[*Translation*]

Mr. René Laurin (Joliette, BQ): Mr. Speaker, a number of things have already been said about the amendments to Bill C–76. However, much remains to be said, and we fully intend to do so in the days to come. I would now like to comment on the motions being presented by our Reform Party colleagues.

The first motion says that a surplus employee who has not performed any work should not receive any money. I am afraid that if this amendment is passed, employees who lose their jobs would no longer be eligible for severance pay. That would be unfortunate, since severance pay is not intended as a gift to the employee who loses his job. It is meant to compensate him for the fact that he is penalized by the loss of his job. Severance pay is also a reminder to the employer that there is a price to pay for getting rid of a certain number of employees.

It would be too easy for the employer to say: I am going to cut my staff and get rid of 25, 50, 100 or 200 employees, depending on the size of the company. It would be too easy to be able to do this with impunity, without having to compensate people who, after all, are human and, in most cases, have dedicated a good part of their lives to their employer.

Severance pay must be included, and under no condition should we pass amendments that would allow the employer to dispense with severance pay.

Motion No. 2 says that the text is to be amended by replacing it with «à l'administration publique fédérale». The wording of the bill is as follows: "Any person authorized pursuant to subsections (1) or (2) to exercise and perform any of the powers and functions of the governor in council or the Treasury Board may, subject to and in accordance with the authorization, authorize any other person. . . who is part of the Public Service of Canada—"

There are certain distinctions in the public service, and I am afraid that other agencies that are part of the public service might be excluded if this kind of amendment is passed, because one is not necessarily under the jurisdiction of the public service when one is part of the public service. The government still has certain obligations to those employees.

As for Motion No. 3, there would seem to be a better case for this amendment because it would oblige the government, when it wants to replace a surplus employee, to offer the position "under a closed competition exclusively open to employees declared surplus within the meaning of the Workforce Adjustment Directive under the Public Sector Compensation Act, to another".

Still referring to clause 8 of the bill, according to its present wording, the Commission could, before the layoff becomes effective and if it is of the opinion that it is in the best interests of the Public Service to do so, appoint the employee, without competition and in priority over all other persons, to another position under the jurisdiction of the deputy head for which, in the opinion of the Commission, the employee is qualified.

We believe that this particular wording gives the Commission too much discretionary power and that the Commission should be more strictly regulated.

• (1555)

I think that the purpose of Motion No. 3 tabled by the hon. member from the Reform Party is to require the commission, whenever such a situation arises, to replace the employee by way of a closed competition, not by a competition that would bring another person into the system so that the number of employees would rise again. No.

I think that the amendment is justified because it is aimed at restricting the competition to public service employees declared surplus. Instead of leaving these people without protection, in case other jobs are ever created, this amendment gives them a kind of recall priority. It would allow those already declared surplus to be called back to work—after a competition, of course—because the goal is to put people in positions for which they are qualified. We think that a closed competition would be more equitable to surplus employees and give much less discretionary power to the commission.

Motion No. 4, which is also part of the first group, would prevent the commission from appointing a person already participating in a program designated by the Treasury Board as an employment equity program. In other words, the commission would be prohibited from appointing a participant in an employment equity program to a position that could be occupied by a surplus employee within the meaning of the work force adjustment directive.

I think that we would be replacing one form of discrimination by another, for example, in favour of employees who are already protected as members of what we call visible minorities. It has been agreed that visible minorities would be those minorities currently recognized, that is to say persons with a disabilities, aboriginal people, people of a different ethnic background or non–white in colour, in a word those visible minorities the legislation was intended to protect. But with an amendment such as this one, we would be giving even more prominence to these minorities by saying in essence: "You guys will get to take the place of employees who have been declared surplus." It is bad enough for employees to be declared surplus and lose their jobs, without making matters worse by discriminating against them, in favour of a visible minority group that is already afforded a certain degree of protection. Women are also considered a visible minority under certain agreements.