

Mr. Ralph Stewart (Cochrane): Mr. Speaker, I am glad that all sides of the House are not of the same mind, that there should be no more speaking. I should like to agree with those who have spoken before me.

An hon. Member: Good. Now sit down.

Mr. Stewart (Cochrane): The consideration of notice of discharge is an extremely important matter and something should be done about it. However, I do not agree that it should be done in the way suggested by the hon. member for Winnipeg North Centre (Mr. Knowles). I agree with other members who have said that the provision does not go far enough. Why not three weeks or four weeks? Also, this proposal has to be considered with other things in the code; the whole code has to be considered.

I, for one, like the idea of severance pay rather than simply giving notice. First of all, a man who is to be out of work will look for another job because he wants money in his pocket. It will cost him money to go around looking for another job. Secondly, if he continues working during his period of notice, neither he nor his employer are satisfied because his mind is not completely on his job as he is thinking of finding another one. I would like the idea of notice to be confined to severance pay, and this principle should extend to all walks of life.

There are those who like to make remarks about Members of Parliament being so well off, and so on. If any of us without notice were to lose the next election, we would not receive any severance pay. Sometimes it is well for people to remember that. We would walk out without a cent in our pockets and we would be looking for a job. I think it is well to keep this in mind. I am not making the point that Members of Parliament ought to be included in this legislation, but from time to time it is well to remind people of these things. So many members seem to be ashamed of saying what they are worth. I am not one of those.

● (4:40 p.m.)

Some hon. Members: Hear, hear!

Mr. Stewart (Cochrane): I wish to refer briefly to the Speech from the Throne. In it there is reference—granted, it was in broad term—to the government's intention of reviewing the Canada Labour (Standards) Code. If the government is to review one part of that code, certainly it will open up the entire code for amendments—this is something we ought to consider—and not just the aspect referred to in this bill. If the entire code is reopened in that way, I think the House will have to consider making a comprehensive set of amendments.

The bill we are discussing covers a very small area. It mentions the lay-off of the individual as opposed to a mass lay-off. Although these are distinct problems, they ought to be taken into consideration in the review to which I have alluded. Also, if we are to make changes to that code, changes will have to be made in all these

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areas. I do not believe it is sufficient to provide for advance notice to individuals if there is not appropriate provision for protecting large groups of employees affected by plant shutdowns. This is the kind of thing we run into very often in the part of the country I represent, and that situation results from the kind of industry established in the area. As you know, Mr. Speaker, our industry is not diversified. I have often spoken about this situation. If a mine closes in my area or if a plant shuts down, the whole town shuts down. This is unfortunate.

I think we must consider the broader aspects of the question we are discussing when dealing with the Canada Labour (Standards) Code. If, in its consideration of this matter, the government concludes that the concept of advance notice is not enough, then other factors will need to be brought into play. We must be concerned about manpower services, about retraining and the relocation of individuals, and about mobilizing all those who have lost their jobs. These are all matters which must be considered, along with the amendments that will be considered. But if we are to do that, the two weeks' notice suggested in this bill would not be sufficient. The extent of the advance notice should be directly related to the number of people who will be involved in the disruption. The more people who are disrupted, the greater should be the time required in which they are to be relocated.

In cases of technical change or industrial conversion the employer should be compelled to provide training opportunities for the employees affected whenever alternate employment is not available in the same plant. These are all matters which must be considered in the over-all review of the Labour (Standards) Code. That is why I say, Mr. Speaker, that although this bill is laudable in intent, it really does not cover the situation in the way it must be covered.

Let us look again at the question of notice of termination of employment. I should like to go back a little in time. In the nineteenth century in this country as in many other countries, employers had absolute freedom with regard to dismissal. The employment relationship was considered to be a contract freely entered into between equals for the purpose of exchanging services for remuneration, and thus it was considered similar to other types of contract of indeterminate duration. With the passage of time it became more and more recognized that the notion of the employer and worker being equal partners in a freely established employment relationship did not correspond to economic reality and that the worker, as the economically weaker party in the employer-worker relationship, required protection against hardships caused by loss of employment. The means of providing such protection most widely applied both in Canada and other countries was to impose a compulsory period of notice upon the employer.

The purpose of the notice period is to alleviate the hardship which results from outright dismissal. Advance notice provides an opportunity for the worker, while still employed, to prepare for the change in his situation caused by the termination of his employment and to look for another job. In order for him to be able to do that,