation]

IMMIGRATION

Mrs. Francine Lalonde (Mercier, BQ): Mr. Speaker, my question is for the Minister of Citizenship and Immigration.

The accelerated processing of citizenship applications during the Quebec referendum, an operation conducted only in Quebec, leaves very little time to carry out the security check required before Canadian citizenship can be granted.

How can the citizenship minister explain that, all of a sudden, during the Quebec referendum, the security checks required before applicants can become Canadian citizens, and eventually Quebec citizens, are four times faster than before?

[English]

Hon. Sergio Marchi (Minister of Citizenship and Immigration, Lib.): Mr. Speaker, the deputy premier of Quebec, their soulmate, said:

[Translation]

“We must assume that the federal government is acting in good faith; the right to vote is sacred”.

[English]

We are not taking shortcuts on the applications. The applications within the system are being processed. There is a view at the lead up of every provincial and federal election, including the referendum this time as well as in 1980, that if there is an ability to speed up the processing with the viewing of granting the franchise of the vote it will be done.

For instance, in the province of Ontario in the lead up to the provincial election in 1994, instead of the 72,000 people that were processed in 1993 there were 107,000 people processed or a 49 per cent increase.

In Manitoba, in New Brunswick and in the other provinces the same thing has happened. We are not questioning how people are likely to vote as a function of whether or not we process. It is a shame that party is doing just that.

[Translation]

Mrs. Francine Lalonde (Mercier, BQ): Mr. Speaker, the minister is misrepresenting what Minister Landry said. The right to vote is indeed sacred. It is precisely because it is sacred that all due diligence must be exercised to make sure that only qualified applicants are granted citizenship.

Can the minister give us any assurances that Immigration Canada is not skipping any crucial steps in granting Canadian citizenship to immigrants?

[English]

Hon. Sergio Marchi (Minister of Citizenship and Immigration, Lib.): Mr. Speaker, I have tried to tell my hon. friend and the critic for citizenship and immigration that everything is being done according to law and according to tradition; that is what we have been saying.

If she checks with her seatmate, the critic for immigration and citizenship, he criticized us in the past for moving too slowly on the applications. Now they are saying we are moving too fast. Which one is it?

* * *

• (1455)

CRIMINAL CODE

Mrs. Diane Ablonczy (Calgary North, Ref.): Mr. Speaker, last week in British Columbia two women were killed by their spouses after restraining orders had been issued for their abusive partners. They lived in fear for their lives and turned to the Canadian justice system for help and that system let them down.

Restraining orders are clearly not effective without more teeth to back them up. An electronic bracelet worn by the abusive partner would help alert a victim and police to the approaching danger.

Will the government introduce changes to the Criminal Code which would allow for greater use of electronic monitoring to help enforce restraining orders, peace bonds and protect victims of stalkers?

Mr. Russell MacLellan (Parliamentary Secretary to Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, although tragic events such as the ones the hon. member has referred to do not happen in great numbers, any one event like that is one too many.

The Minister of Justice is looking into the particular situation to see how the Department of Justice can perhaps help.

Mrs. Diane Ablonczy (Calgary North, Ref.): Mr. Speaker, I remind the government that incidents where women are being killed by their abusive partners are not isolated.

In Calgary where my riding is located, four women in the last eight weeks have been killed by their estranged partners. Something needs to be done.

Does the government have a study in the works directed toward using modern technology to enhance the protection of citizens in these kinds of circumstances?

Mr. Russell MacLellan (Parliamentary Secretary to Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, the hon. member is absolutely correct that any one incident of this type is one too many. Women killed by abusive partners are an occurrence that happens too frequently.

As I mentioned in my first answer, the Minister of Justice is looking into the situation and is looking into electronic bracelets. We are working with the solicitor general and other departments to find a meaningful way of drastically reducing these types of tragedies.

* * *

ATLANTIC INVESTMENT FUND

Mr. Geoff Regan (Halifax West, Lib.): Mr. Speaker, my question is for the Minister of Public Works and Government Services.

I understand the details of the Atlantic investment fund are near completion and that provinces and banks are showing their support for the fund. Members of the third party may criticize the idea but Atlantic Canadians know the need for small business capital in our region.

Will the minister tell the House that he is going ahead with the Atlantic investment fund?

Hon. David Dingwall (Minister of Public Works and Government Services and Minister for the Atlantic Canada Opportunities Agency, Lib.): Mr. Speaker, I know the hon. member's long interest in the subject matter. He should be aware, as other House members ought to be aware, that Atlantic Canada is the only region of the country that does not have a venture capital fund.

With the co-operation of the four Atlantic premiers and the Government of Canada, the private sector including the chartered banks is in the process of coming together and consummating what will become known as the Atlantic venture capital fund.

For the benefit of the House, the particular fund has as its goal to assist small and medium size business and to increase the human infrastructure in that sector in Atlantic Canada. It will be governed, driven and operated by the private sector which has its roots and resides in Atlantic Canada.

* * *

[Translation]

COUNCIL FOR CANADIAN UNITY

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, thanks to a federal grant of at least \$4 million, the Council for Canadian Unity is pursuing its massive registration of out of Quebec residents, under false representations. The council encourages these people to say that they intend to move back to Quebec within two years, even if it is not the case. The result is that over 15,000 out of Quebec residents have been

Oral Questions

registered, which is four times more than for last year's election, and which includes 4,000 duplicate listings.

How can the Prime Minister justify that the Council for Canadian Unity encourages thousands of people living outside Quebec to illegally get their names on the voters' list?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, the council is indeed an organization that has received a grant from the government, but it also receives moneys from the private sector and it urges people who have the right to vote to get their names on the list.

• (1500)

It goes without saying that if the no side wins in two weeks, many people who moved out of Quebec will want to go back there. Thanks to its restored political stability, Quebec will become a very interesting place to live, and these people will be very happy to move back to our belle province.

* * *

[English]

JUSTICE

Mr. Myron Thompson (Wild Rose, Ref.): Mr. Speaker, my question is for the justice minister.

In the trial of Royer, the jury decided that Royer could form specific intent, that Royer was not extremely intoxicated and that Royer knew exactly what he was doing when he murdered Sharon Mohamed and attempted to murder Sharon's mother, Shadikan.

The government discussed and decided unanimously that drunkenness is not an excuse. When will it enforce the legislation that makes the final decision of a jury that hears all pertinent evidence final and will not allow an appointed body such as the supreme court to overrule the wishes of the people and the Parliament of Canada?

Mr. Russell MacLellan (Parliamentary Secretary to Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, with respect to the Royer case, the Supreme Court of Canada has now been asked to look at it. As this case is before the supreme court it would be improper to comment on it.

This case is different from the Daviault case in that this is a crime of specific intent whereas the Daviault case was a crime of general intent.

The Minister of Justice is looking at the possibility of acting as an intervener in this case if it goes before the Supreme Court of Canada.

* * *

HEALTH CARE

Hon. Audrey McLaughlin (Yukon, NDP): Mr. Speaker, my question is for the Prime Minister.

Tributes

In opposition the Prime Minister opposed the Tory vision of health care. He opposed cuts to the transfer payments to the provinces and territories. He opposed Bill C-91 which has sent the prices of prescription drugs sky-rocketing. He said he would protect Canadian health care with more than just rhetoric.

Unfortunately some Canadians believed him but we have seen no changes to Bill C-91. We have seen reduced transfer payments. The real problems with health policy are Liberal government policies.

Will the Prime Minister stop letting the Minister of Finance set health policy, present a vision to Canadians and ensure stable funding for provinces and territories so we can have a truly national health care system?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, I will certainly tell the Minister of Finance the member for Yukon is not very happy with him.

As the hon. member for Yukon has resigned as the leader of the NDP, I take this opportunity to congratulate her on behalf of everyone for having served her party and the House of Commons very well. As the leader of her party, her contributions were always of a very high level and extremely useful to the House of Commons. Of course I did not agree with her all the time and I did not expect her to agree with me all the time.

On behalf of everyone, I congratulate the member on a job well done.

Some hon. members: Hear, hear.

* * *

PRESENCE IN GALLERY

The Speaker: I wish to draw to your attention the presence in the gallery of His Excellency Jozef Skolc, President of the National Assembly of the Republic of Slovenia.

Some hon. members: Hear, hear.

• (1505)

The Speaker: We also have present in the gallery a delegation of South African Provincial Speakers and Deputy Speakers.

Some hon. members: Hear, hear.

The Speaker: As a lead in to the tributes to the member for Yukon, I wish to draw to the attention of the House the presence in the gallery of Ms. Alexa McDonough, member of the Legislative Assembly of Nova Scotia and the new leader of the federal New Democratic Party.

Some hon. members: Hear, hear.

THE HON. AUDREY MCLAUGHLIN

Hon. Sheila Finestone (Secretary of State (Multiculturalism) (Status of Women), Lib.): Mr. Speaker, it is a great pleasure today to pay tribute to the Hon. Audrey McLaughlin, an outstanding human being, a wonderful spokesperson in the interests of our society and always very measured but very convinced in her observations and in her remarks.

Audrey McLaughlin is one of the outstanding leaders and role models of Canadian politics and female politics. She has strengthened us all by her presence. She has been symbolic of all we are about and why and what we wish to achieve in terms of equality of opportunity, equality of access, equality by the very right of our competence our skills and our personalities. She is a woman who has all of those attributes.

In every way she symbolizes why we are all here. She has contributed in very significant ways to the changing of the tone and the substance of debate. That has been one of the most significant observations I could make as we shared the other side of this floor for many years. Audrey always had the ability to present her point of view in a very deliberate and measured way. She did not agree most often with the procedures of the House but she was never disagreeable in her approach to her point of view and expressing her firm conviction which she holds from depth of heart which becomes very obvious.

It was a privilege to have the Hon. Audrey McLaughlin on the trip we recently completed for the fourth annual conference in Beijing on women's issues. Her presence was a symbol to the host country as we travelled with four different parties representative of the diversity of this country, not only the diversity of political opinion but the diversity of our geography and the diversity of our people.

She is an eloquent spokesperson for the aboriginals of her region, the people who have elected her to the House; not only the aboriginals but certainly those she represents with such sincerity and depth of commitment to their interests and to their well-being. For this we owe her a very strong vote of thanks.

When Audrey would stand to make a speech or to pose a question she did it in a very holistic way. It was never with the finest of lenses, which I appreciate perhaps more than most. I like that approach because it puts an issue into the context of daily human life, of living. Living is so daily and, Audrey, you bring that to our attention so succinctly and effectively.

As a woman she is a trailblazer. In 1989 she became the first woman to lead a national political party in Canada, in fact in all of North America. Sixty-eight years after Agnes Macphail, the first woman was elected to the House of Commons. As a woman she bears the legacy of womanhood, having many and diverse roles which are rather in competition at many times. She is of course a politician but say she belies the phrase "you are too nice to be a politician".

• (1510)

She is a leader who brings with her and believes in sharing power and leadership and is a model to other women. We have stunning proof of that in the House, which you have just brought to our attention, Mr. Speaker. We all welcome Alexa McDonough as the new leader of the New Democratic Party. We wish her well as she takes on a very difficult and very trying role. I hope she does not find putting together both roles of politician and general citizen too difficult.

Audrey McLaughlin the activist has served on many boards and has brought a lot of interesting perspectives to these boards of directors. Audrey McLaughlin is also a mother with two children and it has taken the support of those children for her to be in the House. She has also been an outstanding daughter to her mother and we have all followed that with great heart.

On behalf of countless women and children across this land, we take our hats off to you, Audrey McLaughlin. We wish you well in your future.

[Translation]

Hon. Lucien Bouchard (Leader of the Opposition, BQ): Mr. Speaker, I would like to add the voice of the official opposition to that of the government spokesperson in paying all of the honour that is due to Audrey McLaughlin as she moves from the life of an elected representative to the life of a private citizen.

I would like to tell her that we have all loved and admired her and that we will continue to show her all of the esteem she deserves. When I was on the opposition benches from 1990 to 1993, when the Bloc was not a recognized party, I had the opportunity, since I was in the same corner of the House, to work in close conjunction with Ms. McLaughlin as Leader of the Opposition. I must admit that I learned lessons from her which I try to put into practice daily.

I believe that we must acknowledge the work carried out by this great lady who is leaving the House of Commons for another life, a life in which I know she will be equally productive. We must tell her how much she will be missed. The social awareness she has shown in this House is something that has been building throughout her life. She came to politics from social work. She has worked in the health field, she has worked with children. When she spoke of those causes in the House she knew what she was talking about, and we sensed that in the sincerity of her speeches.

I would also like to remind people that she was the first woman leader of a major federal party. She has blazed a trail for others to follow. We must acknowledge that she has done a good job of doing so, for now another woman will be leading her party.

Tributes

I do not wish to see her leave the House right away, but I know that the decision she has made to leave the leadership of a great party like the NDP was a very big decision. I hope she will remain extremely active in politics, for the party she has led which is now to be led by Ms. McDonough and in fact has been led by her since the weekend, is a party which represents in English Canada the values to which all of us in the Bloc Quebecois adhere, but which are not exclusive to the Bloc.

We know that social values are very important in English Canada, that English Canada fought long for them. There must therefore be a party in this House at all times to defend those values. I hope that party will be the NDP.

Again, allow me to repeat our regrets that Ms. McLaughlin has stepped down from the leadership of the New Democratic Party, and to wish her from all of us a long and active life. At any rate, we know that she will be following the excellent examples set by Stephen Lewis and Ed Broadbent before her.

[English]

Miss Deborah Grey (Beaver River, Ref.): Mr. Speaker, on behalf of the Reform Party I would also like to congratulate the member for Yukon.

We have sat together in the House for several years. Although we have all kinds of different political views, we also share many things and have a lot of things in common. We first came to the House via byelections, a very exciting situation. The member for Yukon was elected in 1987 and I was elected in 1989. We are women and that gives a certain situation and a certain leaning. When you are in here you learn all kinds of things about being a woman in federal politics certainly. We are both far from home as we serve in this place.

• (1515)

When we live in far flung western and northern ridings, Ottawa is a long way from home. There are people who we really cherish and miss dreadfully when we are a long way from home.

We have sat as independents in this House. We have that in common as well. That gives a certain perspective also in the House of Commons. It lets us realize that things are not always just the way we would want them to be but it is a good learning situation for both of us.

What impressed me the very most when I first came here and wandered around as a caucus of one all by myself was seeing Audrey in her good business clothes and her Reeboks walking through the Byward market. That really warmed me to you, Audrey. I realized then that here was a party leader who was practical and when she was going on a long jaunt from Parliament Hill she was free and willing to wear her Reeboks. I have always appreciated that about her. I will continue to think of her as I march through the market in my Reeboks.

Tributes

When somebody comes to Parliament Hill from so far away, they give up an incredible amount of their personal life. I know, Audrey, it is difficult to be so far away from home as you put many relationships on hold as you come here and serve the Canadian public.

I want to thank you on behalf of my party and on behalf of all Canadians who appreciate so much—maybe they do not say it daily—the fact that you have also given up much. We want to thank you and say that we appreciate all that you have done. Thank you so much for your contribution to Canadian life, to the Canadian political process and the incredible sacrifice that you have made to your country. Good luck in all that you do in the future. God bless you, Audrey.

Mr. Bill Blaikie (Winnipeg Transcona, NDP): Mr. Speaker, this weekend the NDP elected a new leader. My caucus colleagues and I were pleased to have our new leader, Alexa McDonough, recognized in the gallery today.

The NDP caucus looks forward to working with Alexa. It also looks forward to the day when she and many others join us in this House to put forward our vision of the country and the world.

For the last six years, that vision has been put forward on our behalf in this House and across Canada by the member for Yukon, the Hon. Audrey McLaughlin. As chair of the federal NDP caucus I am honoured to be able today to pay tribute to Audrey on behalf of my colleagues and I am sure on behalf of Hill staff, party members and many other Canadians, all of whom I believe came to very much appreciate the member for Yukon and her way of doing politics.

Audrey, like some of her predecessors, had some moments here in Parliament that will be recorded in the minds and hearts of New Democrats forever as richly symbolic of the dissent which we express in this place about what is regarded by the conventional wisdom as unacceptable or unavoidable, whether it is on matters like NAFTA, privatization, deregulation, a whole list of things. Your leadership in our opposition to the gulf war was such a defining moment for many New Democrats.

And if I may say so while I am talking about courage, I remember your support of the Charlottetown accord when you put what you thought was best for your country ahead of what you knew might be politically risky for your party.

As the first woman leader of a federal party, you made history and you made it in such a way that our party was able to elect another woman as leader without gender being an issue. Thanks to your history-making leadership bid, the time when gender is an issue in Canadian political leadership contests may well be history. This is as it should be and for this all Canadians who value the equality of the sexes are indebted to you.

The member for Yukon is no longer our leader, but we are delighted that she continues to be our colleague, having put behind her the slings and arrows of outrageous fortune that sometimes come with the leadership of political parties. We know that the people of Yukon will be the real beneficiaries as Audrey will now be able to give her undivided attention to a part of Canada that she so clearly loves, and whose reality she brought home to us in the NDP caucus and elsewhere.

I venture to say that the phrase coast to coast to coast, which Audrey always insisted on, by way of recognizing northern Canada and the northern coast it represents, has changed the lexicon of Canadian politics in a way that brings recognition to northern Canada and the constituency which you so ably represent.

• (1520)

On a personal note I remember as well the joy which you took in having caucus go to the Yukon for a retreat. I remember even better the experience of mushing on the back of a dog sled, thanks to the care which Audrey took to make sure that we all had a taste of this great northern tradition. The dogs were a little bit tired after pulling me.

Since the election of 1993 and her announcement of her intention to step down as our leader, the member for Yukon has given much of herself and her energies to the renewal process in our party, a process which she gave impetus to originally and which has helped to invigorate the NDP.

In this, as in all things, Audrey has earned the affection of many New Democrats with her warm smile, her kind words and her ability to remember so many of the countless faces and names she encountered as a political party leader.

Finally, there is one word that seems to come to everyone's mouth when we speak of the member for Yukon and that is dignity: dignity in the day to day demands of politics. I remember Audrey patiently putting on my son Daniel's rubber boots in order to personally view the flooded yards and homes of south Transcona in my riding. But most of all dignity in the face of difficult circumstances, dignity in the face of electoral defeat, dignity in the face of criticism and dignity in the passing of the torch to a new leader.

