every 10 years, she will not be able to do very much. On that basis, it is my hope that the information requested under Clause 6 will be of more help and will supplement information gathered by the census. Clause 6 states:

On or before June 1, 1988 and on or before June 1 of each year thereafter, every employer shall file with the Minister a report in respect of—

And then it refers to the Subclauses (a), (b), (c) and (d) under which information is requested from the employers.

That is all very well and good, but even if they do that the Bill is still a phony Bill as far as enforceable affirmative action is concerned because there is no penalty to be levied against employers if they do not comply with Clause 4 and Clause 5. Clause 4 is the clause which requires employers to implement employment equity and Clause 5 requires employers to set out an action plan with goals, targets and timetables. If the employers do not comply with Clause 4 and Clause 5, nothing happens to them. On the other hand, if they do not send in their reports under Clause 6 they are subject to a penalty, but that does not do anything but provide information to the public.

The reason this legislation is not a mandatory Employment Equity Bill but a voluntary one, I suppose, is because the Minister hopes that by collecting this information and making it public the great court of public opinion will put pressure on these companies to move ahead with employment equity. However, Judge Abella pointed out very clearly that voluntary affirmative action does not work, nor does voluntary employment equity. We need a Bill with teeth. We need legislation with sanctions for those who do not go ahead with employment equity.

The Acting Speaker (Mr. Paproski): The period for questions or comments has now terminated. Debate.

Mr. Howard McCurdy (Windsor-Walkerville): Mr. Speaker, we have heard again this morning the high flying rhetoric that this Bill will achieve equality in the workplace, as indicated in its stated purpose. There has already been an amendment which would have made the Bill somewhat more honest, but it was defeated. It would have described the legislation as one which has as its purpose the promotion of equality in the workplace. I do not know why it is necessary in the waning hours of the debate for the Minister to insist that the Bill does what it makes no attempt to do, and that it will bring forth results. Women, the disabled, the minorities and native people were promised an employment equity Bill. What they have received is a Bill of goods. It might just as well have been written in invisible ink or in the sand for all the good it will do in response to the needs of the people this legislation is suppose to serve.

I speculated previously as to whether this Bill is a result of stupidity or trickery. Perhaps it is as a result of a rather elaborate oversight. Let us hope it is the result of an oversight because the Government then has a chance to reconsider.

The purpose of the amendment under debate is to refer the Bill back to committee for a specific examination of Clauses 3, 5 and 7. Of course, these are the Clauses which go to the very heart of the issue, whether we are going to have a voluntary employment equity act with mandatory reporting, or a true mandatory employment equity act with sanctions if employment equity is not implemented through processes aimed at achieving specified goals with specified timetables.

Clause 7 of the Bill requires only that the Government count the minorities, and count them twice, to find out which corporations are naughty or nice. That is not good enough. What we would ask is that Clause 7 be made to apply not only to Clause 6, but to Clauses 4 and 5 as well, and that the penalty apply. In other words, that it be mandatory and there be a penalty for failure to report on the demands set out in Clauses 4, 5 and 6. Let us examine those clauses.

• (1530)

Clause 4 requires that an employer shall, in consultation with employee representatives, develop a process for correcting employment inequities. It requires that a significant part of affirmative action be implemented. That is to say it requires that processes, structures and systems be developed by which the imbalances of employment will be corrected. There are two interesting things about Clause 4. The first is that there is no reference in it to any requirement in any context for consultation with members of the designated groups who, obviously, have a significant interest in the processes which are to be used. Their interest is not only with respect to correcting imbalances in the distribution of minority employee groups within the corporation or company, but also with respect to hiring patterns. If that were not enough of an omission to constitute a serious flaw, there is also a process which the employer is supposed to develop in this consultative process which just disappears. No one is required to know anything about it—not the designated groups, not those who were consulted and not those who are responsible for hiring and promotion practices. I do not know what is thought will come from Clause 4 if a process is developed and no one knows anything about it.

Matters become worse if one looks to Clause 5. It is reasonable that there should be goals and timetables. This has been repeated over and over again. I have already alluded to the peculiar nature of the Bill in respect to the separation of the process from the goal. Be that as it may, we have here a provision which, for all intents and purposes, ensures that the goals and timetables to which the processes are supposed to be directed will themselves be kept secret. They will be kept from those who have the greatest concern about them. Surely, Clause 7 should apply to Clauses 4 and 5 if we are to have a piece of legislation which can be truly described as an employment equity Bill. I see the Parliamentary Secretary fighting off an affirmative nod simply because I am sure that in the face of Party discipline, however misguided that may be, common sense prevails and has a tendency to make the muscles react even against one's will power.