

*Canada Elections Act*

Members think this is a good idea and a step in the right direction, then they ought not to. I make that appeal to all Members on all sides of the House. Give democracy a chance. This is a small opening, a step in the right direction and I ask Members to support my Bill.

**Mr. Moe Mantha (Nipissing):** Madam Speaker, I welcome this opportunity to join in the debate on Bill C-237, an Act to amend the Canada Elections Act, which deals with the terms of leave of absence which certain employers grant their employees who run for election to the House of Commons. As all Members of Parliament are aware, Subsection 23(14) of the Canada Elections Act is the existing rule. It provides that employers to whom Part III of the Canada Labour Code applies, which section does not apply to the Public Service, must grant a leave of absence with or without pay to any employee who requests such a leave in order to seek a nomination and to be a candidate for election to the House of Commons. Under the terms of leave of absence, if a candidate is not elected, he or she can return to his or her job. If elected, the individual must resign from his or her job with the previous employer. What the Hon. Member for Sudbury is now proposing in this Bill is that those employers should be—

• (1730)

**Mr. Rodriguez:** I rise on a point of order, Madam Speaker. The Hon. Member has referred to me as the Hon. Member for Sudbury. I am the Hon. Member for Nickel Belt.

**Mr. Mantha:** I apologize.

**The Acting Speaker (Mrs. Champagne):** I am sure the Hon. Member for Nickel Belt (Mr. Rodriguez) also occasionally, and it does happen to the Speaker too, makes a mistake on the correct appellation of a riding. I am sure the Hon. Member for Nipissing (Mr. Mantha) stands corrected.

**Mr. Mantha:** I did not know he was the Member from Nickel Belt. I will say the Hon. Member for Nickel Belt (Mr. Rodriguez) is now proposing in this Bill that employers should be requested to continue leaves of absence, albeit without pay, for those candidates successfully elected as Members of Parliament for the duration of their careers as Members of this House.

When Members resign or are defeated, they would have a guaranteed right to return to their previous job. While I am sure that all Members of the House and indeed all Canadians would appreciate such a guarantee when they take up new positions during their careers, this proposal is not one which I feel is appropriate or desirable.

I am against this proposal in principle. We in this House have a privileged role in contributing to the Government of this country. Our experience should stand us in good stead when we need to seek new employment. Members of this House are provided for in salaries and benefits. We should not need or want the kind of guarantee which the Hon. Member

for Nickel Belt is proposing if and when our careers in this House come to an end.

I am also against this proposal because of its implications. The impact on employees, for example, would be significant. Under Part III of the Labour Code, a wide range of businesses, both large and small which are within the legislative authority of the Parliament of Canada would be affected. These would include businesses in shipping, the railway, the airlines, the banks, radio broadcasting and any other business which does not fall within the exclusive legislative authority of the provincial legislatures.

In all, some of the 10 per cent to 15 per cent of Canadian businesses would be required to keep a job open for any employee who was elected as a Member of Parliament for as long as he or she remains as a Member of Parliament. Under the Government's conflict of interest guidelines, a Member of Parliament who is a Minister could not return immediately after an election to work at a company involved in activities related to his or her ministerial responsibilities.

I would argue that even from the point of view of Members of Parliament, the extended leave of absence would have its disadvantages. It would certainly apply unevenly to some MPs. I am sure that our constituents would agree that this proposal is going too far. There is room, however, for reasonable reform related to the election procedures and the political rights of Canadians. That is what the Government is proposing.

In one of the major initiatives of this Government, the Deputy Prime Minister (Mr. Mazankowski) introduced Bill C-79, an Act to amend the Canada Elections Act, on June 30 of this year. In this Bill, the Government is proposing among other reforms to improve the fairness of the election process by permitting previously excluded individuals to run as candidates for election. These include people who are involved with certain contracts with or for the Government of Canada; members of provincial and territorial legislatures; individuals who hold the office of sheriff, clerk of the peace, county or district Crown attorneys; paid government-appointed individuals who work in the services of the Government of Canada and others who have in the past been excluded from running for Parliament. All these individuals will now be eligible to run.

In addition, the Government is presently reviewing how it can expand the political rights of the Public Service within the limits necessary to maintain a politically neutral Public Service. This Government is taking strong and progressive interest in the reform of the election process and the expansion of political rights. This is the kind of reform which we encourage.

[Translation]

**Mr. Jean-Robert Gauthier (Ottawa—Vanier):** Madam Speaker, I welcome this opportunity to take part in the debate on Bill C-237. I believe this is the first time the House is considering this question, and I think the Hon. Member for