For all these things and more, Audrey, we say thank you.

[*Translation*]

Mr. Eugène Bellemare (Carleton—Gloucester, Lib.): Mr. Speaker, I am very pleased to have the opportunity to pay tribute to the hon. member for Yukon. This distinguished and elegant member of Parliament was the leader of her party and the first woman to head a national party. For this, I offer her both praise and congratulations.

I have had an opportunity to visit the Yukon and been impressed by the work Ms. McLaughlin has accomplished there. The Yukon is no easy place to visit. It is no easy place to serve. It is immense and surely as far away as you can get in Canada from the capital. For this I raise my hat to one who, probably, for many weekends has gone home to visit her constituents and returned to work every week.

I have found Ms. McLaughlin to be affable, friendly, distinguished and elegant. She always had time to chat, regardless of one's political affiliation. She invariably had a smile and a kind word to say. We will miss her. She served her party with enthusiasm. She knew her subject matter. She spoke well in the House, in both official languages.

I have always appreciated the fact that she recognized Canada's two main groups and wanted to represent everybody all the time, always with a view to improving quality of life. I am pleased to have sat in the House with her as a colleague since 1988 and I will remember her as an extraordinary individual. My congratulations, Ms. McLaughlin.

[*English*]

Hon. Audrey McLaughlin (Yukon, NDP): Mr. Speaker, I certainly thank everyone for their very kind comments. I also thank my caucus colleagues for their support and their comments today.

I have been very proud to lead a political party that has consistently stood for working Canadians and those who would be working, for a strong national health care program, for Canadians who really believe we have to have tax fairness and fair trade agreements. It is a party that refuses to abandon the poor, the ill and the vulnerable, when right now that seems all too popular.

• (1525)

[*Translation*]

Unfortunately, it was a time when political life seemed somewhat suspect. There is less respect for politicians. However, despite all of our country's problems, I am proud to be a member of Parliament, proud to work for my country and for my territory, the Yukon. We are a diverse country with a strong sense of history, a country built by the first nations, the anglophones, the francophones and the allophones.

[*English*]

We are a diverse country, made up of many peoples. We have many challenges to meet in the 21st century. It will take the contribution of every Canadian to move us forward with pride in this heritage and hope for our future.

Speaker's Ruling

I have sometimes despaired about the political process and wondered if we could really do this, but I have never doubted that in this most imperfect of systems, we are engaged in the noble process of public service. It is for this reason that I feel privileged to continue as the member of Parliament for Yukon and to continue to serve Canada and my constituents. I look forward to working with our new leader, Alexa McDonough.

The Speaker: As always, the last few words go to your Speaker.

Although I do not allow the rules to be broken often, many members addressed the hon. member for Yukon as Audrey.

Audrey, most of us in the House are honoured by this beautiful House of Commons. I say to you, on behalf of our colleagues who have chosen me Speaker, that you, Audrey, have honoured this place and we appreciate having you with us.

Some hon. members: Hear, hear.

* * *

POINTS OF ORDER

BILL S-9—SPEAKER'S RULING

The Speaker: Colleagues, I am now ready to rule on the point of order raised by the hon. member for Gander—Grand Falls on October 4, 1995 concerning the procedural acceptability of Bill S-9, which is on the Order Paper today, an act to amend the Canada-United States Tax Convention Act, 1984.

At that time the hon. member brought to the attention of the Chair the possibility that a bill from the Senate, which had been read a second time in the House and referred by the House to committee, might impose expenditures on the Government of Canada.

As all members know, Standing Order 79(1) and section 54 of the Constitution Act, 1867, require that the House of Commons shall not adopt or pass any vote, resolution, address or bill for the appropriation of any part of the public revenue or of any tax or impost to any purpose that has not been first recommended to the House by a message from the Governor General. In short, a royal recommendation must be obtained.

In addition, section 53 of the Constitution Act, 1867, states:

Bills for appropriating any Part of the Public Revenue, or for imposing any Tax or Impost, shall originate in the House of Commons.

It is the duty of every member of this House to be vigilant in this regard and to scrutinize bills no matter where they originate.

Bill S-9 has not just arrived in the House. The message from the Senate was received on May 3, 1995. The bill was read a first time on June 14 and was read a second time and referred to the Standing Committee on Finance on September 21.

Speaker's Ruling

Although the bill is now coming to the House for report and third reading stages, the Chair does accept the explanation given by the hon. member for having raised this matter so late in the legislative process since his point of order is based on information received during the finance committee's deliberations on the bill.

• (1530)

I wish to remind all hon. members of citation 319 of Beauchesne's sixth edition, which requires that points of order be brought to the attention of the Chair as soon as possible.

I want to thank the hon. member for Gander—Grand Falls for raising his concerns. I would also like to thank the hon. members for Willowdale, Regina—Lumsden, and York South—Weston and the parliamentary secretary to the government House leader for taking an interest in this matter and providing the Chair with their views on what is described in Erskine May's 21st edition at page 67 as "the most important power vested in any branch of the legislature, the right of imposing taxes upon the people and of voting money for the public service".

I want to assure the House that I view this matter very seriously and I have thoroughly studied the situation.

[*Translation*]

In his presentation, the hon. member for Gander—Grand Falls argued that the provisions of Bill S-9 would impose expenditures on the government by reducing taxes on profits made by American multinational corporations in Canada. He also stated that the bill would require the government to pay a tax credit to persons subject to estate taxes in the U.S. Therefore, the government would suffer "a loss in tax expenditures for all time to come". The hon. member for York South—Weston also spoke to this point.

In his submission, the hon. member for Gander—Grand Falls made reference to two rulings given by my predecessor Speaker Lamoureux on November 12, 1969 and on June 12, 1973. I have examined these rulings very carefully. In both cases, the bills brought down from the Senate very clearly contained provisions requiring expenditures by the government and Speaker Lamoureux quite rightly ruled that these bills infringed the privileges of the House of Commons. Both bills were set aside. However, these two precedents do not, in my opinion, apply to our present circumstances.

[*English*]

From my research, the substantive changes to the Canada—United States tax convention dealt with in Bill S-9 appear to relate to reductions in the rate of withholding taxes applied to different types of payments, for example, to dividends paid by a company resident in one country to a company in the other

country owning more than a certain percentage of voting stock in the first company.

The bill will also have the effect of granting some tax relief retroactively and there may be some reimbursements payable for taxes paid under the law as it now reads, should Bill S-9 be passed by the House and receive royal assent.

The bill does not appropriate tax revenue, but rather exempts or reduces taxes otherwise payable, in some cases retroactively.

[*Translation*]

As members know, when the House is dealing with tax measures, members may propose amendments to such bills so long as they do not exceed the scope, increase the amount or extend the incidence of any charge upon the public.

[*English*]

No amendment may be proposed that would increase the rate of tax nor extend its incidence to a new class of payers without the recommendation of the Crown. In their search of such measures committees may also propose such reductions. I would refer hon. members to citations 988 to 991 of Beauchesne's sixth edition on this point.

Citation 992, also dealing with the powers of House committees with regard to tax bills, states:

So long as an existing tax is not increased, any modification of the proposed reduction may be introduced in the committee on the bill, and is regarded as a question not for increasing the charge upon the people but for determining to what extent such charge shall be reduced.

• (1535)

It must also be borne in mind that members of this House can initiate and have initiated bills to lower taxes. So too can the Senate. And there is a longstanding practice for the government to introduce such bills in the other place at its discretion.

The parliamentary secretary to the government House leader noted in his intervention that Bill S-9 is not a bill for appropriating any part of the public revenue or for any tax or impost and therefore does not require a royal recommendation. There will be no expenditure of public funds, though money already collected from Canadian citizens pursuant to the tax laws of Canada may be refunded.

As the parliamentary secretary pointed out, the repayment of tax revenues already received is not an appropriation of public money. Thus, the bill could be properly introduced in the Senate.

In conclusion, Standing Orders 79 and 80 have not been contravened, as Bill S-9 neither imposes a tax nor appropriates money for any purpose. Since the bill relinquishes funds it might otherwise have gained, it is not appropriating money but forfeiting revenue it would have raised without such changes.

Routine Proceedings

Once again, I thank the hon. member for Gander—Grand Falls for his diligence in guarding the privileges of the House by bringing this matter to my attention.

[*English*]

Women have made great progress toward equality, and that means progress for Canadians and for all of Canada.

• (1540)

Today we recognize women's issues as societal issues. We recognize and realize that women's equality is in the best interests of Canada. All our talent and all our potential in all the socioeconomic and cultural fields of activity must be used as we progress to face the challenges of the 21st century. That is why we must keep up the momentum toward our global goal of the universality of women's human rights, for they are inalienable, integral and indivisible.

The government has approved a plan of action to ensure that women's equality is kept on track. The federal plan for gender equality, equality for men and women, which was tabled prior to our departure for the fourth world conference on the status of women, deals with the real issues of the day. Those issues are action for the economic empowerment of women, action to support women entrepreneurs, action to promote employment equity so women can have a fair chance at the jobs of today. These measures and others, along with social support systems, can help women and their families rise out of poverty.

Make no mistake, the family is the basic unit of society and must be supported in all its forms. We need healthy, vital families and women's economic independence. That can help. It can allow women to escape domestic violence. There is a direct link between economic independence and violence. That is just one reason why we will continue to work on eliminating the violence that limits women's ability to participate in and contribute to society. We have taken measures such as stricter firearms control, a new anti-stalking law, federal subsidies for shelters for battered women.

Economic empowerment means recognizing and valuing the important role of women's unpaid work as homemakers, as caregivers, as volunteers, as those who look after the elderly. This work has value of great worth in our caring and sharing society.

[*Translation*]

That is why the 1996 census will include a question on unpaid work.

The federal plan also puts women at the heart of government decision making. It requires that every policy, program and law be developed with the impacts on women, as well as men, in mind. Let us not forget that women represent half of Canadian society. We are not a society of special interests but a society built by both men and women over two centuries.

We also have a global plan: the platform for action on women's equality adopted at the recent UN World Conference on Women in Beijing.

ROUTINE PROCEEDINGS

[*Translation*]

GOVERNMENT RESPONSE TO PETITIONS

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

* * *

[*English*]

WOMEN'S HISTORY MONTH

Hon. Sheila Finestone (Secretary of State (Multiculturalism) (Status of Women), Lib.): Mr. Speaker, today we are celebrating Persons day, the highlight of women's history month.

This is a time to celebrate the contributions of women to Canadian society, a time to be proud of the remarkable progress Canada has made toward equality for women and against actions of racism and sexism.

[*Translation*]

The Fathers of Confederation made the original blueprint of Canada in 1867. However, it took until 1921 for women to earn the right to vote.

Nonetheless, throughout history, the women of Canada—in all their diversity—have prevailed. They have shaped the values of this great country: democracy, tolerance, generosity, fairness, and respect for human and minority rights.

Today we celebrate five intrepid women from Alberta who won a court case in 1929 that changed the lives of all Canadians. The court's decision made women legal "persons" under the constitution. And that made them eligible for appointment to the Senate.

Today we have the largest representation of women ever in the Parliament of Canada, in the Commons as well as in the Senate. With the charter of rights and freedoms, the constitution now guarantees women and men equal rights and freedoms as full partners in our society.

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I am proud to say Canada played a leadership role in securing a strong agreement on the rights of women and girls in Beijing, which was signed by 189 nations attending the conference.

[*English*]

I am also proud to say that Canada's leadership on equality was recognized with two awards: a prestigious United Nations prize for advancing literacy, thanks to the initiatives in New Brunswick; and Canada was honoured with the global award for the most improvement in the status of women over the last decade. In making the award the International Federation of Business and Professional Women commended Canada for its steady and remarkable progress in advancing equality for women. This was acknowledged and awarded after 110 countries were carefully examined. Canada was not found wanting. Canada was found head of the pack.

The way to the future is clear. Canadians must continue that progress to a true partnership between women and men. This is imperative as we face an increasingly complex global society.

In closing, I want to extend my heartiest congratulations to the six women who were honoured today. Each of them were pioneers in their own way. Each of them fought against violence and fought for an integrated and accepting society. We owe them a great debt of gratitude. I extend them my best regards.

• (1545)

[*Translation*]

Mrs. Christiane Gagnon (Quebec, BQ): Mr. Speaker, I am very pleased to speak about this victory for women which my colleague, the hon. secretary of state, has pointed out was a concrete step toward equality for women. The 1929 legal victory was an important step in this egalitarian undertaking, I agree. It represented a significant milestone in terms of democracy.

Other victories followed, as we know, perhaps less striking ones but equally important: women's influx into the work force; improved education for women; their entry into non traditional employment; the creation of daycare services; their presence on various boards, I could go on and on. yes, Canadian women and Quebec women have made progress, and they must be congratulated and encouraged to continue.

I shall make use of this opportunity to explain to my colleagues why, very soon, Quebec women will be deciding to continue their progress on their own. Although they have made definite progress, as I have said, the women of Quebec will be able to progress a little faster on their own, with the weight of the federalist yoke lifted from their shoulders.

Quebec women will be well protected by the Quebec charter of human rights, which will reaffirm equality and the rights of women. They will continue to be well served by the civil law

system, under which they have equal status and equal rights with men.

In a sovereign Quebec, Quebec women will be ensured of the survival and the dynamism of their language and culture. They will no longer have to worry about the survival from generation to generation of things I know are of concern to them: culture, language, education, and employment. Quebec women will continue to progress under a democratic political regime, with an equal say in drafting the constitution of their new country, with their rights to equality reaffirmed.

Quebec women will make even more gains under a democratic Quebec, within a system in which social rights will be the focus of the state's actions. They will benefit from a family policy focused on their needs and those of their children, a policy free of the constraints imposed by the present federal system, which makes policy harmonization impossible.

Mrs. Finestone: Really.

Mrs. Gagnon (Québec): Please, madam secretary of state.

In a sovereign Quebec, free of Ottawa's centralizing goals, women will clearly benefit from a policy of full employment coupled with a social policy that reflects the effect of their participation in the working world. I am talking here of policy on child care, working conditions in keeping with family responsibilities and employment equity. Where are the daycare places so long promised by the federal government? They were promised, and we are still waiting. Yet we are paying the federal government to have these places created.

Quebec women will have the advantage of a unique system of manpower planning and training. They will have the benefit of a system that is decentralized in favour of the regions, the prime sources of human and business activity.

Finally, Quebec women will move far beyond the endless battles and constitutional red tape and will focus their energies on improving the quality of their life, that of their children, their husband and their fellow Quebecers. This was the request of the participants in the women's march on poverty, last June's bread and roses march, which was undertaken on behalf of all Quebec women. This is what the Government of Quebec is proposing and is committed to promoting.

In conclusion, Quebec women will quicken their step toward equality by dropping a level of government, which is preparing to sacrifice them on the altar of economics and which is preparing to impose cuts on their old age pension and unemployment insurance cheques, by tying these benefits to the family salary in the new reform of social programs. They will drop a level of government that is useless, costly and more concerned about the interests of major corporations than about the grocery bill of single parent families.

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I am appealing here to Quebec women's common sense and administrative talents to get them to realize that savings are possible by eliminating overlap and duplication.

• (1550)

It is by taking control of their own destiny, by becoming self-sufficient that Quebecers, like Quebec, will grow from now on, in friendship with their Canadian sisters and without forgetting the progress that has already been made. There is, however, much more to be done in this area, and I think that the federal government should first deal with women's economic equality.

Women in the public service still earn only 70 per cent of what men make. Something must be done, and I urge the government to move from rhetoric to action.

It is said that women's economic independence is important and could reduce violence against them. I call on the government to take measures to ensure that women are paid as much as men for doing the same work. I urge the government to think about the action plan for gender equality.

The study the minister referred to earlier, the federal plan, puts women at the heart of government decision making. This plan requires that every policy, program and law be developed with the impacts on women, as well as men, in mind.

I exhort the government to be very vigilant regarding the reforms contemplated by the Minister of Human Resources Development, for example, cutting UI and old age pension benefits and setting women's benefits on the basis of family income. We know full well that benefits are often based on men's higher wages, and we fought against this.

What does this mean for a woman who receives her first old age pension cheque at 65 and whose husband earns a certain salary? It is often the first cheque these women have ever received. This cheque also represents economic independence, a little bit of economic independence for women.

[*English*]

Mrs. Jan Brown (Calgary Southeast, Ref.): Mr. Speaker, it is indeed a pleasure to rise in the House today to recognize and commemorate the Persons case from 1921, especially in the midst of great parliamentary diversity of opinion and focus as we speak today.

I would like to first congratulate all of the women today who received Governor General's awards: Marthe Asselin Vaillancourt, Dr. Mary Cohen, Ruth Flowers, Sheila Kingham, Carolyn Thomas, and Alice Taylor, who are all being recognized for their efforts toward making Canada a place in which all are treated equally. These women stand for everything that has gone right in Canadian history.

Look at the progress that has been made in Canadian society since 1929 when women received the right to vote. Today I refer and indeed also defer to those five Albertans, women all, who challenged successfully the convention of their day to bring the vote to women.

The secretary of state briefly mentioned the importance of family in society. This is a message that is sometimes forgotten or passed over when we are caught up in the singular focus of women's issues. As a party we affirm the value and dignity of the individual person and the importance of strengthening and protecting the family unit as essential to the well-being of individuals and society. Hopefully, this is a principle about which we may all agree, because once we have agreement we will have a fundamental basis from which to move forward.

We constantly hear comments and stories about women doing things differently and having different approaches to communicating. This is true, and perhaps more so for the women we recognize today as they receive the Governor General's award for their contributions to society.

Let us also look to history and in particular to Agnes Macphail and Nellie McClung, extraordinary women indeed. They broke ground for women today and they did it because they were focused, had strong convictions, and they also had a creative edge to bring their point home.

These women of the early suffrage movement had a sense of humour, were thoughtful in their world view, and for the most part could handle themselves well in difficult situations. For example, at a rally held in 1915 a heckler yelled at Nellie McClung: "The Prime Minister would quit politics if a woman were ever elected". Well, Nellie did not wilt. Instead, she replied: "This proves what a purifying effect a woman would have on politics".

• (1555)

McClung was no shrinking violet. She was fair minded, good humoured, and determined. These qualities typify Canadians and also my colleague from Yukon who was honoured by the House today.

