

Under Section 39(1) in the present legislation, a legacy from the previous Government I may add, and I quote:

For the purposes of this Part, a claimant is unemployed, capable of and available for work during any period he is attending a course or program of instruction or training, or other courses or programs designed to facilitate the re-entry of a claimant into the employed labour force, to which he has been referred by such authority as the Commission may designate.

I propose that Section 39(1) of the Unemployment Insurance Act be repealed and the following substituted therefor:

For the purposes of this Part, a claimant is unemployed, capable of and available for work during any period he is attending a course or program of instruction or training, or other courses or programs designed to facilitate the re-entry of a claimant into the employed labour force:

- (a) paid for and authorized by the Commission; or
- (b) paid for and chosen by him, with the approval of the Commission;

I repeat, with the approval of the Commission.

Although I do not agree with the interpretation, even after checking the present section, I am convinced that the proposed amendment will improve its clarity and accuracy.

This Bill entitles a person attending a course or program of instruction or training chosen and paid for by him to receive benefits under the *Unemployment Insurance Act, 1971* subject to the approval of the Commission—

—and I repeat, subject to the approval of the Commission.

Such a person, unlike those attending courses paid for by the Commission, is not entitled under the present provisions of the Act to receive unemployment insurance benefits because he is deemed unavailable for work.

As a result of this amendment, a person who wants to quit working to attend a course will have to get prior permission from the Commission, which is intended to avoid possible abuses. Should the employment counsellor refuse, the person will still have the right to appeal to the board of referees, as is the case under existing legislation.

Mr. Speaker, let us figure out what it costs now and what it would cost under my amendment.

Let us take the case of a man who earns \$200 a week and who is eligible for unemployment insurance benefits after having been authorized to attend a course by the Commission. His gross benefits will amount to 50 per cent of his salary, or \$120 a week. In addition, the Commission will pay \$1,000 for tuition fees, if I take the example mentioned earlier. Assuming the course lasts eight weeks, the State will pay \$1,000 in tuition fees plus \$960 in benefits, for a total of \$1,960.

Now then, under the proposed amendment, if the same man is authorized to attend the same course, the Commission will not have to pay the tuition fees, only the benefits of \$960, so it is easy to figure out that the State will save \$1,000.

Mr. Speaker, here is what officials have been saying:

The mere fact that a person quits his or her job proves that he or she is interested in attending a course, not in returning to work.

Must we conclude that any beneficiary who attends a course paid for by the Canada Employment Centre is interested only in attending courses, not in working?

Unemployment Insurance Act, 1971

In my opinion, Section 39(1) as it reads now discriminates against people who want to be self-sufficient. Here is another example which illustrates the situation.

Last September, a single woman aged 35 with three children was without a job and drawing unemployment insurance benefits. She looked for work, but invariably she was asked whether she could speak English. Since she did not, she had a hard time finding employment. So she decided to take evening English courses, at her own expenses, while continuing to look for a job. Believe it or not, her benefits were cut off because she had taken the initiative of attending a course. And yet, Mr. Speaker, this was supposed to make it easier to return to work and, in any case, she did not have much else to do. So I asked a qualified person from my office to represent that woman before the board of referees. Fortunately, the ruling was in her favour. If she had stood alone in her fight, I am not sure that she would have won. She had a number of problems, especially during the holiday season.

Mr. Speaker, the amendment I have introduced tends to correct this deficiency and to be fair to all those who want to improve their lot. This is often their only recourse.

I am sure there is not one Member in this House who does not have at least one constituent who was put in such a situation.

As to the amendment I am proposing to Section 103, it simply says that, where a claim for benefit is allowed by a board of referees, benefits will be payable from the day of the initial claim if it is filed pursuant to Section 55. The reason for the change I am suggesting to this section is that, when a claimant appeals to the board of referees, one month may have gone by since he received his notice of disentitlement and another month may go by before his case is heard.

● (1610)

The best example which comes to my mind is the first one I mentioned. The claimant filed his claim on March 5, 1984, received a notice of unavailability on March 29, 1984, and appeared for the first time before the board of referees on May 23, 1984. This means that close to two months went by before the claimant was able to make his point. In this case, the board of referees allowed the benefits to be paid from the day it heard the appeal. This means that, under an amended Section 103, whenever the claimant has established that he was available at an earlier date than the day the case is heard, he will be paid from the day of his initial claim or from the day his availability was established.

If this section is not amended as requested and if the appeal is heard by the board of referees three months after the initial claim, the claimant will be penalized by the system.

Mr. Speaker, I think that I have explained the purpose of this Bill rather clearly. Naturally these two sections are not the only ones that need to be amended. The whole legislation