

Employment Equity

If the Bill passes in its present form we can be sure of one thing and one thing only, and that is, employers who have federal contracts and have more than 100 employees will be filing annual reports. That is the one thing we can be sure of as a result of this Bill, and that there will be more help for the pulp and paper industry because more paper will be needed for these reports. There is not going to be the kind of help that is needed for women, for native people, for visible minorities or the disabled.

I would like to contrast what we have in this Bill with what Judge Abella said in her recommendations. Recommendation number two spells it out very clearly. She says the following:

Employment equity legislation should have three major components: (a) a requirement that employers implement employment equity; (b) a requirement that employers collect and annually file data, by designated group, on the participation rates, occupational distribution, and income levels of employees in their work-forces; and (c) an enforcement mechanism.

Without that enforcement mechanism this Bill is really of very little assistance to the target groups.

When the Assembly of First Nations came before the committee that was studying this Bill they talked about some of the problems they are having right now. In native communities across Canada there is an average of 35 per cent unemployment. In many native communities unemployment is as high as 80 and 90 per cent. It is expected that up to 20 per cent of the growth in the labour force in the next few years is going to be amongst native people. The lack of adequate statistics for the participation of native people in the labour force is something that makes it very difficult for us to get a real handle on this. This is an area where the Government has to take action to give an adequate statistical base so we know from what base we are trying to operate.

I am reminded, in conclusion, of the story of the old man who went to hear an evangelist, and the evangelist was waxing very eloquently about the day of judgment. He said, "there will be weeping and wailing and gnashing of teeth". The old man thought a while and said, "I'm afraid that I'm going to have to gum it". He did not have any teeth. This Bill is going to have to gum it, it lacks teeth, it is not able to do the job at hand. Thank you very much.

Mr. Ian Deans (Hamilton Mountain): Mr. Speaker, I hesitate to rise following that conclusion of my colleague. I have, however, managed to secure my teeth for the balance of this intervention.

I am compelled to rise because I can recall during the second reading debate on the Bill making the point that had been made on a number of occasions prior, and has been made on a number of occasions subsequent to that intervention about the toothless, to use my colleague's phrase, nature of this legislation. I want anyone who happens to read, or listen to, or watch this debate, to understand what this Bill is intended to do. And why we have moved the amendment that we are now debating.

It says in Clause 2 of the Bill under "purpose" the following:

The purpose of this Act is to achieve equality in the work-place so that no person shall be denied employment opportunities or benefits for reasons unrelated to ability and, in the fulfillment of that goal, to ameliorate the conditions of disadvantage in employment experienced by women, aboriginal peoples, persons with disabilities and persons who are, because of their race or colour, in a visible minority in Canada by giving effect to the principle that employment equity means more than treating persons in the same way but also requires special measures and the accommodation of differences.

I do not think there is anyone in the country who would disagree with that objective. I think it is fair to say that every single member of this Party, in reading that particular purpose, could come to no other conclusion that was a worthy goal to set. The problem with it is that having said that it stops, it goes no further.

What is going to happen is that over the course of five years there may or there may not be changes in the work-place, depending on the whim of the many employers in Canada. Clause 13 states:

Five years after the coming into force of this Act, and at the end of every three year period thereafter, a comprehensive review of the provisions and operation of this Act including the effect of such provisions, shall be undertaken by such committee of the House of Commons as may be designated or established by the House for that purpose.

That is the extent of the requirement that is conveyed by this piece of legislation. It says at the beginning that it is our desire to have employment equity. It says at the end that after five years we will take a look and see if it has happened. In the intervening period of time there is absolutely no requirement on any employer in Canada that does not now exist. That is what I find most difficult to understand.

There is no employer who, with good will, could not have done what this Bill requires prior to its introduction. There is no change as far as the legislated requirements for employment by any employer in Canada that flows from this Bill. What we have is a situation where, up until now, employers could, and ought to have, created within their employment the opportunities for all of the groups that are mentioned. There ought to have been employment equity in the work-place. We all agree. Now we have written down that we have not required it to happen but nothing that could have taken place previously is mandated by this legislation. Nothing that could have been avoided previously is required to occur.

What we have now is the most unusual of situations. Any employer who cares about employment equity could at any time in the history of this country have established within the place of employment the opportunities for women, for those who are visible minorities, for aboriginal peoples, for people who are disabled, but that did not take place. They refused to do it. Somehow we believe that by virtue of saying that it is the desire of the House of Commons that that should take place, that will alter the mindset and employers will automatically admit they were wrong. It is absolute nonsense to believe that they will automatically change their ways as a result of this piece of legislation.