We still need to work to guarantee equal opportunity for all. We may disagree on the quality of outcome, but whether we agree or not, when we as women engage in debate we must still struggle to relay our message.

McClung staged demonstrations to make her point in her time. In recent memory, one member of this House is said to have hiked up her skirts and jumped over a desk to make her point. Another member, this member, sat on the hood of a sports car to make hers. John Crosbie and the modern feminist movement are still shaking their heads.

Let us look at Agnes Macphail. When she first entered the House of Commons as Canada's first woman MP in 1921, a Commons employee tried to stop her at the door of the Chamber.

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She entered anyway, while he shouted, "You can't go in there, Miss". Once inside, Macphail was touched to find a bouquet of roses waiting on her desk, but was humiliated later to learn that they were the penalty a male MP paid for betting she would lose the election in her Ontario riding.

Since women were given the vote in 1929, tremendous advancements have been made. Some of them have come amazingly late, but still we achieve. We have gone through periods when women and men toiled apart as changes occurred. We are finally coming to a place where we recognize that men and women together and as equals can create the kind of country we all want to live in.

I would like to extend again my congratulations to all the recipients of the Governor General's awards today.

* * *

COMMITTEES OF THE HOUSE

PROCEDURE AND HOUSE AFFAIRS

Mr. Peter Milliken (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.): Mr. Speaker, I have the honour to present the 90th report of the very hard working Standing Committee on Procedure and House Affairs regarding membership of committees.

If the House gives its consent, I intend to move concurrence in this report later this day.

[Translation]

Mr. Speaker, with the leave of the House I move that the 90th report of the Standing Committee on Procedure and House Affairs, presented to the House earlier this day, be concurred in.

(Motion agreed to.)

* * *

[English]

PETITIONS

EUTHANASIA

Mr. Mac Harb (Ottawa Centre, Lib.): Mr. Speaker, I would like to table a petition pursuant to Standing Order 36 signed by many people in the Ottawa area and having to do with euthanasia.

SEXUAL ORIENTATION

Mr. Dick Harris (Prince George—Bulkley Valley, Ref.): Mr. Speaker, pursuant to Standing Order 36, I am pleased to present a petition from my riding of Prince George—Bulkley Valley that deals with an opinion and a belief that is shared by a majority of Canadians right across this country. It deals with the fear that the privileges society extends to heterosexual couples could some day be extended to same sex relationships.

The petitioners pray and request that Parliament not amend the human rights code, the Canadian Human Rights Act or the charter of rights and freedoms in any way that would tend to indicate societal approval of same sex relationships or of homosexuality, including amending the human rights code to include in the prohibited grounds of discrimination the undefined phrase of sexual orientation.

This petition originated in the College Heights Baptist Church of Prince George. I am proud to say that I concur 100 per cent with this petition.

• (1600)

NATIONAL UNITY

Mr. John O'Reilly (Victoria—Haliburton, Lib.): Mr. Speaker, pursuant to Standing Order 36, it is my pleasure to present the following petition from the county of Haliburton.

The undersigned residents of the county of Haliburton and visitors draw the attention of the House to the importance of national unity to our country at this time.

They therefore request Parliament to urge the government to impress upon the leader of the Reform Party the need to promote national unity in this very unfortunate situation in which our country finds itself.

INCOME TAX ACT

Mr. Paul Szabo (Mississauga South, Lib.): Mr. Speaker, pursuant to Standing Order 36, I wish to present a petition which has been circulating all across Canada. The particular petition has been signed by a number of Canadians from Mississauga, Ontario.

The petitioners would like to draw to the attention of the House that managing the family home and caring for preschool children is an honourable profession which has not been recognized for its value to our society.

They also state that the Income Tax Act discriminates against families who make the choice to provide care in the home to preschool children, the disabled, the chronically ill or the aged.

The petitioners therefore pray and call upon Parliament to pursue initiatives to eliminate tax discrimination against families who decide to provide care in the home for preschool children, the disabled, the chronically ill or the aged.

* * *

[Translation]

QUESTIONS ON THE ORDER PAPER

Mr. Peter Milliken (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.): Mr. Speaker, the following question will be answered today: No. 193.

[Text]

Question No. 193—**Mr. Hanger:**

What was, in fiscal year 1994–95, the total cost to the Department of Health of providing health care to claimants of refugee status in Canada; what was the projected amount for this line of spending in the 1994–95 estimates or supplementary estimates; and how does the Department of Health expect to cover any shortfall resulting from refugee health spending overruns?

Hon. Sergio Marchi (Minister of Citizenship and Immigration, Lib.): It should be first mentioned that as a result of a memorandum of understanding between the former departments of National Health and Welfare and Employment and Immigration Canada signed on March 1, 1993, resources relating to the interim federal health, IFH, program, formerly the non-insured health benefits, NIHB, program were transferred to Citizenship and Immigration Canada, CIC, from Health Canada, HC, effective commencing in 1993–94. It was also agreed at that time that HC would continue to deliver the program on the department's behalf. Subsequently, CIC assumed responsibility for the delivery of the IFH program on April 1, 1995.

In fiscal year 1994–95, under the interim federal health program, Citizenship and Immigration Canada spent \$7.1 million in providing health care services, mainly to refugee claimants across Canada. Until January 1, 1995, Ontario was the only province which provided health care coverage to refugee claimants. As a result of the recent decision of the Ontario government no longer to provide health care coverage to refugee claimants and given that, starting April 1, 1995, only emergency/essential services will now be provided under the IFH program, it is estimated that total program costs will increase by \$15.0 million for a total of \$22.5 million in program spending in 1995–96. This level of spending is expected to continue in future years.

Pending Treasury Board approval, additional program funding will be obtained through the supplementary estimates process as a result of Ontario de-insurance of refugee claimants. Specifically, the department's 1995–96 reference levels will be increased by an amount of \$15.0 million as will the future years' reference levels.

The projected amount for this line of spending in the 1994–95 main estimates and supplementary estimates was \$7.5 million.

At present, in light of CIC's additional appropriations as a result of Ontario de-insurance, no shortfall exists within program funding. Should costs exceed available funding due to an increased number of program beneficiaries and the health status of these persons or as a result of amendments to provincial fee tariffs upon which IFH payments are based, it is planned that additional resources will be obtained through the estimates process.

Government Orders

[Translation]

QUESTIONS PASSED AS ORDERS FOR RETURNS

Mr. Peter Milliken (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.): Mr. Speaker, if question No. 146 could be made an order for return, that return would be tabled immediately.

[Text]

Question No. 146—**Mr. Axworthy:**

With respect to the government's actions to curb contraband trade in cigarettes in Canada, announced on February 8, 1994, (a) what estimates, if any, were made for (i) increased consumption of cigarettes in all populations, (ii) increased smoking prevalence among Canadian youth, (iii) impact on current and future mortality and morbidity; and, if not, why not, (b) what estimates, if any, of future levels of contraband trade in cigarettes were made of the market share of contraband cigarettes in 1994, 1995, 1996 and 1997 and what estimate was made of revenue loss due to contraband sales in 1994, 1995, 1996 and 1997 and, if not, why not?

Return tabled.

[Translation]

Mr. Milliken: Mr. Speaker, I suggest that the remaining questions be allowed to stand.

The Deputy Speaker: Agreed?

Some hon. members: Agreed.

GOVERNMENT ORDERS

[English]

EMPLOYMENT EQUITY ACT

The House resumed consideration of the motion that Bill C-64, an act respecting employment equity, be read the third time and passed.

Hon. Sheila Finestone (Secretary of State (Multiculturalism) (Status of Women), Lib.): Mr. Speaker, Bill C-64, the new employment equity act, was designed to resolve longstanding problems with the existing legislation and meet our government's red book commitments. It is part of the government's work toward achieving an open and inclusive society.

The legislation reflects the values of the government. It reflects the values of respect and understanding. The legislation is about fairness. It is about providing an equal playing field. Above all, the legislation is about making sure that all self-identified, qualified Canadians have a fair chance to compete for federal public sector jobs based on their merit.

The legislation continues to cover a total of 350 private sector employers and crown corporations that operate in federally regulated industries such as banking, communications and transportation. The legislation expands coverage of the employment equity act to the public service immediately. It also includes the Canadian Armed Forces and the RCMP.

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There are four designated groups which continue to be designated: aboriginal peoples, members of visible minorities, women and persons with disabilities. The principle of self identification is reaffirmed and definitions of the groups are in the legislation.

The legislation carries enforcement measures. It ensures that the Canadian Human Rights Commission has the mandate to conduct on site compliance reviews. It also confirms the administrative responsibility for the federal contractors program to the Minister of Human Resources Development. It makes use of the Canadian Human Rights Tribunal which when hearing employment equity complaint cases will be called the employment equity review tribunal. This body will hear appeals from employers and referrals from the CHRC and ensure the final enforcement of the act.

With regard to the designated groups under the legislation they continue to be under represented as well as under valued in federal agencies and in federally regulated industries.

A recent study conducted by Krishna Pendakur of Simon Fraser University and Ravi Pendakur entitled "Earning differentials among ethnic groups in Canada" found that similarly qualified Canadian born visible minorities earn about 11 per cent less than Canadian born white people and that immigrant visible minorities earn 15 per cent less than Canadian born whites.

• (1605)

We are also familiar with the term glass ceiling, barriers to upper level management faced by many women and minorities in companies and agencies. This issue is addressed in applying more effective employment equity legislation.

We also found through partnership with the Canadian Advertising Foundation, the Asia-Pacific Foundation and the Conference Board of Canada that being sensitive and responsive to diversity is good for business. It makes economic sense and it is the fair thing to do. Companies that are sensitive to the diversity of the reality of Canada, that is the Canadian population, and companies that have made a commitment from the top down that they will be reflective of the people of this land have the key to the future: economic security. This is real at the local, national and international level.

Fairer access, meritorious advancement and equality of opportunity are key for all corporations that want to compete in the global marketplace. Our Canadian people often reflect and know the cultures of the new global markets. Why not use our diversity as a valued competitive edge to our mutual benefit? Global business is multicultural, multilingual and multiracial. Anyone travelling would know that; anyone in international business knows that.

Applying the rule of self-identified employment equity laws is an important tool to effect real institutional change, which is in the best interest of all Canadians and is an incentive for people to self-identify or to identify themselves.

This is a bill with a heart, one that recognizes the reality of Canadian business life. It clarifies existing obligations and helps to widen the circle of inclusion in our workforce at all levels. It does not force employers to create new positions, require the hiring or promoting of unqualified individuals, or contradict the merit principle in the public sector. It is about fairness and merit. It would be worthwhile if members opposite would keep all these issues in mind when speaking to this matter and tell the truth about what is in the bill.

It is about fairness and merit. It is about quality, not quantity. The bill does not call for nor is it about quotas for non-qualified members of designated groups.

[*Translation*]

Since the bill on employment equity was tabled for first reading, the members of the Reform Party have had a great deal to say about it.

In fact, it would be more accurate to state that they have had a great deal to say against it. They are rejecting the bill and the reason for their rejection is either that they are against measures in favour of employment equity or that they do not grasp the nature and scope of this bill.

[*English*]

Hon. members must recognize that this will simply not happen by crossing our fingers and hoping that we will achieve our goals of access, equity, fairness and a starting chance for self-identified minorities who wish to have consideration and to be included in the enlarged circle of the family of Canada.

In order to reach this goal some of the CHRC's responsibilities are education, awareness and sensitization to our multicultural reality. It will enable companies touched by this law to effect institutional change over time. We broadened the circle of representation through encouragement and education rather than through coercion. We do it because it is the right thing to do for Canada's qualified population by addressing whatever systemic barriers may be present that inhibit the representation of our diversity.

Before I close I highlight the Bank of Montreal as an example of a corporation that has demonstrated its commitment to create both an equitable workplace and a workforce that reflects the community it serves and a leadership that believes in fairness and a widened circle of service to the grassroots, the people they want to do business with.

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• (1610)

It has published a report of its task force on the advancement of visible minorities. I would recommend close reading of the report. The main purpose was to identify barriers to advancement faced by members of visible minorities who were in business by the way and were earning well, and to develop action plans to eliminate those barriers for further upward mobility.

The task force recommended that the bank refine its workforce planning process to foster a workforce that reflects the diversity of the community at all levels. It recommended increased participation of visible minorities in leadership roles and the removal of barriers to the advancement of these persons and all other employees. It recommended the bank take action to further enable employees to take charge of their own career advancement and to increase competency based on non-subjective candidate selection. Its final recommendation was to enable employees from all backgrounds to develop the knowledge, skills, attitudes and behaviour critical to success in a diverse workforce.

When one wants to look at employment equity and when one wants to examine the fairness of the approach in the bill, the self-identification, the reality of who we are as a people, the greatness of our diversity and the differences from place to place across the land, it makes more and more sense that more and more Canadians will want to report origins other than British or French because that is who we are. Most of us have origins different from British or French.

The legislation will help set a framework within which all Canadians will have a fair and equal chance to participate in the economic prosperity of our country and in which all Canadians have an interest and a purpose to participate.

I wholly support the legislation. I hope all members of the House join me in ensuring a truly just, fair, equitable and prosperous society, one with which Canada can continue to be the world model it is today.

Mrs. Jan Brown (Calgary Southeast, Ref.): Mr. Speaker, it is my pleasure to address the House on a topic that has thus far provoked spirited discussion.

As its preamble states, Bill C-64, an act respecting employment equity, was introduced by the government with the intention of achieving equality in the workplace and amending the disadvantages experienced by certain groups.

Underlying the bill is an approach to equality which suggests we measure success in terms of results or outcomes. Herein lies a difference in definition as we disagree on the bill. There are two opposing ideologies in the debate: one focused on equality as a process and the other on equality as an outcome.

Process people of which I am one direct their energies to the supply side. They encourage people to train and educate, to deal with values and habits, to promote an open environment where specialization is fostered, to reward merit and to reject discrimination on the basis of extraneous factors. Process people accept the results of a world operating in this fashion, one where the outcome is not predetermined but where individuals have the capacity to manufacture their future. Process people believe in remedial action but choose to limit their response to those truly in need.

Outcome people, such as those who support the bill, are not satisfied with creating equal opportunities for this is not enough. They prefer to manipulate a process, to consciously intervene and to create the results they believe are justified. They construct laws to ensure their overt interventions are safeguarded against legal challenges. The government has already done this, providing a constitutional guarantee that the principle of equality can be supplanted for intrusive and sometimes coercive state goals. I am speaking to section 15.2 of the charter which rejects in plain language the brave assertion of its companion clause 15.1 guaranteeing to all Canadians equal treatment before the law.

The question of defining equality lies at the heart of this debate, I believe. Unlike the equality of outcome as described in Bill C-64, the equality of opportunity nurtures an environment where outcomes are predetermined, allowing society to reward enterprise and initiatives. Opportunity is the cornerstone of a prosperous, creative and thriving culture. It provides a foundation for personal fulfilment and self-actualization. Most important, it enables people to believe in themselves in the sense that they alone control their destiny.

• (1615)

Bill C-64 corrupts this conceptualization of opportunity by placing a higher premium on premeditated intervention to fashion outcomes. This wounds all Canadians and cannot be supported.

Let us focus on the goals of employment equity for a moment. The very goals on which this legislation is premised are flawed, confused and contradictory. Notions of equality, numerical targets and diversity are fraught with problems. Bill C-64 offers equality for some at the expense of others. Numerical targets are flawed by their very design. Establishing targets obscures numerical goals with the idea of equality.

There is a substantial difference between recognizing that certain groups have encountered historical barriers and assuming that all social inequalities are attributable to discrimination.

We must ask ourselves whether men and women would fill occupations in equal numbers in a world of perfectly free choice. The answer is probably not. Similarly, would ethnic minorities appear equally in all work environments? Again,

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most likely no. A numbers game simply circumscribes choice and counters any notion of equity.

Searching for the ideal of diversity is yet another confused goal. Does anybody know what diversity in this context really means? As someone aptly suggested, it merely reflects a language of willed ignorance in which the words mean only that the speaker has good intentions.

How can we even begin to consider seriously such legislation when its foundation is constructed on such faulty principles? There is a serious danger in beginning a task when its objectives are distorted by contradiction and imperfection. If I measure a value and our sense of direction is unclear our efforts will surely be wasted.

Another concern relates to the basic question of whether a need for employment equity exists at all. Evidence has surfaced in recent years which calls into question the reasons on which employment equity is based. By making reference to this evidence it is not my intention to disavow the existence of racism and discrimination. Instead I wish to make clear that discrimination and gender alone are not enough to explain the vastly dissimilar outcomes different groups experience in the course of their lives. Culture, religion and family patterns are other reasons which keep people out of certain occupations.

For example, economist Thomas Sowell found that teen marriages are more prevalent in certain ethnic populations. He maintains that women who marry at very young ages do not pursue post-secondary education and therefore limit the range of jobs for which they might qualify. The answer then is not numerical goals and timetables but one of culture and education.

Recent data from a 1995 Statistics Canada study reinforced these ideas further. While it was found that visible minorities were less likely than any other Canadian to be employed in managerial occupations, most likely explained by the fact that they are on average younger than other adults, members of visible minorities were as likely as other Canadians to be employed in professional occupations. In essence the report is confirming that at all levels of the economy visible minorities enjoy rates of employment comparable to those of other Canadians.

How then do we justify Bill C-64? Like other employment equity legislation it treats members of visible minorities of homogeneous groups having the same character, composition and history. This is fundamentally wrong. For example, data reveal that 13 per cent and 19 per cent of Japanese Canadians are employed in managerial and professional categories respectively, while only 8 per cent and 9 per cent are found in manual and service categories. This type of breakdown will necessarily be different when compared with the experience of Filipinos and

East Indians for example. All groups are different with compelling reasons explaining their variable representation in the workplace.

Are there alternatives to employment equity? There is considerable evidence to suggest policy alternatives based on equality of opportunity do exist. Many are already an entrenched feature of the Canadian work world. The systemic discrimination found in many areas of an organization's structure suggest we can approach problems without the use of quotas. For example, we can do more as federal legislators to foster equitable hiring in both public and private sectors through the improvement of education which includes special training programs for target groups, academic upgrading, pre-apprenticeship programs, training of all staff in cross cultural awareness to promote a positive working environment.

