

*Adjournment Debate*

Requests for special tax exemptions must be considered in the light of certain fundamental criteria under which our tax system operates. One of these criteria is that personal tax exemptions should not be granted because any kind of deductions from individual income tax will result in a loss of revenue for the government, which must be compensated by tax increases for other individuals.

We are not dealing here merely with exempting a class of individuals of certain expenses, but with shifting part of their tax burden to other classes of individuals, and such a tax shift could not be justified.

From this point of view, Mr. Speaker, the motion moved by the Hon. Member for South West Nova (Miss Campbell) violates therefore a basic tenet of a fair income tax policy.

● (1800)

[English]

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**Mr. Deputy Speaker:** Before proceeding to the adjournment debate I should like to advise all Hon. Members that they are invited to pay their respects to the late Bora Laskin at 9 a.m. tomorrow at the Supreme Court building.

## PROCEEDINGS ON ADJOURNMENT MOTION

[Translation]

A motion to adjourn the House under Standing Order 45 deemed to have been moved.

### HUMAN RIGHTS—APPEAL IN SEXUAL HARASSMENT CASE— FUNDING OF APPEAL

**Ms. Lynn McDonald (Broadview-Greenwood):** Mr. Speaker, I asked several questions on sexual harassment to three Ministers. First, I put a question to the Minister of National Defence (Mr. Blais), because the Robichaud incident occurred in that Department. Then I asked a question to the Minister of Justice (Mr. MacGuigan), because it was he who advised to appeal the decision when Mrs. Robichaud won her case before the tribunal of the Human Rights Commission. Finally, I put a question to the President of the Treasury Board (Mr. Gray) because his Department is funding the appeal and it was also his Department that issued the Government guidelines on sexual harassment. I raised the first question recently on the adjournment motion. The Minister of National Defence himself did not seem to know anything about the Robichaud case. His Parliamentary Secretary avoided answering by making a distinction between military and civil proceedings related to sexual harassment. Military or civil proceedings are not the

issue here, but in either instance something has to be done to protect women. But instead of supporting the woman who had filed a complaint, the Minister or of National Defence raised objections and, when the woman won her case, he even decided to appeal.

[English]

This is an extremely flagrant case. It took a complainant a number of years, going through the ministry and finally winning at the Human Rights Commission. The result was that the Government conducted an appeal.

My question to the President of the Treasury Board (Mr. Gray) concerned the funding and the guidelines on sexual harassment, but the Minister went off on the question of the right to an appeal. Of course, Mr. Speaker, I grant that either side has the right to appeal. The question is whether the appeal is justified, whether there is good reason for it and if public funds should be spent to undo what the Human Rights Commission has already accepted.

The President of the Treasury Board also used the flimsy excuse that the case occurred before the issuance of guidelines, as if that would change things. We are worried that the guidelines are window-dressing. If there were some spirit behind the guidelines they would be acted upon promptly and there would be no appeal. There is no reason to argue, from a failure to institute guidelines earlier, that one should therefore not take sexual harassment seriously and appeal a case that occurs.

Treasury Board guidelines are clear on what personal harassment is and what the Government's responsibility is. On paper that is good; personal harassment of any kind is considered a serious offence subject to the full range of disciplinary sanctions up to and including discharge and would be treated accordingly by management. Further, management has a continuing responsibility to stop any harassment that occurs in the workplace whether there has been a complaint or not. If a manager is aware of harassment of an employee and does not take appropriate corrective action, disciplinary sanctions may be imposed on the manager as well as the offender.

That is well and good, Mr. Speaker. However, in making the appeal the President of the Treasury Board used the argument, quite unjustifiably, that the Government has been implicated in the decision of the Human Rights Tribunal and therefore had to appeal. If they would apply the logic of their own guidelines they would see the Government has implicated itself. An employer is responsible for having conditions of work which exclude sexual harassment. So the Government must be involved, and the Human Rights Commission acted quite properly in criticizing the Government for its failure to provide decent working conditions for the woman complainant in this case.

● (1805)

Let me quote from a letter from John Baglow, president of the concerned Local of the Public Service Alliance of Canada in arguing against the appeal and asking for its retraction: