

What is provided by the proposed amendment to the act as the latter now stands is that the commission should be responsible to the minister as regards the administration of the employment service in Canada which it shall have to organize and maintain. The meaning of the word "responsible" is vague and obscure; that term could certainly be construed as meaning that the commission must account for its actions to the government, but it could, in a wider sense, authorize the minister to direct personally both the policies and the administration and even give him full direction of the employment service. Such is the interpretation the minister gave yesterday and which can be found at page 3106 of *Hansard*:

Clause 23 makes the national employment service responsible to the minister and permits it to carry out additional duties not within its formal functions.

It is therefore obvious that the minister is undertaking, under this legislation, to perform the work of the commission. During the war there was much confusion among the public and the officials because of the double jurisdiction of the commission and the minister on the commission's affairs. What is now proposed by the bill is merely the perpetuation of that ambiguity.

The commission holds a delicate balance between capital and labour. It consists of a commissioner appointed after due consultation with labour organizations, of a second commissioner appointed after consultation with employers' organizations and of a chief commissioner appointed by the government and representing the public at large. Its functions are, in fact, quasi-judicial in character. Now experience has shown the inexpediency of investing any minister with judicial powers, and I seek no further proof of this than the unwarranted interference of the minister or deputy-minister of National Revenue in the assessment of income taxes.

Part III of the act, in its present form, provides that the Commission shall organize an employment service placed under its own jurisdiction; which means that employers, labour and the government each have their say in the policies and management of the employment service.

The bill proposes that this triple interest be replaced by the single control of the minister who—humanly enough—might be subject to political or even private pressure, whereas the commission is a body corporate independent of political pressures or of private interests.

The result of this change in employment service administration is that the officials of

the commission will have to serve two different masters and therefore the public will be at a loss to know how they are standing.

Up to now, the commission's offices housed both the employment and the unemployment insurance services. After the adoption of order in council P.C. 7994, they bore the name of employment and selective service offices. Now they are called national employment service offices, which name denotes but a part of their activities. The local offices are not solely concerned with the placement of people in jobs, they must also attend to unemployment insurance claims, collect contributions as well as issue and recover unemployment insurance books. The impression given by signs displayed on local offices is that they are employment offices exclusively. Some even refer to the national employment service as if it were the whole thing, although it is but one department of the unemployment insurance commission.

At first, the change contemplated in the bill seems inconsequential as far as the unemployment insurance fund is concerned, for it will remain under the administration of the commission who is responsible to the government. However, it appears that, within a short time, the dissolution of the commission will be requested in order to put unemployment insurance under the direct supervision of the minister. Then, there would be strong reasons for claiming that since the employment service comes under the minister, there is no reason why the commission's fund should not. At the present time, the commission is trustee for the fund and it has been created in 1940 to safeguard the interests of both capital and labour and in order that the provinces would feel that unemployment insurance was not administered by a single federal department, but by an autonomous and independent body.

The restriction or suppression of the commission's authority would affect not only the interests of both capital and labour, but also and directly, those of the provinces. From the sole administrative angle the present amendment is unwarranted.

It is evident that the federal government, doubtless with the consent of the provinces, has invaded the provincial field of activities, when they passed the Unemployment Insurance Act. To my knowledge, there are in each province employment offices as well as labour departments. Therefore, friction in matters of jurisdiction is unavoidable and encroachments readily occur; to my mind, in order to avoid such overlapping of jurisdiction and continuous frictions only an inde-