• (1620)

We can look at dismantling systemic barriers, which would include policies promoting flexible hours which can be of particular benefit to women with young children, people with disabilities who need special transportation systems and workers whose religious requirements may conflict with typical hours of work, and support measures dealing with employment problems including daycare facilities and revised rules for parental leave.

We can emphasize individual achievement so that an individual's training, performance and knowledge, skills and ability are considered paramount in all workplace decisions.

My remarks have addressed equality of opportunity, the confused goals of Bill C-64 and the question of need, highlighting the inherent problems with employment equity and Bill C-64. Social democrats have historically sought to forge links across race and gender lines in pursuit of a common citizenship with equal rights.

In contrast, the government's policies reinforce the notion that the interests of males and females and diverse ethnic groups are distinctive and competitive. Does Bill C-64 really lead us toward the better society to which we aspire? I think not.

[*Translation*]

The Deputy Speaker: I wish to inform the House that because of the ministerial statement, Government Orders will be extended today by 20 minutes.

[*English*]

Mrs. Beryl Gaffney (Nepean, Lib.): Mr. Speaker, it is my pleasure to address Bill C-64.

While listening in the House today I worry that some of the members opposite have not really understood the vision for Canada or the intent of the bill.

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I have followed with great interest the developments in employment equity over the years and it is my contention that employment equity is a fundamental building block for creating a better Canada.

Bill C-64 went before the Standing Committee on Human Rights and the Status of Disabled Persons. This committee heard from a very broad section of witnesses and in its report endorsed the new features of Bill C-64 and recommended additional amendments. The act covers all federally regulated companies with 100 or more employees. Bill C-64 will bring the federal public service, its departments, agencies, boards and commissions, into line with standards already set for federally regulated corporations.

The changes Liberals will implement to strengthen the Employment Equity Act include the federal public service and federal agencies and commission under the Employment Equity Act. We will also give the Canadian Human Rights Commission the legislative authority to initiate investigations of employment equity issues.

Efforts to eradicate discrimination in the workplace and in hiring practices have been under way at the federal level since the enactment of the 1970s human rights legislation. In 1993 it became evident to the Liberal government of the day that voluntary measures toward achieving equity in the workplace were failing to bring about significant changes for women, aboriginal peoples, visible minorities and persons with disabilities. That is the key because they tried to achieve it through voluntary measures and it did not work.

On December 12, 1994 the human resources minister tabled in the House Bill C-64. He stated: "This initiative is a significant step toward ensuring equitable employment opportunities for women, aboriginal peoples, persons with disabilities and members of visible minorities".

Most of us come into the House with a prepared speech, but sitting in my office and watching the TV monitor I heard so many nefarious statements from across the floor that I am going away from my prepared notes to address some of the things that were said. One that concerned me was with regard to quotas.

The bill is not about quotas. They kept referring to the charter of rights and freedoms and quoting it. The bill is certainly not in conflict with what is being said in the charter of rights and freedoms.

The merit principle in the bill should be and is the sole basis of hiring. I think anyone who sees anything different within the bill is really not understanding what is being said.

I refer to the member from Beaver River, who went on at great length saying she is a woman in the House and she came here because she is competitive and because of competence. I do not argue that point at all. I would like to think I got here that way as well.

• (1625)

One works hard, does as one has to do, does the same as anybody else running for public office and gets elected. What about all the people who want to run for public office who are just as competent as I am? Maybe this is what the feminist movement is all about, I do not know. Is it not my responsibility to assist if I see someone who would make a wonderful member of the House of Commons? If that person is competent, has the merit and a reason to be here and yet does not have the confidence to project himself or herself on the floor of the House of Commons, does that person not deserve some assistance from someone? I say they do. I am saying this in simplistic language to point out not everybody has the competence to get into the House of Commons.

Getting back to strong women, I want to relate a story in my life before I became an elected official. I was an elected official for 10 years before I came to the House of Commons. Working in an administrative capacity I applied for a position within my organization. I did not get the position. The human resources person said to me: "You are more qualified than the person who is getting the job. You have longer service than the person who is getting the job but we must give it to him because he has a wife and two children".

I had a husband and five children and I could not understand the reason the job was being given to him over me. There was no valid reason why he should get the job. Let us consider a visible minority. In that same organization I was asked by the human resources director to short list the people who were applying for jobs in the department I was in. I gave my list of three people. One was a Jamaican woman. The director's comment to me was: "I am not sure whether our organization is ready for a black woman". That is why we need to offer our assistance and our support for this.

That was not too long ago. I have not been here forever. We have come a long way. We have all had examples in our lives of being held down or held back for the wrong reasons.

Somebody from the other side of the House had said that white young males will rise up in anger. My goodness, white young women or black young women or whomever should have been rising up in anger for years and years and never did until now. It is about time they did.

I sat on the committee on human rights and the status of disabled persons. We heard from people with disabilities about how their rights are constantly being violated. I will tell a little story about a Saskatchewan farmer.

This farmer had lost both his arms in a farming accident. He had prostheses from the elbows down on both arms. He relied on his son and his wife to help with the farming. When he appeared before the committee he said: "When I buy a huge harvesting machine I have to pay about \$60,000 more for this machine than what my able bodied neighbour has to pay because I need to

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have equipment that my two prostheses can handle". Is that fair?

That man was in business and he was being discriminated against through the cost of the machine because he had two artificial arms. That man needs our help. We should offer him our help. I love telling all these little stories but I sure have strayed away from my speech.

Canada today is a very different society than it was 50 or even 20 years ago. Today we as women want and need to look after ourselves financially. At the same time we want to know those who cannot are being treated equally. Our aboriginal peoples are demanding self-determination and persons with disabilities want to be fully integrated throughout society. New Canadians want to fully participate in all aspects of Canadian society.

• (1630)

Canada is a changed society, one where these four groups are expressing specific needs that must be addressed. It is a society that requires the contribution of all our citizens and this piece of legislation addresses this changed society.

It is through employment equity that we will ensure that the skills and abilities of all Canadians will be fully utilized. It is through employment equity that we will one day eliminate the social and economic costs of marginalizing big numbers of Canadians. By ensuring that these four groups take their rightful place in the Canadian labour force, a more vibrant and productive society will emerge.

This bill will lead us toward a fair and just society by making us examine our assumptions of what is the right way to do business. It will make us question hiring procedures that have in the past always found qualified individuals for the job. I will give you an example of where it does not always work.

It will lead us there by teaching us through awareness training to feel what it is like to be excluded from the workplace simply because your disability stops you from getting up the stairs to the work site.

It will lead us there by encouraging us to make accommodations for mothers and fathers who take the needed time from work to look after their youngsters. It will lead us there by teaching us that those people whom we thought would be difficult to manage are many of our most valuable employees.

For this reason I encourage all members of the House to vote with a resounding yes for this legislation, a resounding yes to a better nation.

The Deputy Speaker: Colleagues, I would ask you please to put your remarks to the Chair. The Chair feels very lonely often in some of the debates that go on.

Mr. Dick Harris (Prince George—Bulkley Valley, Ref.): Mr. Speaker, I am pleased to speak to Bill C-64. I want to preface my remarks by making a comment on behalf of all the members of the Reform Party. We do not support in any way, shape or form discriminatory hiring practices. We do not support the premise that a person from one of the four groups mentioned in Bill C-64 be denied a job based on the fact that he or she is within one of these four groups. To have some of the previous speakers of the Liberal Party allude to that is utter nonsense.

At the same time, I do not support and I know many of my colleagues do not support the fact that someone would be hired specifically because he or she is part of one of those four groups. Let us be very clear about what the Reform members are trying to say in the House today.

I was really pleased that I was present today when we saw Ms. Alexa McDonough presented to the Chamber today. She was just elected president of the New Democratic Party, not because she was a woman but because she had the confidence of the delegates of the NDP convention that she was the best person for the job. I congratulate her for that.

We heard today in the House from the hon. member for Edmonton—Strathcona about a Mrs. Chicoine who was awarded a Canada Volunteer Award Certificate of Merit not because she was a woman but because of the efforts that she put into doing the things that she truly believed in.

We heard earlier today from a member opposite about a woman who had just received an entrepreneurship award of merit in an international competition for a process that she created and developed regarding the use of furs. She did not receive this award because she was a woman. She received it because of the creativity, the training and the work she put into her business.

• (1635)

We heard about the women from Alberta who were honoured today in Ottawa for their service to their country. They were honoured, not because they are women but because they believed so passionately in something that they readied themselves for the task and they succeeded. They succeeded not because they were women but because they wanted to succeed.

If the principles of Bill C-64 were applied to the women who were honoured today in the House, they might very easily find it insulting. There could be the allusion that they received these awards or accomplished their tasks simply because they were women and not because of their own individual efforts.

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All members in the House, including Liberal members even though they will not admit it, are aware that Bill C-64 will impose employment equity provisions on the public service and on those firms that have over 100 employees and do business with the federal government. I use the word "impose". They use the term "employment equity". The term "employment equity" was coined by Justice Rosalie Abella in 1984. It is a convenient term for our Liberal social engineers since it is much more deceptive and less threatening than the term "affirmative action".

In the United States people call it like it is, affirmative action. That is exactly what employment equity really is but it is called employment equity to make it a less threatening term.

We are all aware that affirmative action or employment equity, whatever one you choose, is not working in the United States. Recently the U.S. Supreme Court dealt affirmative action a severe blow. It ruled in favour of a Colorado company that brought an action against the U.S. government because the government had awarded a contract to a Hispanic controlled company despite the fact that the Colorado company submitted a lower bid and was more qualified to do the work. This was because of affirmative action or employment equity. Naturally the U.S. government's rationale for taking such a course of action was rooted in its affirmative action policy.

While this recent decision in the states does not spell the end of affirmative action in the U.S., I and those who believe employment would be better based on merit would hope that it signals a return some day to common sense and fairness.

The Americans have gone through the process and have experienced the detrimental effects of affirmative action policies. Here we are in Canada, with a Liberal government that is hell bent on pursuing it. Do we not learn from the experiences of other countries?

We cannot even find common sense and fairness in our Constitution. Section 15.2 of the charter of rights and freedoms entrenches employment equity in the Constitution. However, if we read the section we note that it specifically overrides section 15.1, which is intended to promote equality among all Canadians.

The charter of 1982 is drafted in typical Liberal fashion. It promises something but only if the state can have absolute control over it. That is a scary thought. Promise equality but deliver on the promise only when the state decides where and when equality will exist. Is that not a scary thought, that the state will decide where and when equality will exist? This is the effect of section 15.2 of the charter.

Now we are facing Bill C-64, a manifestation of section 15.2, a bill which arbitrarily discriminates against one group in favour

of another. However, these Liberals will tell us that discrimination will not result from this bill. Just because some groups are being promoted over other groups is not discrimination. It is equity. That is the Liberal's definition of the word equity. Their social engineer's vocabulary does not end there. It goes much further. The Liberals argue that Bill C-64 will not set quotas but rather numeric goals.

• (1640)

As David Frum wrote recently, speaking of numeric goals and deceptive wording: "It is also true that undertakers say casket instead of coffin and loved one instead of corpse. Does it make Aunt Tilly any less dead by changing the words around so that they sound a little less threatening?"

We must ask if we really need Bill C-64. Where is this systematic discrimination that is constantly referred to by the proponents of employment equity Bill C-64? Where is the proof? Where are the statistics and hard numbers? There are none. In fact the Economic Council of Canada, which I am sure the Liberals recognize as a respectable body, did studies in 1991 and 1992 which found Canada successfully assimilates its newcomers and that there was no evidence of systematic pay discrimination. Furthermore, a Statistics Canada report this summer demonstrated that visible minorities enjoy rates of employment and rates of pay comparable to that of other Canadians.

Therefore, we ask where is the proof. Systematic discrimination is in no way entrenched in the Canadian workplace as these Liberal social engineers would have us believe. Indeed, in pushing Bill C-64 without any hard evidence to back it up, it seems that the Liberal government and its special interest group cohorts that helped it get elected, would declare Canadian firms simply guilty by accusation.

I forget that these Liberal members have proven that they know little about law and order. Therefore, such concepts as innocent until proven guilty would simply mean nothing to them.

Ultimately, employment equity or affirmation action as it is more correctly known, is in fact a lose-lose situation. People who have become victims of employment equity legislation demand that it be scrapped and merit be returned as the sole principle for hiring and promotion.

Typical of the government, it tends to march to the beat of a "we know what is better for you" attitude, in economic, judicial and social matters and therefore it will continue to dictate to us. This Liberal government and Liberal governments for the past 30 years have been intent in getting in the face of free and independent Canadians. I say Bill C-64 is another attempt to do just that. I therefore must oppose it.

*Government Orders**[Translation]*

The Deputy Speaker: It is my duty, pursuant to Standing Order 38, to inform the House that the questions to be raised tonight at the time of adjournment are as follows: the hon. member for The Battlefords—Meadow Lake—Endangered species; the hon. member for Mackenzie—Agriculture.

[English]

Ms. Shaughnessy Cohen (Windsor—St. Clair, Lib.): Mr. Speaker, I am pleased to be able to speak today. I have gathered up some comments from the speeches of the members for Beaver River and Calgary Southeast and the member for the Reform Party who just spoke. What they have done is typical of what the Reform Party does in debate, particularly on this legislation. They have refused to either read it or, if they have read it, to acknowledge the actual content of the bill.

- (1645)

If the bill were operating in a vacuum, if we were making no effort in any other area of society or in any other form of legislation to improve the lot of Canadians, I might oppose it as well. The bill is part of a package. It is part of our platform set out in our red book. Beyond that it is part of a package of legislation we intend to use to improve the lot of Canadians. By improving the lot I mean by making our communities healthier, economically healthier and safer.

We have tried to take other steps to assist people who do not have the same advantage as the last speaker. We have improved our student loan programs so that we are offering funds to encourage women into areas where they have not traditionally sought training in the past. We have a student loan program which encourages the participation of persons with disabilities.

We are revamping our social programs in order to take away the systemic barriers that exist for single mothers who are untrained and also unable to go back to work because they have no one to take care of their kids. We are taking a look at child care as a form of social program which will support our effort to get Canadians back to work.

Bill C-64 is a clear example of how the Liberal Party delivers on its promises. In the red book we said we would strengthen the Employment Equity Act and that is exactly what Bill C-64 does. This legislation is deeply rooted in our country's conscience. In our Constitution every individual has "the right to equality before and under the law and equal protection and benefit of the law".

The Reform Party in general and certainly the last speaker do not like the charter very much because they think protection of the individual should be limited, that the application of the charter should be narrow and that only those they say are deserving of its protection should receive that protection.

The Canadian Charter of Rights and Freedoms specifically recognizes the rights of the individual and specifically recognizes that special programs are needed and that they are allowed in order to benefit those who are discriminated against in our society. That is what this bill addresses after all.

At the end of the day the bill is there because there are people who suffer in employment today because of accidents of their birth or accidents of their lives, accidents like colour, race, sex, disability.

We believe employment equity is about building a more caring and a more just society. It holds up a mirror to the fundamental principles that we all hold dear and it seeks to create a level playing field while providing practical and reasonable employment plans for employers.

Employment equity was conceived under a Liberal government initially drawing on the work of Madam Justice Abella and her commission. It reflects our party's long history of commitment to justice and equality for all Canadians, not just for the privileged classes.

Yet many insist on making the false assumption that federal employment equity is a carbon copy of the American affirmative action policy or of the Ontario bill. This was apparent in the comments of the last speaker and also in the comments of the member for Beaver River.

These speakers claim that Americans and Ontarians are now rejecting legislative efforts out of hand in the area of employment equity. That is simply not true. Bill C-64 is not affirmative action U.S. style. It is not the severe imposition of regulations put forward in the NDP Ontario bill.

Bill C-64 is really about fairness in the distribution of jobs. It is not about quotas. It is about levelling the employment playing field. It is not about preferential treatment. It is about fairness in human resources administration. It is not about complex regulations or greater administrative burdens for business.

This is a made in Canada, made in Ottawa bill that has none of the earmarks of the anti-discrimination legislation we might find in other jurisdictions. It certainly does not seek as its goal to attribute blame or to right past wrongs.

- (1650)

Reformers like to draw parallels to the American experience, but our bill differs from American affirmative action bills because our experience and our history differ from America's in significant ways. Our law has none of the excesses of the American program, excesses like inflexible quotas for jobs, quotas on college admissions, quotas on bidding preferences and minority set asides in procurement programs. That is not what is in the bill.

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Bill C-64 is not punitive. Instead of penalizing citizens it encourages employers to recognize and use the largely untapped talents of women, persons with disabilities, aboriginal persons and members of visible minorities, members of the so-called special interest groups the prior speaker mentioned. These four designated groups account for 60 per cent of Canadian citizens.

Reformers also cited the Ontario experience but they play fast and furious with the facts. There are no quotas in the bill. Ontario has a third party complaint scheme which is central to the operation of its bill. Ours is more like a planning document for human resources development.

The Ontario bill has very broad regulatory powers which are not present in our bill. The threshold for being caught by the Ontario bill in the private sector is 50 employees. That catches 17,000 employers in Ontario. In our bill the threshold is just over 100 employees and catches only 350 employers. The Ontario bill develops new agencies and tribunals to enforce its act. Ours has no such new agencies.

Just after the Ontario election an omnibus polling of businesses showed they have supported employment equity but not that particular bill. Our bill, which is on a much different model, is much more satisfactory.

Another central feature of our system is our firm belief in flexible targets businesses can reasonably achieve. Under the bill the law is streamlined and clear. There is none of the complex or overlapping regulatory channels found in the United States, nor are there the tremendous regulatory burdens which one would find under the Ontario bill. Enforcement is streamlined, cost effective and relies on negotiated solutions rather than expensive litigation.

One of the main criticisms of the other systems has been their adversarial nature. Bill C-64 takes a consensual approach, an approach of compromise; another great Canadian tradition of helping to bring people together to work in harmony. It is practical. It is well thought out. It addresses inequality in the workplace. It is a uniquely Canadian solution to the challenge of getting the most potential from our highly diverse workforce.

What I am referring to here is the same ethos of fairness which is now driving many private companies to diversify their hirings. Some of those employers have told us how well this can work. Bob Sutherland, executive vice-president of human resources for the Royal Bank of Canada, said: "The Royal Bank has undoubtedly benefited by gaining access to some very talented members of the workforce, many of whom we might not have discovered otherwise".

