

Private Members' Business

tion or some kind of paper recognition. Some sort of incentive should be investigated in committee to see if it has some validity on the Canadian scene.

There also needs to be legal protection for legitimate whistleblowers, including confidential advice for public servants and an appeal process for those who are harassed or fired. For that we need an independent body which would act as sort of a place of sober second thought. I am not going to suggest the Senate but we need something that would give an employee confidential advice on whether his or her concern constituted a legitimate exposure and so on.

• (1835)

This independent person or office, something like an ombudsman or an independent ethics counsellor—emphasis on the independent—would also act as a repository for the information that was revealed. Anyone could come and receive that information. It would be a very popular office indeed. I know many public servants have been in contact with me about the need for this legislation.

If it was done in this way it could be exposed in a non-partisan, orderly way that would protect the employee concerned and also protect the government or other employer by suppressing frivolous or mischievous claims such as the one I mentioned earlier about someone overstaying a coffee break or something.

Next we would need an appeal process where an employee who was being harassed or who was fired could go. We need something there. Investigations could be conducted and reparations made. However there would also have to be a companion law that would punish or somehow discipline an employee for publicly exposing things for which they have given an oath not to expose. For example, they would still have no right to expose confidential documents from the cabinet and so on. We have to make sure under this legislation that employees do not feel they have the right to expose what by necessity must be confidential.

How does Bill C-248 measure up? I have mentioned several things that could be fleshed out in the bill. I find the bill is like a shell. It has the skeleton of some very good ideas. It is not specific enough in many areas. For example, there are no limits specified as to the time of reporting, the gravity of the offence to be reported or even the kinds of things an employee could report.

We should investigate whether there should be an incentive system of some kind which is not mentioned in the bill. We should do something to encourage the natural inertia of the bill against whistleblowing and jump start it. Maybe some sort of incentive program would help to do that.

I am not convinced the Canadian Human Rights Commission is the best body to solve this problem. Canadian human rights is becoming a grab bag. It seems to be solving everything or it is expanding its role. Under Bill C-64 it has been asked also to expand its area of expertise into the employment equity issue.

I see a little problem with the Canadian Human Rights Commission becoming the catchall for all this. I wonder if rather than a human rights issue it could more properly be administered under the Department of Labour because this is typically an employee-employer type problem. We could change this to the Department of Labour because it would be best equipped to handle these types of employment related matters.

Finally, as I mentioned earlier, the bill contains no deterrents against destructive or frivolous whistleblowers, people who just want to pass the time of day and harass employers. We will need something there.

To conclude, the intent of Bill C-248 is noble. We agree with its general direction but it is like a shell that needs to be filled out. I appreciate the member's work in this area and I only feel disappointed the government did not present this legislation.

This situation is much like the access to information experience. There have been many private members' bills over the years that sought to improve access to information. Given the benefit of hindsight and the great amount of good the Access to Information Act has done, the Liberal government would be well advised to take this bill as an umbrella piece of legislation and work with it. I realize it would be taking a bit of a risk.

Once this type of legislation is worked over in committee and becomes law we will all wonder how we got by without it. It is a good idea. We on this side of the House look forward with anticipation when real whistleblowing legislation becomes a reality.

[*Translation*]

Mr. Jean-Paul Marchand (Québec-Est, BQ): Mr. Speaker, Bill C-248 is a good bill, because it meets a blatant need. It is an open secret that there is considerable waste and abuse in government. I am vice-chairman of the committee on public works. As the hon. member for St. Boniface who spoke for the government knows full well, we have seen many cases of waste and abuse in the public service, particularly when contracting out is concerned, with an estimated \$5 billion to \$10 billion a year in contracts awarded by the government to private enterprise.

• (1840)

In that sector alone, hundreds of millions of dollars may be wasted through abuse and errors. The Public Service Alliance told us about some absolutely incredible cases of waste. For example, painters employed by the federal government were moved aside as contracts were awarded to private sector entrepreneurs, who were paid to do the work while public servants stood by watching them. Some contracts and leases were a real waste of government money. The waste is legendary.