

Government Orders

dedicated, committed organization, in a fair and equitable way. It should use the employer-employee relationship to set a prime, key example for other employers in Canada. It should not set an example of what you should not do or an example of employment practices of the last century.

I view the amendments put forward by my colleague as constructive and worthy of support, making the Public Service of Canada and the Government of Canada an example of good, solid future-looking employer-employee relations.

Mr. Jean-Robert Gauthier (Ottawa—Vanier): Mr. Speaker, this is a very important bill. That is why the hon. member for Mississauga should get up and give us a very inspiring speech as he knows how to do.

I am willing to give my time to the member for Mississauga if he would get up and give us his views on this very important matter. I know how he feels. He is a fair individual and a fair person. He is a man of great, great principle. He is a man who understands. All we are trying to do here, with these three amendments, Motions Nos. 9, 11 and 13, is to give a clear mandate to the commission in the legislation for it to do these investigations on complaints of harassment and abuse of authority.

One does not have to be a genius nor a legislator of great experience to understand this is a fundamental right of individuals, to know what is going on and to know that they will be informed of investigations and will have a right to comment on them.

As we know, the commission at this time does these investigations. We are trying, with these amendments, to make it clear that harassment *per se* could be an interference with the merit principle. We would like the commission to be empowered by legislation to do these inquiries and to do them in an open manner and to do them with the follow-up that is required of these investigations.

All we are asking is that the commission do the investigations, not somebody from the department where the individual works, not somebody from outside government, but somebody within the powers of the commission to appoint within that commission so that we make sure that is protected in the law.

The first amendment says that the commission must do those investigations and audits on any matter within

its jurisdiction and investigate complaints filed by employees alleging sexual and personal harassment.

I had a case this morning of harassment of a public servant by a superior. This individual works in national defence and his wife is very sick. He missed a few days because of his wife's illness. When he came back to work and told his supervisor that he was absent for the last seven or eight days because of his wife's illness, the supervisor refused to accept the medical certificate. He refused to accept the word of the individual and his medical doctor attesting to the fact that he was justifiably absent from work.

This is the second time this has happened. The last time this member of the Public Service was off work, every day at 7 a.m., at 10 a.m., at noon, in the afternoon and in the evening the supervisor would call to make sure that the individual was home looking after his wife. Getting seven or eight phone calls a day from your boss trying to verify that you are looking after your sick wife becomes quite tiresome.

An hon. member: Harassment.

Mr. Gauthier: That is what we call harassment. That is exactly what we are trying to do here. An employee who is harassed that way should have a right, if there is a complaint lodged by the employee as to a supervisor harassing him or her, to say to the commission: "Investigate this problem. Find out why this person is harassing me and for God's sake, let us stop that nonsense". That is all this does. It gives the commission the authority to do not as it so feels about it, not as clause 8 says: "The commission may—". We want the word "shall", not "may". We are trying to replace the word "may" within the legislation before us with the word "shall". The commission shall investigate, not may investigate.

The other point we are trying to make with Motion No. 11 is that the unions have expressed concerns to us that to delegate this authority to investigate or audit to deputy heads of the department could be a conflict of interest within the department.

That point is very easy to understand. We are telling managers that by Public Service 2000 we will give them more powers to manage. That was not anything new. It was said in many royal commissions before: Give the managers power to manage and pay them accordingly. That is why managers are paid more than the average worker. It is because they manage a department. They have responsibilities and judgment calls to make.