Dan Branda, CEO of Hewlett-Packard Canada, told a *Globe and Mail* reporter that diversity "is an absolute business imperative because it gives us the edge in attracting the best and brightest people". Are they afraid of the employment equity bill? No.

Employment equity is about every Canadian having the opportunity to know that dignity and security come with a salary. Most of all we are putting into practise the very values which make each of us proud to be a Canadian: fairness, justice and equality not just for a chosen few but for all Canadians.

Mr. Elwin Hermanson (Kindersley—Lloydminster, Ref.): Mr. Speaker, I am pleased to have the opportunity to speak on the third reading debate of Bill C-64, an act respecting employment equity.

The hon. Minister of Human Resources Development has described the new employment equity legislation as follows: "This initiative is a significant step toward ensuring equitable employment opportunities for women, aboriginal peoples, persons with disabilities and members of visible minorities".

The President of the Treasury Board has echoed the minister of HRD, suggesting the legislation is necessary to ensure equity and fairness in the workplace.

I suggest this is a snow job by the Liberal government which is masquerading as a beacon of light when it is moving us back toward the dark ages.

• (1655)

I suggest this because governments that have experimented with employment equity have found it does not work and it does not matter how you couch the term. It does not matter whether you say it is not exactly the same as the American employment equity program or not exactly the same as Bob Rae's legislation. The principle is whether it is working. It has not worked in the United States. It was rejected by the voters of Ontario. It was rejected even by the Liberal Party of Ontario.

Meanwhile its elder brothers and sisters in Parliament are pushing ahead Bill C-64, a bill respecting employment equity. It talks about numerical targets or goals. It simply is talking about quotas and it is federal legislation which means it is the law of the land.

It is wrong. It is draconian. It is against the will and wishes of the Canadian people and it is against the prevailing wisdom of those who have experimented with employment equity in its various ways, shapes and forms and who have found it does not work.

The Liberal government has couched employment equity in terms that mask the true intent of the legislation. I heard the hon. member before me saying it is not what we think it is, it is sort of a wishy-washy, mishy-mushy-wushy piece of legislation.

It is employment equity. That is what the bill is called and that is what we are talking about here. I wish hon. members on the other side would have the courage to say they are proposing employment equity rather than saying it is something new that we have never tried that we do not really understand.

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The government is going about to ensure equity and fairness in the workplace for all Canadians? I doubt it very much. I believe it is imperative to provide the House with a non-biased, general definition of employment equity. We picked one that members on both sides of the House should agree is fairly accurate.

Employment equity could be defined as results oriented actions that a government department or contractor by virtue of its contracts with the government must take to ensure equal employment opportunity. An employment equity program includes such goals as correcting underutilization and correction of problem areas. In addition, it may also include relief such as payback, retroactive seniority, make-up goals and timetables.

I could speak on a lot of these but I want to briefly talk about the unprogressive manipulation this legislation includes, the goals and timetables the government will surely be following to implement and cement the numerical targets it talks about.

This definition outlines the intent of the legislation. The Liberals undoubtedly have timetables to indicate that certain percentages of employees must be appropriate to women, aboriginal persons, persons with disabilities and members of visible minorities by a certain point. The employment equity policies can be viewed as results oriented, which indicates the results of proportional representation, regardless of qualifications, are the main focus of the legislation.

The Reform Party's position on this legislation is that an employment equity policy is unnecessary. It is ineffective. It is very costly. It is unpopular. Governments lose because they have tried to implement employment equity. It is discriminatory. It is intrusive. It is harmful to designated and to non-designated groups. The equality of all Canadians is recognized by affirming that hiring and promotion should be based solely on merit rather than on gender, race or other distinguishing factors of that nature.

Employment competition based on the merit principle is the key to both equality and productivity. The Reform Party has no qualms with encouraging the recruitment of qualified visible minorities and women through advertising and training programs. Visible minorities and women should then compete on a non-discriminatory, colour blind, gender neutral basis for jobs, promotions or educational positions.

The Reform Party believes discrimination is a heinous offence that needs to be rooted out of our workplace. However, this will not be achieved through employment equity legislation being orchestrated by the federal government. I believe private companies doing contract work with the government and government departments have the proper mechanisms to deal with discriminatory practices. Any problems not addressed by the company or the government department can be appealed to

either provincial or federal human rights commissions under the human rights code.

Private companies in particular have a vested interest in maintaining a representative workforce because it makes good business sense. According to Fazil Mihlar of the Fraser Institute:

The market solution of the problem as it stands is discriminatory employment costs firms money; therefore if an employer refuses to hire the best candidate for a particular job, the productivity of the discriminating employer is bound to fall and consequently produce less profit. The more competitive the industry, the less likely firms are to engage in discrimination.

• (1700)

The bottom line is that companies are capable of achieving employment equity without governments imposing legislation.

I could talk about the American experience. We have already been criticized in the House for doing that, but if time permitted I would.

We did a bit of research on the breakdown of electoral success in the House of Commons by gender as calculated from the 1993 federal election. The numbers are interesting and also a bit revealing.

I will start with the Reform Party. We were successful in electing 29 per cent of the female candidates our party had nominated. This was without any manipulation or any intervention whatsoever. We only elected 25 per cent of our male candidates. In other words, one quarter of the men who won nomination in our party were elected to the House. A higher percentage, 29 per cent, of the women who were nominated at the riding level by the Reform Party of Canada were successful in the 1993 federal election. This is with no manipulation by the leader of the party, no directives from our party office telling the constituencies: "Make sure you nominate women. We want a lot of women nominated from our party."

The members of our party who selected female candidates chose excellent candidates who garnered the support of their constituents. They were more successful than the male candidates.

If we look at the Liberal numbers, they are about even. They were actually a little less successful in electing female candidates than they were in electing male candidates. Now, as we know, the Liberals elected a lot more MPs to the House, so the percentage of successful male candidates was 60 per cent. That is why they have a majority government.

With all the manipulation, with the bypassing of the constituency nomination process and the anointing of star female candidates, they elected 59 per cent of the females, 1 per cent less than the male candidates they elected. So the wisdom of the Liberal Party hierarchy was not the same wisdom as the constituents in the ridings, who voted for who they felt was the best candidate.

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This indicates the whole concept of employment equity, the playing around with quotas and jiggering around with results not based on merit but based on numerical targets does not work and is not effective. It even hurt the Liberals in the last election.

I see my time is running out. I want to talk about the party that has made the most noise about employment equity in Canada, the NDP. Its members have suggested very stringent quotas. They suggest that there has to be an equal number of women on their party councils and committees from top to bottom, inside and outside and around the corner.

They had 100 female candidates and they elected one, who happened to be their leader, the highest profile candidate they put forward to the Canadian electorate. So 1 per cent of their females were elected. They did not do so well on the male side either, but they did elect 4 per cent of their male candidates. This is from a party that has indicated that there must be employment equity, that it must be legislated and written in stone.

Instead of having the government on this side and the opposition on that side, they would almost want to have men on one side and women on the other and make sure it was equal. That is the approach they have taken to employment equity, and it just does not work. It has not worked for that party.

Why would the Liberals, who are intelligent people and a party that has been around for over 100 years, want to give us Bill C-64, which would try to impose upon companies and government departments what does not work in practicality, does not even work in their own party, which has been a failure everywhere it has been tried and which is disgusting and discriminatory by its very nature and is demeaning to the very people it is supposed to help?

I like to see visible minorities and female members in the House of Commons and in business, who are there because they are darned good, the best at what they do. I have a lot of respect for those people, whether they be black, white, yellow or red, whether they are male or female or whether they are handicapped in some way. I have a lot of respect for those people who made it on their own. If they are being given numerical quotas by a federal government and are given a position just because they happen to fit a certain category, it is demeaning to them.

• (1705)

I suggest this government should withdraw this legislation. It is wrong, it is immoral, and it does not work.

Mr. John Bryden (Hamilton—Wentworth, Lib.): Mr. Speaker, I am grateful for this opportunity to speak to Bill C-64, which would amend the current federal Employment Equity Act principally in the matter of introducing an enforcement regime. It is targeted at private sector enterprises of 100 employees or more that do business with the federal government. That encompasses hundreds and possibly thousands of private sector companies, any in fact who get a government contract.

I want to speak as a government MP because I am unhappy with this bill. I feel it is my duty to do so, even though I am but a single voice perhaps among my government colleagues. I must express my deep, deep reservations about this legislation.

In my view, Bill C-64 is seriously flawed. It is being rushed into law without the benefit of the careful consideration that is due any legislation that comes before this House.

First let me say that I do not doubt the government's nobility of purpose and sincerity of motive in bringing Bill C-64 forward. Strengthening the federal employment equity legislation was a red book commitment made by the Liberal Party prior to the last general election. A government that tries to live up to its promises cannot be faulted for trying to do so. Indeed, being faithful to one's promise is something all Canadians admire and applaud. Moreover, who is to argue against the desire to see that all Canadians have equal opportunity for employment and that no one is discriminated against on the basis of gender, non-relevant disability, or race? The noble purpose is noble indeed.

However, the fact that Bill C-64 springs from a promise is possibly one of the reasons it has come this far without adequate consideration of the huge problems it seems likely to create. It goes absolutely against some of the most basic concepts of justice and fair play, and in seeking to eradicate discrimination sets the stage for encouraging it.

I have to believe—and I do—that it has come this far because the government bureaucrats who framed it clause by clause did so more with a view to satisfying the government's desire to fulfil its promises quickly than to writing competent legislation. I find it hard to believe that professionals could have drafted something so obviously faulty.

I am not a lawyer, but it does not take a lawyer to see what is wrong with Bill C-64. Any Canadian knows the very essence of our democracy and our freedoms is predicated on the concepts that all are equal before the law and that everyone is entitled to a fair trial. When Bill C-64 is tested against these two principles it fails.

Let us consider the fair trial aspect. Bill C-64 requires that the target employers prepare equity employment plans and give an

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accounting annually of their progress in fulfilling these plans. I will spare the details, but suffice it to say that Bill C-64 describes minutely what it expects of employers when it comes to trying to achieve balance in the hiring of aboriginals, women, visible minorities, and the disabled.

To ensure these employers are fulfilling the requirements of the act, Bill C-64 provides for the creation of compliance officers, a kind of equity police administered by the Canadian Human Rights Commission, who are given the power to enter a company's premises and demand to see its books to ensure the company does have an appropriate equity plan and that it is acting upon it. Right here there is a problem. Mr. Speaker, I would remind you of the outcry that swept the nation when Bill C-68, the gun bill, proposed similar entry and search provisions to ensure compliance. Here we are apparently doing the same thing.

I suppose the argument, which I can hardly say is being debated either through public hearings or in this House, is that these compliance officers are equivalent to inspectors who come on to your premises to inspect elevators or read a gas meter. However, Bill C-64 gives these compliance officers extraordinary powers. If a company tries to deny them, the company can be taken to court, but not to any court as Canadians have come to understand the term. The court, which decides the guilt or innocence of a company and which ultimately decides on fines of up to \$50,000, is a sub-tribunal of the existing human rights tribunal panel, whose president can name from one to three people to hear a case. There is no bar exam for these people to pass, no vetting by the elected representatives of the people. The president of the human rights tribunal panel gets to select whomever he pleases.

• (1710)

Tribunal is an appropriate term in this case. The word is very ancient, going back to Roman times, but it was in the Middle Ages and during the French Revolution that it acquired the connotation of drum-head justice, of people being hauled before citizen adjudicators who meted out punishment according to the temper or the distemper of the times.

The only real requirement to be a judge on the equity tribunals that Bill C-64 sets up is that the person so named be familiar with the equity employment theory and practice. Is that not the most eloquent invitation to bias you have ever heard? Will not the temptation to appoint employment equity activists simply be overwhelming? Will these tribunal judges not have more of an eye toward being politically correct rather than fair to the accused, to the company contesting the assessment of a compliance officer?

It gets worse. The equity tribunals that Bill C-64 sets up are courts of no appeal. The legislation specifically states that a company convicted by the tribunal has no recourse to another

court unless on a technicality. There is no appeal. Whoever heard of such a thing? Even convicted murderers have the option of trying to appeal, but not an employer who fails to file an equity employment plan to the satisfaction of an equity employment tribunal.

I should note, however, that the action of initiating the levying of a fine against a company is to come from the Minister of Human Resources Development. The tribunal's role is to concur or not concur. Let us be candid here. The Minister of Human Resources Development we are talking about is not the political minister but the bureaucrats under him. If action leading to a fine is taken it will be by the deputy minister or an assistant deputy minister or an assistant to the assistant deputy minister. It will be a decision of the bureaucracy based on the recommendation of the human rights commission.

While I am entirely confident that the current Minister of Human Resources Development will always stay on top of his department and will personally review any proposal for a penalty against a private sector employer, how can we be sure that some future Minister of Human Resources Development will not get preoccupied and leave such decisions to the deputy minister or the assistant deputy minister or so on? This could be even worse than the tribunal. The ultimate decision to penalize a company will rest with the bureaucrats. They will decide. Although I believe that Canada's federal civil service is the best in the world, I question its understanding of and sympathy for the problems of private sector employers.

There is another reality. I hate to sound cynical, but these employment equity amendments may give even low-level bureaucrats a big stick. Companies vying for lucrative government contracts could be stopped in their tracks by the threat of employment equity complaints. They could be held to ransom by the unscrupulous. This may never be, but while 95 per cent of the people are honest, we have to watch out for that 5 per cent who are not.

If a company is trying to land a \$100 million contract and a compliance officer suddenly says its employment equity plan is inadequate, what will occur? Bill C-64 makes no provision for policing the equity police.

The other major area of difficulty in Bill C-64 has to do with the fact that it exempts employers who would hire only aboriginals. I could speak at equal length about this problem, as it is equally fundamental and crucial. Suffice it to say that a bill that purports to try to eliminate discrimination actually condones it when it exempts a large group of Canadians solely by virtue of race. This is entirely contrary to the concept that we are all equal before the law. It is better to throw out a law entirely if it requires a clause that treats one Canadian differently than another based on birth rather than merit. This is exactly what Bill C-64 does. This is unfortunate. It sows the seeds of anger and conflict.

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This all appears so obvious to me. I have to acknowledge that I am only a layman in legal matters, as was the majority of MPs who considered this bill in committee. Naturally I want to know what Canada's legal community has had to say about this legislation. Does it share my misgivings? There is no way of knowing. Other than the National Association of Women and the Law no lawyers' groups testified before the committee. I suspect they were never invited. Government funded special interest groups however were well represented.

• (1715)

There is my dilemma as a government MP. I see fundamental problems with Bill C-64 of a legalistic nature but little evidence that the legal experts have been consulted. It is wrong to leave it to the courts to decide after a bill has passed. We are supposed to iron out the problems beforehand.

I do not believe this has been done. The trouble is I can do nothing but stand here and speak. The bill went to committee after first reading, enabling it to be flipped through report stage and second reading to a vote in five consecutive sitting days of this House of Commons. Five consecutive days, that is all.

There were no committee hearings following second reading as normally is the practice. There has been no chance for me to see my misgivings put to rest by asking the standing committee to summon expert witnesses who could comment on my concerns.

I would like to have heard the opinion of the Canadian Bar Association on this legislation. No chance now. I would like to have lobbied my fellow MPs to get them to study the bill and express their opinions. No chance now. I would like to have heard from retired judges of long experience. No chance now.

It is curious. I am a first time MP. I never dreamed, ever, that laws were created in this fashion.

Mr. Bill Gilmour (Comox—Alberni, Ref.): Mr. Speaker, I must say that it is refreshing to hear a Liberal talk about some of the concerns in a bill rather than just glowing over the top saying there are no problems at all. I applaud the member for putting forward his comments with the moral fortitude of speaking his mind.

I am pleased to have the opportunity to speak on Bill C-64, an act to implement employment equity. Bill C-64 aims to legislatively entrench employment equity for the federal public service and businesses of 100 or more employees doing business with the federal government by setting up racial and sex based hiring quotas.

Canadians have several concerns with the proposed bill and so they should. It is contradictory. It is discriminatory. It is patronizing. The underlying principles undermine the values in which Canadians take the most pride, fairness and equality for all.

In my view, public service hiring and promotion should be guided by one principle and one principle alone and that is merit. The government clearly has a role in ensuring equal opportunity and employment competition based on merit. In this bill hiring and promotion based on race or sex is in direct conflict with merit. If the best candidate is to be hired, race or sex should not matter.

The bill patronizes designated groups. It assumes their mediocrity and presupposes that certain groups of individuals will not be hired or promoted in the workforce on their own merit, so the only way they are going to get hired or promoted is to give special favour to their race, gender or disability. This is nonsense.

Employment equity assumes that if people fall within a particular category they need assistance. This is not the case. Whether a person is male or female, a visible minority, disabled, does not define a person's need for assistance and when we jump to such conclusions it is called racism or sexism. Clearly entitlement to government positions should be based on individual merit, not the colour of the applicant's skin or gender.

In addition, race and sex based policies can be detrimental to the workplace. They create tension and bad feelings among co-workers. Equal opportunity means allowing the same opportunity to each individual regardless of race, sex or religion, not rewarding one group over another because of basic characteristics.

• (1720)

Employees should have the right to be free of discrimination in the workplace. This right should be protected by government, not withdrawn as the bill attempts to do. The bill is not about equality, fairness or hiring the most qualified people for the job. It is about giving special status to one group over another based on race or sex.

All Canadians should be equal before and under the law. This bill violates those basic Canadian rights. On that basis alone, the bill should not be allowed to pass.

Rights and privileges should not be based on race or gender. These ideas went out in the 19th century with the growth of universal democracy and individual rights and freedoms. The government talks about equality of opportunity but at the same time is introducing affirmative action legislation that is fundamentally opposed to equality. How can Canada claim to be in the forefront of human rights legislation with such discriminatory legislation?

Governments have mandated preferential policies toward designated groups in the past. Bill C-64 establishes laws and regulations that mandate Canadians treat people differently, to consider race and gender when hiring or promoting. In so doing, the government takes away individual respect and dignity and replaces it with a racist or a sexist hiring policy. This is going the wrong way.

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No one should be accepted or rejected for a job based on race or gender. It is simply wrong to classify an applicant on the basis of these characteristics. Employees should be judged on the merit of their individual day to day accomplishments.

