Clause 30 of Bill C-101 as originally drafted was intended to remedy the situation where pregnant women, being denied illness benefits while on maternity leave, were protected. The Supreme Court of Canada ruled in the case of Brooks *v.* Canada Safeway that an employee benefit plan which denied illness benefits was discriminatory and therefore in contradiction of Canadian human rights law.

We found that while the Department of Labour recognized that such insurance plans were discriminatory, the wording of the bill did not make it as clear as it might have that those plans which continue this discriminatory action were illegal.

I then proposed new wording which was adopted by the legislative committee which clarifies the intent of this change to the Canada Labour Code. Again the minister agreed to the wording. It is now very clear that employee-employer insurance plans cannot discriminate against pregnant women.

One other clause of this bill was changed by the committee and that was clause 40. I proposed an amendment to make it clear that regulations can be made to regulate those deductions an employer is permitted to make from a worker's pay cheque.

My concern here was about the case of overpayments made to an employee or losses that an employee is solely responsible for. Take, for example, shortage of cash in a bank teller's cash drawer if he or she had sole control over that cash drawer. Regulations could be drafted to ensure that any recovery of these moneys not be done all at once.

These regulations that are now permissible under the legislation will protect workers and ensure that they continue to receive an appropriate wage during the period of repayment. Hopefully the guidelines will be something like 10 per cent per pay period.

We are however disappointed that the government did not agree with the second reading amendment of the member for Laurier—Sainte-Marie. That amendment essentially outlined that if there is better protection, particularly for pregnant women, in provincial jurisdiction then the provincial jurisdiction would apply. This is the case in Quebec.

Despite the many gains we find in this bill achieved through consultation and through working together, the New Democrats cannot support it. We cannot support it because we believe that it was underhanded, unwarranted and unnecessary to create and have the addition of the directed vote provisions to the Canada Labour Code and the Public Service Staff Relations Act.

• (1240)

They were introduced without consultation or provocation. They were introduced in fact without the support of any of the parties who were involved in the consultation process.

Because we believe legislation enacted in this House should uphold and reflect the general public interest, we cannot support this legislation. The laws we enact should be used to expand and protect the rights of Canadians. They should not, as we see in clauses 2 and 42 in this bill, expand the arbitrary powers of the cabinet.

The consultative process that resulted in most of what we see in Bill C-101 is testimony to an effective, if not somewhat lengthy, legislative process. Client groups working with departmental officials can produce consensual law that fits the needs of those workers covered by the Canada Labour Code. Those who will benefit most from the Canada Labour Code are those workers not covered by collective agreements and those who depend on the code to protect their rights as workers.

It remains however very disheartening that these benefits are tainted by the government's last minute decision to take one more shot at those unions in the public and private sector who have stood up to the government in defence of the rights of their members.

It is disappointing that the consultative portion of this bill must be voted against in order for us to give a clear message to this government that the imposition of amendments that constitute clauses 2 and 42 are repugnant to New Democrats, to my caucus and also to working Canadians.

Mr. Raymond Skelly (North Island—Powell River): Mr. Speaker, I share the concerns expressed by my colleague from Mission—Coquitlam about the inadequacies of the legislation. I would like to ask her if she could respond to this particular problem which is a general difficulty with the Canada Labour Code.

There is a long-term employee at the Port Hardy airport who has been there since 1975, a gentleman by the name of Joe Davey. As time goes on, he is at an age where we all begin to slow down. He was ordered to take on fire-fighting duties apart from his normal job as machine operator. It was not in his job description. They