

Private Members' Business

In recent years the Canada Employment and Immigration Commission has developed a policy that permits some flexibility and allows claimants to prove their availability for limited periods of up to two working days in cases such as jury duty, family illness or attendance at a funeral, when claimants would otherwise be able to prove their availability.

This is the most flexible interpretation possible under the legislation which in section 14 requires the individual to be available for work, capable of working and willing to work.

Nevertheless as a general rule a claimant is not considered to be available for work while serving on a jury. The length or uncertainty of the time of duty interferes with the claimant's search for and acceptance of employment.

I would submit that anyone unemployed and looking for a job being called to do jury duty, having a job offered to him and not being able to accept it would be very upset indeed. It goes beyond civic duty.

If jury duty lasts more than two working days in a row, it is difficult for a claimant to claim to be available for work. If arrangements have been made for the claimant to be informed immediately of any opportunity for suitable employment and if it is possible for the claimant to be released and report for work within the following 24 or 48 hours, the claim may be credible.

If in fact the solution to this problem lies not with UI legislation but with provincial judicial systems, generally provincial payments for jury duty are much less than UI benefits. Consequently UI recipients could be penalized for fulfilling their civil obligation.

I agree that people should be compensated for an important function such as jury duty, but the real question is: Who is responsible for compensating them? Is it the employer and the workers themselves or is it the judicial system, as I would submit, of each individual province? I would argue that since they are serving the provincial systems it is their responsibility to provide adequate compensation.

I am going to review very briefly for the House what the provinces are paying for jury duty. Prince Edward Island pays its jurors \$40 a day from the first day of jury

duty. The average duration of jury duty is seven days in that province. Nova Scotia pays \$15 a day from the first day. The average duration of jury duty is three days. New Brunswick pays no fees for the first nine days and it pays jurors \$10 a day in mileage and \$25 for a full day after 10 days. Quebec jurors are paid \$25 a day for the first 10 days, \$40 for the eleventh day on. The average duration of a jury in the Montreal region is seven days. Ontario jurors are paid nothing for the first 10 days of trial. I think those kinds of payments for jury duty are not acceptable and the provinces should address them. Manitoba pays \$20 a day for the selection of panel, \$30 a day for jury duty. The average duration is five days. Saskatchewan pays \$25 a day from fourth day of jury duty in criminal cases and \$25 for the first day in civil cases. Jurors in Alberta get \$10 a day for days one through five of jury duty, \$40 after that. Four days is the average number of days served on a jury. The Northwest Territories pays \$25 a day and \$40 a day. British Columbia pays \$10 a day and \$30 a day with a two to three day average.

• (1730)

In conclusion, the primary requirement for entitlement after being unemployed is being available for work. I would submit, and I submit very strongly, that it is not the UI system that we should be attacking or seeking compensation from for the individuals to allow them to serve on jury duty. We should go where the problem lies and that is in the judicial system of each province.

Provinces should take the responsibility that belongs rightfully to them and pay the jurors a decent remuneration for sitting and doing a civic duty.

Mr. Cid Samson (Timmins—Chapleau): Mr. Speaker, I rise with pleasure to support Bill C-211 which has been put forward by the member for Restigouche.

This bill is cleaning up something that was overlooked when the original act was put in place. We are not suggesting for a moment that it is going to cost the UI fund any more money. We are not asking the federal government to put more money into the fund. It does not put any into it now.

What we are saying is that when people are performing a civic duty they should not be penalized by having their benefits cut off, thereby not only putting them under undue stress but also their families.