Blanket hiring of employees on the basis of race and gender is simply not acceptable to Canadians. More fundamentally, it is not the business of government to influence employment decisions in the private sector. Governments should not be imposing their bill on private business. Canadians do not need or want the influence of a big brother government watching over the private sector. Once again, the Liberals have underestimated the Canadian public. Canadians do not want this big brother approach meddling in their hiring practices.

In addition, I am concerned with the cost of the legislation. The government is proposing a program that could cost taxpayers billions. The total cost both direct and indirect of employment equity could amount to over \$6 billion or nearly 1 per cent of the gross domestic product because it is going to affect a lot of businesses and people.

Where are the priorities of the government? It cannot guarantee seniors' pension funds, but it is prepared to throw \$6 billion into employment equity. That is fundamentally wrong.

The legislation is misplaced by a government priority. Canadians will be most concerned by the enormous amounts of money that are going to be poured into this program because employment equity is unnecessary. The government claims it is eliminating barriers with this bill. It does not eliminate barriers, it creates them.

Obviously no one should discriminate against women, visible minorities or the disabled in hiring practices. I fail to see why we have this over reaction on the part of the government in an attempt to correct a problem that Canadians agree simply does not exist.

The Ontario election was fought on the issue of employment equity and the Liberals were defeated because they tried to force it down the throats of the electorate. In addition, this legislation is contradictory.

Bill C-64 states that no person should be denied employment opportunities for reasons other than ability. Yet the very essence of this act contradicts this statement. The bill promotes discrimination and legislates race and sex bias in the workplace.

All Canadians must be able to compete equally for jobs irrespective of race, gender or disability. Canadians should not be denied employment opportunities for reasons that have nothing to do with their abilities.

I must also point out that two wrongs do not make a right. Many young people today have enough strikes against them as they search the job market for whatever employment they can find. Employment equity will freeze out more opportunities for young people who do not fit into the preferential hiring practices, not because they lack the skills or ability but because of their personal hereditary characteristics. Any young person who has the misfortune of not falling into those categories is left out in the cold.

• (1725)

Applicants should not have to disclose the colour of their skin, their ethnic background, their gender or their religion. It is illegal to ask a person's age or marital status but to ask a person's race is all right? What is wrong with this picture?

Recently a Gallup poll showed that 74 per cent of Canadians oppose employment equity. If we were to poll Canadians today I am sure we would get the same results. In fact, the Ontario election is the latest and strongest indication that Canadians reject employment equity and are prepared to reject any government that proposes it. When will the government stop listening to special interest groups and start listening to Canadians?

In conclusion, I have to ask why the government insists on pushing legislation which is contrary to the views of most Canadians. This is the same mistake the last government made. We all know the price it paid for not listening. The real question is: Are the Liberals listening or are they going to force unwanted legislation on Canadians and suffer the same fate as the Conservatives? Time will tell.

Mr. Eugène Bellemare (Carleton—Gloucester, Lib.): Mr. Speaker, it is a privilege to rise in the House to participate in the debate on Bill C-64, an act respecting employment equity.

[*Translation*]

When I listen to hon. members opposite, I sometimes have the impression that to them, employment equity is just a numbers game. That is not the case. The government has taken a holistic approach to employment equity. Contrary to what members of the Reform Party seem to believe, we are not just in the business of adding or subtracting numbers.

[*English*]

To the contrary, passage of Bill C-64 will enhance implementation of the Employment Equity Act so that we can continue to fight systemic discrimination and build a federally regulated workforce that reflects the diverse composition of Canadian society.

It is important to note it is not just the government which is concerned about diversity in the workforce. We know there are a growing number of employers who are getting behind employment equity. They are not treating it as some kind of statistical exercise, which seems to be the way members of the Reform Party look on it.

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Employment equity is helping us to build a harmonious society. Employers are learning how to manage diversity. Being able to manage a diverse labour force will help business to draw on the broad expertise of people from many different social and economic backgrounds.

There are some fine examples, such as the employer's leadership skills course, which are helping managers to understand individual differences and how to lead teams made up of diverse members. Another employer gathers information on his employee's negative experiences to determine the best way to improve their situation.

Some employers are providing video training to upgrade the computer skills of employees with learning and visual disabilities. Some employers are introducing flexible holiday arrangements for employees who wish to participate in their own religious ceremonies on specific days each year.

The point I am making is that employers are working with all of their employees to create a productive and harmonious workplace which represents the diverse nature of the Canadian population.

I submit it is the Reform Party that has a fixation with numbers, not the government. The bill refers not to quotas but to equal treatment. For example, let us look at the amendment on self-identification that the government accepted during the report stage of the bill. The amendment accepts the right of the employer to make the case that under-representation of a group is due to a lack of self-identification and there is a requirement for compliance officers to take such information into account.

I want to tell the House something about self-identification. Self-identification has encouraged individuals in the designated groups to come forward. In the past many of these individuals have tried to hide their minority status from society. We must remember that for years people have felt that they had to keep their disability secret and their racial origins to themselves. That is now changing.

Since 1987 more people in the designated groups are self-identifying because they feel more comfortable about doing so.

• (1730)

[*Translation*]

We know that representation of women and members of visible minorities in the labour force has increased considerably. In the case of aboriginal peoples and persons with disabilities, the process has been slower but there has been an improvement.

[*English*]

Employment equity is not about adding a bunch of numbers and throwing them into a statistical report. The Reform Party is misleading Canadians by referring to employment equity in that way.

Bill C-64 accents reality. Its implementation will help us to use scarce resources in a way that will enable all Canadians to contribute their knowledge and skills to making a better Canada.

Many companies are already taking positive steps in that direction. Canada Mortgage and Housing Corporation has a wide range of measures to reach a representative workforce, including special initiatives for aboriginal people and for persons with intellectual disabilities.

[*Translation*]

Orth-McNeil, a drug company in Don Mills, Ontario, introduced flexible hours so that its female employees can either work at home or work part time after their maternity leave. York University in North York, Ontario, is always trying to increase representation of designated groups on its campus.

[*English*]

Even small and medium businesses recognize the importance of employment equity. On my way to the House of Commons from my riding office in Orléans at noon I stopped at a fast food restaurant for a quick lunch. The lady who served me had a speech impediment. I was served with politeness, speed and in a business-like manner. I commend the manager for recognizing employment equity and putting it into practice in the frontline of his business.

Bill C-64 is not about adding up a bunch of numbers and patting ourselves on the back because they look impressive. It is about doing the right thing and allowing all Canadians to feel they belong and can participate actively in a just and caring society. It is about ending systemic discrimination in the workplace and opening the labour force to all who are deserving based on ability. That is the thrust of the legislation and I am pleased to give it my wholehearted support.

Mr. Jim Abbott (Kootenay East, Ref.): Mr. Speaker, I believe Canada is a cultural mosaic made up of citizens with various ethnic and religious backgrounds. Many of these people have overcome tremendous adversities to be able to reside in Canada where all citizens are supposed to be equal in the eyes of the law.

This sentiment has not always been shared or fostered across the land. At various times in our history certain groups have been the target of discrimination and persecution. These have scarred our past and from these times we have grown to be a much more tolerant and a much more civilized society.

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I am not in favour of a homogenized Canada. I am in favour of equal access for all Canadians. Bill C-64 is an impediment to such access. By ensuring access to some, Liberals block access to others.

It is important to ensure Canadians from traditionally disadvantaged groups are given access to education and all the other benefits of Canadian citizenship, but this should not mean that special employment provisions are given to any group or individual in lieu of merit.

The opinion of the government is that these disadvantaged groups need special government legislated programs to be represented in the workforce. However legislation is overkill. Liberals will never achieve employment equity through divisive means even if it is imposed by the heavy hand of the law.

As an employer I am looking for a person who will do the job best. There is no race or gender attachment to that criterion; only merit. Under the government's plan I no longer have to find the best person for the job. I now have to find the best candidate from a designated group. This is not equal opportunity under the law. It is an enforced quota system.

The legislation states that employers with a workforce of at least 100 persons who are in the service of the federal government must comprise their workforce proportionately to the make-up of the population. The government has a fixation with numbers, quotas and statistics, which is why the Minister of Industry is going ahead with a census based on race, even on the nation of origin of Canadian citizens.

• (1735)

The Reform Party believes in an immigration policy that is colour blind and says that immigration based on race or country of origin is racism. If that is the case, what is legislation that is based on race or country of origin? I suggest respectfully it too is racism.

The government would lead us to believe that under representation of disadvantaged groups in the workplace is the result of discrimination. This is preposterous. In Canada citizens are free to choose the career of their choice. How could the government impose a plan on Canadians which quantifies access to certain jobs? If discrimination is wrong for one designated group, it is wrong for all Canadians.

To select someone for a job based on race or gender is just as wrong as not selecting the same person for the same reasons. All people must be equal regardless of race, language, creed, religion or gender.

Canada's employment practices have evolved to a level where we recognize the wrongs of the past. I would hope that we have also evolved to a level where we recognize that redemption for the oppression of one group should not be the oppression of

another group. There is still considerable room for improvement. However Bill C-64 is clearly not the answer.

I should not expect the government to grasp the concept of equal opportunity. Its party has passed some of the most divisive legislation in Canadian history. According to Liberal dogma we as a country are supposed to find unity and strength by focusing on our differences and making exceptions for those differences.

Unfortunately we live in an intolerant world. We only have to watch the nightly news to see the atrocities that occur daily in the name of difference. Why would we in Canada, a country of incredible opportunity, focus on the differences of the population and legislate employment policies based on race, gender and disability?

To identify a specific group as disadvantaged gives a perception that it is incapable of succeeding on its own. This is clearly untrue and is a disservice to those groups.

I should mention that many women in my constituency have approached me on the issue. Uniformly they see quotas as demeaning their personal value, developed skills and work ethic. They want government meddling in the workforce eliminated, not enhanced.

When will the government realize the ramifications of its actions? The people of Ontario clearly voted against the unwanted employment equity legislation. Does it not see the divisions and animosity created by its policies? I wonder if the government has taken into consideration the long term effects of its quota systems, because they are quota systems. At what point do we reverse the discrimination angle and again promote those who have been kept down? This is a cyclical effect and the only solution is to end it now.

The government should be proactive, advocate equality in the truest sense of the word, treat all Canadians the same, tax them the same and educate them the same. As utopian as that may sound it is a positive step for the future.

As long as the government keeps legislating discriminatory ideology there is no possible means of attaining what is guaranteed under the charter, that we are all equal in the eyes of the law.

Mr. John Murphy (Annapolis Valley—Hants, Lib.): Mr. Speaker, I am pleased to speak today on Bill C-64, an act respecting employment equity.

I support the bill. I believe it is an important step in ensuring fairness and equity in the workplace. This is especially true for women, aboriginal people, persons of disability and members of visible minorities, all of whom represent segments of our society that have not always been given a fair opportunity. These groups continue to experience higher than average unemployment rates, lower than average salaries, and are concentrated in the lower paying jobs.

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In recent weeks we have had a valuable debate about employment equity. It has allowed us to discuss an initiative that will help ensure all Canadians have equal opportunities in the workplace.

• (1740)

However throughout the debate there has been one recurring and unsettling element: the consistent effort of the Reform Party to practise the politics of polarization.

As I have listened to the debate, far too often members of the third party have chosen to misrepresent the intent and practice of employment equity. In so doing they have chosen a dangerous course. Instead of taking an important step forward they have opted for the status quo. Instead of making our society stronger and more inclusive they are spreading misinformation aimed at dividing people.

Before I deal with their politics of polarization, let me begin my remarks by noting other elements of the position of Reformers on the bill. The key element of their position is that infallible market forces are enough to address employment barriers. That was summarized in their minority addendum to the report of the standing committee. They stated quite clearly that the market would punish an employer whose employment practises had systemic discrimination built into them. Yet market forces alone cannot eradicate systemic discrimination. Voluntary measures toward achieving equity in the workplace have not brought about significant changes for many people.

There is another dimension to the Reform position, that is the denial of systemic discrimination in the workplace, discrimination that not only results from a conscious bias but from inadvertent practices and systems. In other words a seemingly neutral policy can have adverse impact on certain groups and individuals based on race, gender and disability.

The term systemic discrimination refers to this type of unintentional barrier to equality. However, when I listened to the arguments made by members of the third party, they believe only one kind of discrimination occurs when an employer says that he will not hire a person because she is a woman, a visible minority, an aboriginal person or has a disability. Systemic discrimination has nothing to do with any intention to discriminate. Canadian employers are fair. Many organizations have already recognized the existence of such discrimination in their workplace and are working hard to eliminate it.

That brings me to my final point, the politics of polarization. Time and time again hon. members in the third party have chosen to debate the issue in terms that can only create confusion and division. They talk about quotas when the bill explicitly rejects them. They claim the bill promotes a new kind of discrimination when it clearly does not. They harp on this as an attack on merit, yet the bill explicitly states that no employer will ever be forced to hire an unqualified person. That bears repeating because the third party is trying to confuse the people

of Canada. The bill explicitly states that no employer will ever be forced to hire an unqualified person.

I advise my hon. colleagues across the way to take some time to sit down and read through the bill. They should read section 5 where they will see what employer obligations really are. They should read section 6 where they will see what is not an obligation. They should read section 10 where they will see what an employment equity plan really is.

Bill C-64 is about making all reasonable efforts to build workplaces that respect people. In listening to the arguments of my colleagues across the way it is clear they have chosen to ignore the experience of many employers covered under the existing legislation. They are making employment equity work the right way. They see it as a human resource planning pool. They know that a key element of an effective equity program is communication. People need to know what equity is and conversely they need to know what it is not.

When members of the Reform Party suggest that the legislation is about stealing legitimate opportunities from some to give it to the undeserving, what kind of a response do they expect? It would seem that they want a backlash. Rather than focusing on the issues of real equity in the workplace, they instead focus on misinformation about what the bill really stands for. They are trying to capitalize on genuine concerns many Canadians have about their jobs and their future.

• (1745)

Let us be clear. The Reform Party wants short term political gain based on the politics of fear.

This bill responds to a real problem. It reaffirms our government's commitment to equity for all Canadians. Our government is living up to its responsibility and we are working to make positive changes for Canadians. We realize that denying this problem will not make it go away.

In closing, Bill C-64 is not about giving unfair advantage to certain designated groups; it is about equality and removing barriers to employment. When this bill comes to final vote I will be on the side of building a stronger and more inclusive society in Canada. I will vote in favour of Bill C-64 and I encourage all members of this House to do the same.

Mr. Jake E. Hoepfner (Lisgar—Marquette, Ref.): Mr. Speaker, it is a pleasure to be back in the House after a week's break. Things have not changed too much. I heard Reform mentioned quite often which is music to my ears. We must be saying something right.

I always say that the proof is in the pudding and to practise what you preach. For example, we have tried to be employed as committee vice-chairmen in this House for a number of years. For some reason it has not held true that we have been equally treated to that extent. We have capable people who should be employed as vice-chairs in the committees but it does not seem

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to work that way. That is democracy Liberal style, I heard an hon. member say, but let us get down to the basics.

It is a pleasure to address this bill, an act representing employment equity. I would like to add my voice to those of my colleagues in opposition to this offensive piece of legislation.

This bill sets out to achieve numerical equity by occupational groups in the following workplaces that employ 100 or more people: the federal public service; federally regulated private business; and businesses that undertake contracts with the federal government. The bill sets out to do this by correcting conditions of the disadvantaged experienced by certain groups through the use of racial and gender based quotas.

Under this bill all affected businesses would have to comply with extensive reporting obligations, including filing detailed analyses of their hiring practices and racial breakdowns of their staffs. This is a costly imposition.

The Reform Party believes that all Canadians are equal under the law and all Canadians have the right to be free from discrimination in the workplace. No one should be denied an employment opportunity for reasons that have nothing to do with inherent ability. The Reform Party also believes that merit should be the sole hiring criteria in the workplace. To pass over the best qualified candidate in order to fill a racially based quota is a denial of the merit principle and in itself is racist.

We believe in a system that is colour blind and gender neutral. Canadians who wish to pursue a certain vocation should not face barriers of discrimination. Those with ability and discipline deserve the rewards of their hard work.

The key assumption underlining the notion of equality in Bill C-64 is that equality means equality of numerical representation in the workplace. Even in a perfect world it seems unlikely that people from designated groups would enter each segment of the workforce in numbers precisely equal to their representation in the workplace. Yet this government persists in depending on numerical equality as the standard of justice.

• (1750)

A 1993-94 report on employment equity in the public service says that self-identification is the backbone of the employment equity program. This raises a serious concern over the reliability of the self-identification process. Many people may refuse to identify themselves as a member of a designated group because they fear they would be seen differently by co-workers. This avoidance could then skew the statistical base. If enough people refused to self-identify, then the appearance of discrimination would be elevated.

For example, the Clerk of the House of Commons appeared with the result of a self-identification survey before the standing committee studying this bill. This survey was sent to 1,700 House employees. Just 23 per cent returned the survey. Of that number, less than 50 identified themselves as a member of a designated group. Clearly the appearance of non-compliance can be created by inadequate data.

A 1992-93 report on employment equity in the public service stated that the number of visible minority employees may be underidentified by one and one-half times and the number of disabled by two and one-half times. This has serious implications for employers. If some members of designated groups fail to identify themselves as belonging to a designated group, the employer would have to consistently report an unrepresentative workplace. In this case the employer would be forced to report non-compliance when in fact he or she might be complying.

There is also the aspect that employees would be tempted to falsify self-identification surveys. Since no verification is ever attempted, no studies have been conducted on the possibility of abuse in this regard. However, the 1994 report of the Employment Equity Act notes that in 1991, 2.3 million Canadians reported having a disability, an increase of 30 per cent over 1986. Only part of this can be explained by an aging population.

This bill gives Canadians a strong motive to count themselves in as disadvantaged. Even more confusing is the fact there is no uniform definition of disability used in Canada and disabilities are often determined on a case by case basis.

This type of legislation results in reverse discrimination. It attempts to fight racism or sexism by racist and sexist means.

For a while in 1992 the RCMP in Alberta stopped accepting applications from white males. The RCMP now operates several preferential hiring programs. Out of the 426 cadets in training this year, 74 per cent must be selected from three of the four designated groups.

