

### *Employment Equity*

"eligibility or geography according to whichever of these reference criteria provides the most opportunity to qualified members of the designated groups and from which".

He said: Mr. Speaker, I should like to summarize Clause 4 of the Bill. It says that an employer shall implement employment equity by instituting such positive policies and practices as will ensure that persons in designated groups achieve a degree of representation in the various positions of employment with the employer that is at least proportionate to their representation in the workforce or in segments of the workforce.

This clause attempts to indicate that in putting in practice employment equity policies, we must try to achieve in different workplaces the representation which is generally found in the workforce for those designated groups. If there are so many women in a particular workforce, for example, a firm should have more or less that same percentage of women, and the same would apply for disabled persons. In other words, the clause to which I am referring sets up a mechanism to determine what is the best standard in judging whether employment equity is taking place or what is the standard of representation.

I point out very strongly that what is contained in the Bill is extremely defective. It indicates that we should look at the proportion of the representation in the workforce. The problem is that many of these people are unfortunately not in the workforce; they are unemployed. I forget the percentage of unemployment among disabled people but it is extremely high. If we look at the workforce and try to devise affirmative action programs, we will not see too many disabled persons. Therefore it would not be a very good standard by which to make improvements. Clause 4 goes on to indicate:

(ii) in those segments of the workforce that are identifiable by qualification, eligibility or geography—

If we look at the workforce in some parts of northern Saskatchewan and northern Alberta, unfortunately we will not find too many Indians. To use that as a standard of judgment is almost ridiculous.

In determining unemployment figures, Statistics Canada has a very special definition of who is and who is not in the workforce. One either has to be working or looking for work, or one has had to attend a job interview in the last four weeks. Many of the people who have given up the hope of finding jobs—they are on welfare and so on—are not even counted in the workforce.

The purpose of my amendment is to correct that situation in a small way. It does not correct it altogether. I am limited by what I can do because of the terminology in the Bill. My amendment suggests that Clause 4(b)(ii) should be changed to read:

—according to whichever of these reference criteria provides the most opportunity to qualified members of the designated groups—

In other words, if we are to look at different situations in the workforce, we should at least oblige the employer in implementing employment equity or affirmative action to base it on

that representation which would give the best deal to the designated group. I should like to refer to an example of this.

Let us look at the percentage of Indians and Métis in the entire Province of Alberta. I do not know what that percentage might be; perhaps it would be 15 per cent. However, if we were dealing with an affirmative action program of a particular firm in the constituency of Athabasca in northern Alberta, the percentage of native people would be much higher. I am suggesting that we should look at the geographic area of the plant or the province and make a judgment based upon a standard for affirmative action which gives the best deal to that designated group.

Let us look at the Province of British Columbia. There are many visible minorities in the Vancouver or lower mainland area, but the percentage would be much smaller if we took into account the total Province of British Columbia. If a firm were setting up business in the suburbs of Vancouver and took into account, for example, the percentage of Sikhs or people of East Indian origin in the entire province, it would get away with a much smaller standard in implementing affirmative action or employment equity. In those cases firms must be obliged to take the geographic area or the qualification area which gives the best deal to the target group. As the Bill is presently worded, the employer is not obliged to do that. He must look at the various regional and geographic possibilities, but he has no obligation to come down on the side of that geographic zone, or whatever, which gives the best possible deal to the designated group.

● (1220)

We moved this amendment in committee and it was rejected by the Conservative Party. Members said at that time that they might do this through regulations to the Bill. Some of these things are too important to do through regulations which can be changed by Ministers and officials in the darkness of the night without anyone's knowledge. We all know that. In recent years the Special Joint Committee on Statutory Instruments has examined these issues. We found that Orders in Council are changed, very often to the detriment of the Canadian population and we put that watchdog instrument in place.

I suggest that this kind of amendment should be in the Bill. This is a Bill dealing with employment equity and this is one way we can stiffen it and give it some teeth. In implementing employment equity we can oblige employers to use the segment of the workforce which is identifiable by qualification, eligibility, or geography according to whichever of these reference criteria provides the most opportunity to qualified members of the designated groups. In other words, they would be obliged to look at the area which gives the best deal to the designated group. I think that is fair and should be agreed to by the Government. We do not even have a firm commitment that the Government will deal with this by regulation, which would at least be a step forward. However, I think it should be dealt with in the Bill.