

Employment Equity

enforcement. At the moment there is no enforcement except wherein it deals with the obligation to report.

Likewise, my concerns about Clause 5 deal not only with the fact that no fines are levied against companies which fail to comply with the clause, but also with the fact that the clause itself calls for an action plan which is to be kept secret. An action plan which is to be kept secret is in fact no action plan at all. Obviously we want it to be open and accessible so that it can be examined by committees of the House of Commons and examined by the involved target groups to see whether it is being carried out.

In respect to Clause 4, the employment practices at the moment are such that the Government is asking employers to set up plans in companies with only 100 or more employees and the federal Government is exempted. Obviously we feel that is wrong. My particular motion would permit the committee to re-examine the issue of the exemption of the federal Government to ensure that it is involved and to ensure that companies with fewer employees, for example 25 or more, might be covered by the legislation.

Mr. McCurdy: Mr. Speaker, First of all I have a question of clarification. Do I understand correctly that the amendment would apply to Clauses Nos. 3, 5 and 7 only?

Ms. Copps: Mr. Speaker, one could make it broader, but the amendment before the House at the moment would call for a re-examination of Clauses Nos. 4, 5 and 7 by the committee. Clause 4 restricts application to companies with 100 or more employees and exempts the federal Government. If the committee decided in its wisdom that it wanted to examine other issues, that would possibly be within the mandate of the committee. However, we specified those three areas because they were cited as the most heinous areas in the Bill.

Mr. McCurdy: I have a supplementary question.

The Acting Speaker (Mr. Paproski): I will recognize the Hon. Member for Gander—Twillingate (Mr. Baker) on a point of order, and then the Hon. Member for Windsor—Walkerville (Mr. McCurdy).

Mr. Baker: Yes, Mr. Speaker, I rise on a point of order. Since the motion before the House now will direct debate, would Your Honour rule on whether or not the motion applies to the entire Bill? I know certain people wish to restrict it to Clauses Nos. 3, 5 and 7, but I would argue that we are now examining the entire Bill—

The Acting Speaker (Mr. Paproski): Order, please. I appreciate the Hon. Member's point of order. It is a very strict motion which deals with particular clauses only. I believe that clears up the matter.

Mr. McCurdy: Mr. Speaker, my understanding of the motion is that indeed it applies to Clauses Nos. 3, 5 and 7. The Hon. Member for Hamilton East (Ms. Copps) indicated her concern in respect to Clause 5, which does not relate to an

action plan in its totality but only to goals, and that it was objectionable because the plan was secret. If she is concerned about the fact that the report on Clause 5 is secret, that the goals will be secret except in so far as they will be retained and under certain circumstances made available to the Minister, why does her amendment not also apply to Clause 4? If the secrecy of Clause 5 is objectionable, clearly the fact that the action plan set out in Clause 4 is available to no one is just as important, if not more important than the secrecy attached to the report on Clause 5.

Ms. Copps: Mr. Speaker, at some point in the future I would be most happy to introduce another amendment dealing specifically with Clause 4. We discussed which clauses should be included with our procedural expert. We were advised that if we included a straight, blanket hoist motion, it might be ruled not in order. It is our intention to proceed at this moment with those particular clauses because they were cited by most of the involved groups as the areas within the Bill which were most despised. We would certainly be prepared to proceed with Clauses Nos. 4 and/or 2 and/or other clauses at another time. Obviously we want to give the Government every opportunity to change the thrust of the Bill.

Mr. Hawkes: Mr. Speaker, I sat on the legislative committee. We sat for many hours and I believe we heard all the witnesses who wanted to testify before us. I guess what is bothering me here is the knowledge that the Hon. Member who moved the amendment was not present during those committee hearings and may not be aware of the reality that every idea she is placing on the table at this point was very carefully examined by the committee and was clearly rejected. When it reported to the House, the committee said that it had looked at those ideas. The testimony which is now before the House would indicate that the committee gave very thorough consideration to every one of those ideas and found them wanting. The committee was chaired by a member of the Hon. Member's Party. Is she saying that the chairmanship was not in order or was not good chairmanship? Is she saying that the composition of the committee was not good? Is she saying that the witnesses were inappropriate? What complaint does she have in terms of how the committee functioned?

• (1300)

The Acting Speaker (Mr. Paproski): I will allow the Hon. Member for Hamilton East (Ms. Copps) to reply, if she will do so quickly.

Ms. Copps: Mr. Speaker, obviously I have some concerns about the composition of the committee. It was made up of a majority of Tories who chose to ignore the representations of every single target group cited: women, visible minorities, native Canadians as well as the handicapped. They have all been ignored in this Bill. They are the ones who came forth with these recommendations. Had the membership of the committee been made up of a majority of Liberals and New