Polls in Canada have consistently shown that Canadians do not want employment equity programs. A 1993 Gallup poll showed that 74 per cent said that qualifications should be the sole criteria for hiring for management positions. The question is: When will this government start listening to Canadians instead of forcing legislation on them that they do not want?

This seems to have been the Liberal agenda for the last couple of years: "Do as we say or you will not do as you should be doing according to your constituents". This is another prime example of the Liberal government trying to force through legislation that will be detrimental not just to this country but to the economy of the country. It is time we recognized that we have to listen to the grassroots people, that we have to listen to the

grassroots businesses. They have the answers for this country and that is what the people of Canada want.

• (1755)

Mr. Ronald J. Duhamel (Parliamentary Secretary to President of the Treasury Board, Lib.): Mr. Speaker, on October 3 in this very House at the start of the debate on the amendment motions to Bill C-64, the hon. member for Edmonton Southwest said: "The private sector by and large is light years ahead of the government in its relationship with minority groups".

That comes from one of the more enlightened members of the Reform Party. Imagine what the rest of them must be thinking when such a glaring error has been made. That is incorrect and false information. It was not intended to be. It just happened to be because that member did not know as his colleagues do not know the truth of the matter. I want to set the record straight.

Our latest annual report was tabled in the House by the Minister of Human Resources Development and the President of the Treasury Board. It shows that for three of the designated groups, that is, women, aboriginal peoples and persons with disabilities, in representation levels the ratios of designated group members to the entire workforce are higher in the federal public service than in the whole federally regulated private sector. Those are the facts.

The lower representation of visible minorities in the public service as a whole is due in part to the fact that the public service does not have an equivalent to the banking sector where representation is 13 per cent.

Some hon. members: Oh, oh.

Mr. Duhamel: The Reform Party does not get its facts straight because when we attempt to put the facts on the table, Reformers will not listen. I am going to continue to give them the facts and perhaps some day they will sink in.

Jobs in the public service in contrast to the federally regulated sector are not as concentrated in large Canadian metropolitan areas. These are the urban centres where the vast majority of Canadians of a visible minority are residing. However, visible minorities make up 8.3 per cent of the relatively well paid scientific and professional category of the public service.

It should also be noted that right now, one out of five executives in the public service is a woman. What is it in the private sector? One in ten. I suppose the Reform Party is going to tell me that is better. I suppose Reform members are going to tell me that is because women have been favoured. No, it is not because they have been favoured. It is because there have been open policies which have recognized the systemic discrimination and in part it has been corrected.

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Professor Andrew Hede of the University of Southern Queensland in Australia published a comparative analysis of women executives in public services. Drawing from the experience in Britain, the United States and Australia he wrote: "Canada is the clear front runner in the equity stakes". Why will my colleagues from the Reform Party not admit that we are leaders? I know why. It is because they cannot possibly admit whenever the government does something right.

Make no mistake about it. There is still a lot that needs to be done, but we are making progress. These are sound policies. It is unfortunate that some people would want to peg them as discriminatory for political gain.

[*Translation*]

Now for my comments on Bill C-64. Some people have a poor perception of employment equity and of Bill C-64 in particular. They believe, and in my opinion they are wrong, that these are radical social experiments. One wonders whether there is no awareness or appreciation of the past and present policies of this government which are aimed at helping the most vulnerable members of our society and thus increasing employment equity.

Let me present the facts so that these people will understand the historic background of this bill. I hope this will improve their perspective and give them a better appreciation of employment equity.

I will provide a history of the development of employment equity at the federal level, with some specific examples of the situation, past and present, in the public service.

[*English*]

What I am about to say will make it abundantly clear, and it may even be understood by those who do not want to see it, that employment equity is not a revolution that would target and punish groups which may have benefited from the employment system in the past. Rather, I want to paint employment equity in Canada as an evolutionary social policy initiative consistent with the tradition of fairness and dignity for all that is so prevalent in the mainstream of Canadian society. That is what it is all about.

• (1800)

Let me give some examples of a few very significant historical milestones.

The Royal Commission on the Status of Women was a stimulus for early efforts by the federal government in the 1970s to deal systematically with issues of representation in the public service.

In the early 1980s the federal government introduced a program to bring about the equitable representation and distribution of women, aboriginal peoples, and persons with disabilities in the public service. In 1985 visible minorities were included in the program.

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The government also launched the special measures programs to encourage the recruitment of designated group members. A service-wide self-identification survey was carried out to provide the numerical information for the program.

[Translation]

And in 1986, following the 1984 report of the Royal Commission on Employment Equity, sometimes referred to as the Abella Report, the federal government passed the Employment Equity Act. The government also introduced Treasury Board's policy on employment equity.

In 1988, the government appointed the Task Force on Barriers to Women in the Public Service whose report *Beneath the Veneer* was published in 1990. The report recommended a broad range of measures to attract, train and maintain women in positions at all levels. It provided the inspiration for a number of important proposals made in the White Paper on Public Service Renewal, Public Service 2000, and in the Public Service Reform Act tabled in the House of Commons.

In 1989, Treasury Board introduced an annual program of employment equity merit awards to celebrate outstanding achievements by departments with respect to various designated groups. That same year the Canadian Centre for Management Development opened its doors. Among other things, the centre encourages the implementation of key employment equity objectives, including diversity management.

Also in 1989, Treasury Board adopted a policy on services available to persons with disabilities.

[English]

In 1990 the secretary of the Treasury Board, with advice from a deputy ministerial committee, set goals for the achievement of equity for the four designated groups, reviewed accountability mechanisms, monitored developments with respect to national strategies and initiatives, and gave advice to departments on communications strategies and efforts.

In May 1992 the government announced its intention to legislate employment equity in the public service through amendments to the Financial Administration Act, thereby confirming by statute obligations on the public service that were comparable to those placed on federally regulated employers under the Employment Equity Act.

On June 18, 1992 royal assent was given to a bill modifying six federal laws pertaining to persons with disabilities, two of which were a Treasury Board responsibility. These were the Access to Information Act and the Privacy Act. The acts were modified to facilitate access to government records and to have

personal information in an alternative format for persons with a sensory disability.

In December 1992 Parliament passed the Public Service Reform Act which amended various federal acts, including the Financial Administration Act. As a result of these revisions, the President of the Treasury Board is now required to table in Parliament an annual report on the state of employment equity in the public service during the immediately preceding fiscal year.

[Translation]

In 1993, the framework for better employment equity in the public service in the 1990s was published. This framework was the product of reflection by the secretary of Treasury Board with the support of a group of deputy ministers. It described a new approach to employment equity at a time when resources were few and managers and employees were increasingly being asked to be accountable by focussing service on the client and coming up with their own ways to promote a positive corporate culture.

In April 1994, Treasury Board approved the implementation of a new program of special measures replacing previous special measures programs. This new program advocated more innovation and flexibility in increasing representation by members of the designated groups and changing corporate culture within the public service.

[English]

Finally, in December 1994 the government introduced Bill C-64, an act respecting employment equity. It brings private and public sector employers, including the public service, under a single legislated regime. Employers would be subject to identical obligations to implement employment equity and a uniform process. The Canadian Human Rights Commission would be authorized to conduct compliance audits.

• (1805)

[Translation]

This is the reality. I have just described it. I hope my colleagues opposite will stop using this expression and this program in an attempt to claim they hold the key to the truth. I hope that, finally, they will stop and look, open their eyes and their heart, and admit that, without such programs, women, aboriginal peoples, members of visible minorities and other inadequately represented groups would not be given favourable treatment.

I could go on at length, but I feel I have nevertheless set out the facts. If they keep an open mind, something all members should have, these hon. members will approve and support a government bill in the end.

[English]

Mr. Monte Solberg (Medicine Hat, Ref.): Mr. Speaker, it is not a pleasure to stand and address this bill. I know it is customary for people to stand and tell the Speaker and the House that it is a real pleasure to be here. However, I can say quite honestly that this is a horrible piece of legislation. I cannot believe that members across the way would stand in support of legislation that started under the Conservative government. I guess we can see that they truly are soulmates.

I listened with interest to the hon. member from Manitoba describe with religious fervour how much he supports the legislation. He listed statute after statute, suggesting that somehow this was great legislation that would bring about equity and we would all be drinking free beer and there would be food and happiness across the land. Unfortunately, that is not the way it works.

The hon. member talked about the need to have all kinds of legislation and the wonderful things the government has done with respect to employment equity. Long before the government got involved in the game, people from different countries came to Canada and somehow over a period of time they got along and worked together and eventually they all worked together in government.

I am certain my hon. friend from Manitoba could tell us stories about the experiences of his family and growing up on the prairies. My family came from the prairies. When the prairies were settled 75 to 100 years ago there were people who came from all around the world. They all spoke different languages and had completely different heritages. After a while, as they got to know each other, which took some time, they started to work together and they became not only co-workers but friends. Eventually, of course, it finds its way up the system and it is now seen in government.

I would like to point out to my friends across the way that society is almost always ahead of the government on these issues. I believe it is truly the case, even in the situation we had where a few years ago the government started legislating through employment equity in those industries that fell under federal jurisdiction. I point to a study that was done a few years ago of the broadcast industry, where it was found that the CBC was actually far behind some of the private sector broadcasters. I refer to CITY-TV in Toronto, where it has always reflected that community in the make-up of the people who went on the air. The CBC was way behind. Of course everyone panicked, because the government was not following the legislation. CITY-TV was well ahead on that issue.

I worked for the same company that CITY-TV actually belonged to. We ran into all kinds of problems with the legislation because, among other things, people had to self-identify. Other members have spoken on that issue.

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In the little radio station I ran there was someone who was aboriginal but who refused to identify as an aboriginal. And hair on him. I think that is great. People do not want to be seen as victims. They say "I can make it on my own". In fact, they were already in our employ, so obviously we did not discriminate.

● (1810)

People have the capability of doing these things on their own. They do not need the government standing there at every step, saying: "You are a victim, so we are going to step in; we are going to stand on everybody else's fingers just so we can make sure you get into the workforce".

I would argue that society is always way out ahead of government on these issues. If people want to see rough equalities, give it a few years. People will eventually realize it is in their best interest to hire people on the basis of merit alone. In fact we see that in many successful companies today.

I would argue that it is very hard for the government to micro-manage people's businesses to the point where they can say that it is in the best interests of a company to hire these people from such and such a group. The reason I would make that argument is because people who are coming from a visible minority of some kind perhaps are coming from another country where they have not yet had training in a particular area, and until they have been in the country for a while they perhaps do not have all the necessary skills. But that is a function of education; it is not a function of legislation by the government. Let those people find the education they need and eventually they will find their way into those industries.

We do not need the government to stand there and crack the whip and say that because 40 per cent of the population in your area is made up of blue people you have to have blue people, even if those blue people are not necessarily qualified. That is crazy. I think you will find that most people would regard that as degrading. It is absolutely degrading. I think people will rise on their own merits. We do not need to have some kind of a quota system, such as is being proposed here.

My friends across the way shake their heads and say no, it is not a quota system. If you were told that you have to hire from these particular groups to fulfil this legislation, then of course ultimately it is a quota. The numbers may not be on there, but as my friend from Lisgar—Marquette has pointed out, in 1992 the RCMP in Alberta were hiring all of their people out of employment equity legislation, which means that nobody else had a chance to apply. The numbers may not be written down specifically in the legislation, but if the scope of the legislation is such that it suggests that these are all you have to choose from, then ultimately people do not have a choice. They do not have the ability to hire the people they want to hire based on merit. That is ridiculous. That is absolutely crazy.

I would argue that public debate is always the answer in these things. Not very long ago, and I could not believe it, we had people suggesting we should have a speech code in the House of

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Commons, that we should have some little kangaroo court passing judgment on whether or not what people say in here is appropriate.

Public discourse and public debate will always be the ultimate arbiter when it comes to these things. For all the improvements we have seen in the country in terms of being tolerant to other groups and that kind of thing over the last 125 years, the credit does not belong to this place. The credit belongs to intelligent men and women over the course of history who have realized that the person next door may not be the same as me, but they are my equal and therefore I accept them. That is an education process. It is part of the public discourse. It is part of the public debate. And in every case I can think of where we have brought legislation in here, including in 1929, when we finally decided that women would be recognized as persons, I would guarantee you that the politicians were behind the public.

Certainly in 1929 men and women who worked side by side on the farm on the prairies respected each other. They recognized each other as people. In this place it took us until 1929 to figure that out. That is ridiculous. Again, I say we are way behind the times in this place on this particular piece of legislation.

Let us talk about sauce for the goose and sauce for the gander. Let us talk about the fact that the House of Commons, while it suggests this is good legislation for federally regulated industries and contractors who do business with the government, would never bind itself by this legislation. I do not see my hon. friends across the way advocating that they should be bound by the legislation and should have to hire people from particular groups. I see them shaking their heads and looking nervously about.

• (1815)

Here we go again. This is just like the MP pension debate. The Canada pension plan for seniors has to be cut but MPs are different. Somehow the legislation should apply to everybody else but us. Now they are shaking their heads. However, they cannot for a moment justify why this legislation does not apply to them. Look at those guys over here. They are reduced to heckling because they cannot justify their position. They cannot justify why this legislation would not apply to themselves. That speaks volumes about where they stand on this issue when it comes right down to their offices. They think it is good in theory. They think it is good for the general public in abstract but when it comes to their offices there is just no way.

Actions speak louder than words. The government by not applying this to the House of Commons has shown that it really is not as committed as it claims to be. It believes it is good in theory for others but not for itself.

I believe Canadians have shown that they will reject this. Seventy-four per cent of the people across Canada, according to

Gallup, do not want this type of legislation. We saw it hammered down in Ontario. It is time the government woke up and smelled the coffee and decided that it is going to get in touch with the Canadian agenda, not its own agenda and not the agenda of some special interest group or some bureaucrat who is completely out of touch with what people think. We would not have this crazy kind of legislation in this place any more if it did.

Mr. Peter Thalheimer (Timmins—Chapleau, Lib.): Mr. Speaker, I am appalled at the way hon. members of the Reform Party are misrepresenting Bill C-64 to the Canadian public. They are consistently using terms that do not apply to this legislation either in fact or in spirit.

In its minority report, the Reform Party makes it look like employment equity and affirmative action are one and the same thing. However, any astute Canadian reading Bill C-64 or the current Employment Equity Act can see quite clearly that employment equity is not affirmative action.

I suppose it is fitting, in keeping with its small *r* republican status, that the Reform Party tries to equate everything with the way things are done in the United States of America. However, employment equity is a fair and just Canadian manner of addressing the inequality of opportunity experienced by persons with disabilities, aboriginal peoples, visible minorities and women.

Of course we know why the hon. members of the Reform Party use the term affirmative action. For the Reform Party, affirmative action is a code word for preferential treatment and in Reformers' convoluted attempts to obfuscate and derail this legislation they think they can pull the wool over the eyes of Canadians by taking this approach.

Canadians are a lot smarter than the members of the Reform Party realize. They will not be bamboozled by smokescreen language that fails to address the true spirit of Bill C-64.

Reform has a section titled "Are Numerical Goals Really Quotas?" in its minority report. I am delighted to be able to tell the hon. members opposite that the answer is no. Numerical goals are not quotas.

I would like to take a moment to tell members of the Reform Party what the difference is between quotas and goals since it is clear from their arguments that they do not seem to know. I want to say at the outset that Bill C-64 specifically states that quotas cannot be imposed. Under the bill a quota is defined as a requirement to hire or promote a fixed and arbitrary number of persons during a given period. I refer them to section 33.

• (1820)

Most Canadians understand the difference between numerical goals and quotas, even if the Reform Party does not understand. Goals are based on the availability of qualified people to do a given job. Quotas are arbitrarily determined.

The bill clearly states that employers will not be required to hire unqualified people. Goals are percentages of anticipated hirings and promotions that an employer aims to achieve but quotas are usually fixed numbers of positions.

The bill specifically states that employers will not be required to set fixed and arbitrary goals. Employers must make reasonable efforts to achieve goals. Quotas must be attained regardless of the circumstances. The bill clearly states that if employers make reasonable efforts to implement their goals they will be found in compliance.

This is the Canadian way. The government's approach to implementing employment equity can be described as flow based. We are asking well-intentioned men and women to work in collaboration with one another to achieve employment equity goals within a reasonable time frame. That time frame is flexible depending on individual circumstances. We know everyone is not able to move ahead at the same pace and the commission will take that into consideration.

We have a process for those few employers who do not comply with the legislation. We know from experience that the majority of employers bring a very positive attitude toward achieving the goals set out in Bill C-64 and the Employment Equity Act.

Why is the Reform Party misrepresenting the legislation and misleading Canadians regarding its intent? Canadians support equality in the workplace for members of designated groups.

I can assure hon. members opposite that they will not score political points by misconstruing the spirit of the legislation. The goal of Bill C-64 is not to place undue hardship on any employer who is making an honest effort to meet the spirit of the new act. I repeat again, because it seems members of the Reform are having as hard time grasping this, we are only asking for and we only expect that employers make all reasonable effort to comply with the act's provisions.

I ask the hon. members of the Reform Party to consider their bogus argument about the necessity of meeting quotas. The bill specifically rules out quotas. It is that simple.

We know from recent studies that the majority of people entering the labour force will come from members of designated groups. That is simply one more reason that employment equity makes good economic sense. It will help employers focus on accessing the skills of those productive and hard working individuals.

This legislation is a positive step for Canadians. It will help us gain a diverse and highly skilled workforce that will ensure Canada a competitive edge in the rapidly expanding global marketplace. For that reason I am pleased to be able to support Bill C-64.

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Mr. Vic Althouse (Mackenzie, NDP): Mr. Speaker, I rise to speak to this bill on employment equity, a concept with which I have no problem. We still need in our society, however enlightened it might tend to be, some recognition that not all aspects of our society are as accepting of visible minorities, aboriginals, females, people with handicaps in the workplace or in our society as is generally perceived to be most appropriate.

I have no objection in society attempting to use the law as is being proposed in the equity bill to force this sort of compliance to avoid discrimination for any of the reasons this proposal lists.

I am therefore basically in support of the idea of employment equity and the requirement that employers give equal opportunity for all people regardless of the circumstances of their birth or what life may have imposed on them by way of disability after birth.

• (1825)

However, the bill has not done a good job of looking at the global economy of the new world order we are now living in, which has presented a much different form of employment than what this bill and what most of the legislation that governments have put together deal with. These kinds of bills and laws function on an employer-employee relationship. They are virtually toothless when it comes to a new world where more and more people are self-employed, where contracting, subcontracting and subcontracting the subcontracting goes on, so there are three, four and five levels of contract.

As a consequence of that new practice it is virtually impossible to supply the kind of protection this bill proposes to do. If members do not believe me they should walk outside of the doors of this House. There is a program going on, the Peace Tower project, in which we have seen the most blatant treatment of an employee because she was female. The House, on whose territory this injustice took place, appears to be unable or unwilling to do anything about it. It is under the aegis of the Speaker but he seems unable to do anything. The job was contracted by the minister of public works who cannot find 10 minutes of time to even discuss it with me and whose officials actually aided the ejection of this woman and her fellow workers from the site. They had to leave their tools which they cannot recover.

The several times they have attempted to recover the tools employees of Public Works and Government Services Canada have told them that they are disrupting the building site and that they cannot have their tools because the current contractor is using them to complete the job. The contractor forced them to leave the job site because they insisted on using a female engineer.

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If we are going to be believable in this Chamber in trying to deal with questions of inequality in the workplace we are going to have to recognize that very often in this new world order the workplace is run by people who have subcontracted and subcontracted those contracts to the point that it is impossible to hold the employer who makes those kinds of decisions, however arbitrary, unfair and normally illegal, responsible. We cannot do anything about it.

As a consequence, the subcontractor has forced the building trades people, the masons who were working on the Peace Tower, off the job because they persisted in using a female engineer. He had no objection to her work. He was only objecting because she was female. He made that quite clear. He forced them off the job. They left their tools and they cannot recover them. They can go to court. They have due process. I have talked to members on the government side who have said: "Use due process, that is what you have to do".

Unfortunately, Mr. Speaker, you are aware that due process in this case is almost useless because her employer, the mason that hired her to be the engineer for his part of the project, is not the person who is forcing her off the site but the subcontractor above him. The Ontario Human Rights Commission has some trouble dealing with this.

Others have advised me. Others of the legal profession from the government side have said: "Look to the federal human rights commissioner. He is obviously the one who has to do this because it is on a federal site and it is for the federal houses of Parliament for Pete's sake". Again the person that has pushed her off the site is not her employer and there seems to be nothing that the human rights commissioner can do in the case of this injustice.

• (1830)

I raised this briefly at second reading and I remind members on all sides that if this kind of injustice is to be permitted on our own grounds literally and figuratively and we can do nothing about it, what is the point of replicating the same type of legislation using the same requirements only on employers versus employees without taking into account the contractors and the subcontractors and all the other permutations that occur in business?

What are we really accomplishing? We are accomplishing very little except perhaps to make the whole process and the whole political group of us in the House look rather silly.

I keep preaching from my far corner. Very few people are in the House when I do my little rant on these things, but I hope the new ears hearing this each time take this to the rest of their colleagues and see if there is some way we can force compliance if not across the country at least on the acres of yard in front of the House.

This is a great injustice and makes the whole process of attempting to get employment equity to permit females equal

access to jobs as engineers or scientists or doctors or lawyers. It makes the whole process of the last 15 or 20 years look absolutely ridiculous.

This woman is apparently considering going back to washing dishes because that is the only employment she can find at the moment. She had a job as an engineer. The subcontractor hiring her firm to work on the Peace Tower forced it off the job because it persisted in employing a woman engineer.

For his efforts that subcontractor was rewarded with a further subcontract to work on the whole House of Commons instead of just the Peace Tower after he engaged in this process.

I cannot let any debate or any discussion of an equity employment bill go by without reminding members of the House, and I hope some of the frontbenchers will take this to heart, that we have allowed a grave injustice just outside our doors. If any of the laws we pass in this place are to be taken seriously by people outside of Ottawa, we should be able to enforce what we have already made law numerous years ago when work gets done on our buildings on the confines of Parliament Hill.

Until that happens I am afraid I will look sceptically at this new effort at achieving employment equity.

Mr. Bob Mills (Red Deer, Ref.): Mr. Speaker, listening to the last presentation, it proves the point that so much of this comes down to enforcement of what we already have.

We have laws to protect against discrimination and obviously if those laws are implemented we need not to go any further or introduce any kind of new laws.

I have not heard very much talk about what the business community is saying. Coming from that area I have to put some emphasis on what it is saying about the job equity program.

I am a little annoyed that we should be dealing with this bill in the House which will basically institutionalize discrimination in the workplace. This is exactly what I feel Bill C-64 does, and the Liberal government should be ashamed of promoting this sort of archaic legislation.

We have heard from many Reform speakers now. It is absolutely clear why we oppose this bill. We are not racist. We are not sexist and those gurus of political correctness who try to pin that label on the opponents of affirmative action should be publicly condemned for their behaviour.

• (1835)

Reformers know that the huge majority of Canadians are utterly opposed to setting up discriminatory quotas for the hiring and promotion of target groups such as visible minorities. Such discrimination is wrong, no matter what disguise we put on it or what name we put on it. Calling it employment equity and calling the quotas numerical targets does not change a thing. Everyone in the House should know that.

For those who argue the wrongs of the past have to be corrected through measures such as these, two wrongs do not make a right. There was discrimination in the past and not everyone got a fair shake in life. That is terrible but we have come a long way and we are moving very quickly to right those wrongs. We have come a long way and now the UN even goes so far as to say we are the best country. I agree with that.

The kind of big government, social engineering contained in the bill is utterly unconscionable. Canadians want less government interference in their lives, not more. This is especially true in the case of affirmative action. The role of government is to provide equality before the law and to prohibit discrimination. However, Bill C-64 does exactly the opposite.

Bill C-64 enshrines inequality before the law. It encourages reverse discrimination. Perhaps worst of all, it propagates a victim mentality among our citizens. Minorities and women should think of themselves as equal partners in building the future of Canada. They should be encouraged to compete, to succeed and to provide for their families.

Bill C-64 is absolutely terrible because it sends the wrong messages. It tells our women and visible minorities they are victims, that they are oppressed and that without special legislation they will be incapable of succeeding in our society. This message is not only false but is extremely counter productive and does nothing to build Canada for the 21st Century.

Bill C-64 will create a tremendous number of problems for the country. They will go on and on and become greater and greater, much as the Americans have found since the introduction of their legislation in the sixties. Now they are having to remove it. There will be social costs and there will be economic costs among many other problems associated with this kind of legislation.

As far as the social costs of affirmative action, there are many. To begin with, the bill promotes an unusual them versus us kind of confrontation in the workplace. This confrontation takes place on two levels. There is a confrontation between workers who have already been hired and there is a confrontation between job candidates.

For job candidates the situation under affirmative action is very clear. If they are not a member of one of the target groups they are penalized. If they are they are entitled to special preference. Not only does this mean the all important merit principle is being overridden, but such discriminatory treatment will foster resentment among the majority against candidates who receive the special treatment. As the resentment builds it could very easily lead to an ugly backlash against people from visible minorities when they are not really the problem at all.

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The problem is bad legislation. The problem is the government's ill-conceived social engineering which will have very serious side effects.

The first major social problem is that merit is not the sole reason for hiring under Bill C-64. Once the country slides down that slippery slope there is no telling where we will end up.

Among those who are already working there are other serious problems associated with employment equity. The two most significant problems involve promotions and layoffs. In both these cases giving preference to certain employees over others can have devastating consequences not only for the efficiency of the business but for workplace harmony.

Imagine a company with 100 employees struggling to make ends meet. Under these circumstances it is essential that everyone work as a team. The very future of the company depends on it. Let us assume 10 people have to be laid off. Under market conditions the business would get rid of the 10 people who are the most expendable. Under affirmative action, however, what would the company do? If certain employees were seen as exempt from these layoffs, how would this affect workplace team work and camaraderie? The answer is obvious and everyone in the House knows it.

• (1840)

The exact same situation would occur in the case of promotions. If employees feel their very livelihood and careers are being hindered by affirmative action they will strike back, and this is exactly what we do not want. The workplace should be an opportunity to succeed through skill and hard work. It should not be a place where Canadian citizens are penalized or rewarded for their skin colour or their sex.

Beyond the very obvious social costs, there are also economic costs to this legislation. If we use the Ontario employment equity law as an example, the Chamber of Commerce estimated that a company with more than 500 employees would have to spend \$100,000 just to comply with the paperwork. This figure does not even begin to factor in the intangibles caused by hiring, firing and promoting workers on the basis of race, sex or disability.

In the U.S., California particularly, the total cost of affirmative action has been estimated as high as 4 per cent of GDP. That is exactly the same as what is spent on all the education programs in that state. Even if this is double the actual number it still translates into billions of dollars lost. In a time of global competition we must become efficient. We must not tie the hands of our businesses behind their backs.

The U.S. is now abandoning this system of affirmative action because it did not work. It was one of those social experiments of the 1960s. In Ontario the Harris government has decided to scrap the lousy affirmative action law of the previous NDP

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government. Why? It was too costly and because it would not work. The Ontario Liberal Party agrees completely and would also throw out this program had it been elected.

I wonder why its federal counterparts are so utterly out of touch with the wishes of the Canadian public. Maybe they know what Canadians want but they simply do not care. Is it possible there is so much arrogance on the government side of the House that it thinks it knows better than the Canadian public? Will those paragons of political correctness in the Liberal benches rise up to save the country from its own folly?

There are many flaws in this bill, many things we could explore. Unfortunately my time is soon up. It is late in the day. I ask everyone to think about Bill C-64 and the institutionalizing discrimination it causes. I ask everyone in the House to consider before they vote on this and think about the consequences for this great country.

Mr. McClelland: Mr. Speaker, I rise on a point of order. With unanimous consent may we ask the House to consider it 6.51 p.m.?

The Deputy Speaker: Is there unanimous consent?

Some hon. members: No.

The Deputy Speaker: Is the House ready for the question?

Some hon. members: Question.

The Deputy Speaker: Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

Some hon. members: No.

The Deputy Speaker: All those in favour of the motion will please say yea.

Some hon. members: Yea.

The Deputy Speaker: All those opposed will please say nay.

Some hon. members: Nay.

The Deputy Speaker: In my opinion the yeas have it.

And more than five members having risen:

The Deputy Speaker: At the request of the deputy whip the vote is deferred until five o'clock tomorrow afternoon. Is there now unanimous consent to call it 6.51?

Some hon. members: Agreed.

ADJOURNMENT PROCEEDINGS

• (1845)

[English]

A motion to adjourn the House under Standing Order 38 deemed to have been moved.

ENDANGERED SPECIES

Mr. Len Taylor (The Battlefords—Meadow Lake, NDP): Mr. Speaker, on June 11, 1992 the Canadian government signed the United Nations convention on biological diversity in which it made a commitment that this country would pass legislation to protect endangered species.

More than three years later, eight of the twelve provinces and territories still have neither federal nor provincial legislation. There is no time to waste. Canada currently has 244 known endangered species. The number of species at risk has tripled in the past 10 years and the list continues to grow.

On August 17 of this year the Minister of the Environment took the first step toward meeting Canada's obligation when she announced the legislative proposal for a Canadian endangered species protection act. Unfortunately the minister's proposal fails to live up to either the letter or the spirit of Canada's international commitment to protect endangered species. The proposal only applies to species that live in national parks or on other specified federal lands. It covers only 4 per cent of Canada's total land base and eliminates the north entirely.

On September 28 of this year in the House I asked the minister if she would ensure effective protection of endangered species by strengthening the proposed new act. The minister admitted that the legislation did not cover as many species as the government would like and blamed it on the fact that provincial governments had jurisdiction in certain areas. Canadians concerned about the survival of these species cannot accept this excuse for ineffective legislation. A species threatened with extinction is of national importance.

The federal government has more authority than the minister is willing to admit. Effective protection of endangered species requires federal leadership when the provinces refuse to act. For example, the provisions of the minister's proposal only apply to species found in Canada's oceans and not to freshwater fisheries, even though the Fisheries Act indicates that freshwater species are clearly within the federal government's jurisdiction.

The proposed act could also be applied to all migratory species and not just those that happen to wander on to federal land. A few lucky species will have "response statements" prepared about them but no time limits apply and the government will prepare recovery plans for affected species only if it feels like it.

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Truly effective legislation would require recovery plans for all endangered and threatened species and would prohibit the killing or harming of them. Habitat loss is the number one cause of species decline in Canada and is the main threat for approximately 80 per cent of Canada's endangered species. To effectively protect endangered species the legislation must protect the habitat they need to survive.

The government has completely ignored the recommendation of the federal endangered species task force to prohibit any activities that would destroy the critical habitat of an endangered species.

Realizing how important it is to identify and resolve potential conflicts before development begins, the task force also recommended that the legislation require advance review and approval for any proposed activity which could affect an endangered species or its habitat. This recommendation was not followed even though experience in the United States shows that advance review resolves almost all potential conflict between development and endangered species.

I should mention on a related topic that today is the day the endangered spaces campaign is releasing its second book, an interim report or owner's manual. It is most important we remember how integrally spaces and species are tied together. I urge every member of Parliament to read the interim report and support its recommendations.

The government says it is committed to protecting—

The Deputy Speaker: Unfortunately the member's time has expired.

Mr. Lyle Vanclief (Parliamentary Secretary to Minister of Agriculture and Agri-food, Lib.): Mr. Speaker, the federal government is strongly committed to ensuring effective protection of Canada's endangered species, which is part of our rich biological heritage.

Although certain aspects of the proposed legislation directly affect only a little more than 5 per cent of Canada's land base, it would also apply to federally managed species everywhere and federally managed marine areas.

• (1850)

The proposed legislation would establish a national listing process that would give legal recognition to all species in Canada at some risk of extinction regardless of where they occur. It is intended to form the federal component of a comprehensive national safety net for the country's most vulnerable species, a safety net in which the federal government does its part in co-operation with the provinces and the territories to ensure that species like the polar bear will continue to grace not only our coins but also our vast northern landscape.

With the co-operation of federal, provincial and territorial governments the proposed legislation would provide a strong national approach for the conservation of endangered species. This action will not intrude in provincial responsibilities. The federal government recognizes the common but differentiated responsibilities of the federal, provincial and territorial governments with respect to endangered species.

The proposed legislation is intended to complement, not contradict, provincial and territorial actions. The federal government is prepared to do its part and encourages the provincial and territorial governments to do theirs to ensure a truly national approach for endangered species conservation. We are confident of their support.

Canadians have a moral responsibility to ensure that future generations enjoy and benefit from the presence of diverse wildlife species. The federal, provincial and territorial governments must provide the required leadership and legislative tools.

AGRICULTURE

Mr. Vic Althouse (Mackenzie, NDP): Mr. Speaker, on October 3, I rose to put a question to the minister of agriculture asking him to justify the apparent changes in policy direction that have occurred with regard to the \$1.6 billion ex gratia payment to offset the decline in farmland prices that would result from cutting the Crow benefit. It was contained in the budget. It appeared that the \$1.6 billion would go to land owners free of current capital gain tax. It would simply accrue to the land and therefore would not be taxable in the year received.

Since that time a number of changes occurred. Some of them were hinted at in the budget speech but others were simply outright decisions that were made, notably changes to permit people who were renting the land to apply for some of the payment. However there was no similar treatment for those people in terms of a share they might negotiate from the land holder. Any share they might negotiate from the owner of the land would be taxable as income in the year received.

They could not apply it to any land or property they might own now and were therefore treated differently. Because about 40 per cent of land in most provinces is rented it seems to some observers like a rather clever and devious way for the government to collect income tax on money it had announced was to be paid out on a non-taxable basis. That is one complaint that I raised.

The other was that there seemed to be a very ill-defined standard for what lands would be eligible. It looked as if all farmland, presumably land that was cultivated at one time or now and used for crops, would under the government's estimation lose value. Therefore this payment was presumably to go to those lands. Yet as the nature of the program became clearer land seeded to permanent crops, forage, alfalfa and so on, were not eligible simply by definition somewhere throughout the system.

Adjournment Debate

Yet crops that were to be used for forage, such as barley or oats for cattle feed or livestock feed either as silage or as grain, are eligible. Even stranger, summer fallow which grows absolutely nothing was eligible on the same basis as land that was growing crops. This seemed to run contrary to everything the Department of Agriculture had been attempting to convey to farmers over the previous 10 or 15 years, namely to get into a diversity of crops, to plant crops that would hold the soil in place and keep down wind erosion. They were encouraging continuous cropping to keep stubble. I would submit that forage crops are also a form of continuous cropping. They hold the stubble and the ground. They are part of the diversification program, not only for use within the country but also for export.

The government and perhaps some of the farm organizations that were negotiating with the government left those farmers off the list. I wanted to raise that in question period and again this evening in the adjournment debate.

Mr. Lyle Vanclief (Parliamentary Secretary to Minister of Agriculture and Agri-food, Lib.): Mr. Speaker, the federal budget of last February did contain certain proposals on the payment to compensate for the ending of the Western Grain Transportation Act.

At the time of the budget, the government made very clear its intentions to consult extensively with farm leaders on these proposals so that the program would be as fair and as workable as possible.

In the budget we proposed that land which would be eligible for the \$1.6 billion ex gratia payment was that land producing WGTA eligible crops and summer fallow. These provide reason-

able approximation of the land base which benefit from the WGTA subsidy. This proposal was taken to farm leaders for discussion.

Through these consultations, farm leaders accepted the government's proposal on eligible acres and agreed that forage not be included. Adding forage crops to the payment base would have significantly diluted the payment.

In the case of who should receive the payment, again we took the government's proposal to pay landlords to farm leaders for discussion. Through consultations farm leaders told us they agreed with the proposal but felt those who rent farmland should also be somehow recognized in the program.

Based on this advice, the application procedures have been designed to ensure that owners and renters reach an agreement on how part of the benefit may be passed on to renters. It is expected that in many instances this will occur through lower farmland rental rates.

Through extensive meetings with farm leaders, the government was able to reach acceptance of the proposals on eligible acres. It was able to address the concerns of farm groups by adding a provision for renters in the application procedures for the program.

The Deputy Speaker: Pursuant to Standing Order 38, the motion to adjourn the House is now deemed to have been adopted. Accordingly, the House stands adjourned until tomorrow at 10 a.m., pursuant to Standing Order 24.

(The House adjourned at 6.57 p.m.)

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