

*Supply*

leave. Natural fathers and adoptive parents cannot be granted leave of absence for child care responsibilities. In order to encourage the sharing of domestic chores and break the unappreciated "monopoly" which I referred to earlier, the Government is providing for a 24-week long leave without pay for child care responsibilities for both natural and adoptive parents. In a major amendment, the Government has provided that no employer shall require a pregnant employee to take a leave of absence, unless she is unable to perform an essential function of her job and no appropriate alternative job is available for her.

The Government is moving this amendment because the courts have ruled that no provision in the Labour Code could stop an employer from requiring a pregnant employee to take a leave of absence from her employment. They felt that it only precluded the employer from refusing a leave of absence. It was therefore necessary to define more accurately the intent of the legislator to ensure that no employer could unduly require a pregnant employee to take a leave of absence without pay.

As to the reinstatement of an employee, the purpose of the new clauses is to remove certain discretionary powers which the employer has now by requiring him to reinstate the employee in the position that employee occupied before the leave of absence commenced. Whenever possible, the employer must reinstate the employee in a comparable position with the same wages and fringe benefits and in the same location.

The government intends also to reinforce the fringe benefits protection scheme under the Canada Labour Code by demanding the uninterrupted accumulation of retirement, sickness, disability and seniority benefits while an employee is on leave of absence.

There is also a provision concerning the right to notice of employment opportunities. Many employees are aware that lost opportunities during a leave of absence for family responsibilities are often tremendous and hard to make up for. It is therefore imperative to legally prevent the dire consequences of an employment stoppage for child care purposes on one's opportunities for promotion. Under the new provisions, every employee must be informed in writing of every employment, promotion or training opportunity that arises while on leave of absence. The employee will then be in a position to decide what is to be done during that leave of absence and to keep in contact with his or her place of work.

In my opinion, the last three amendments concerning reinstatement, accumulation of benefits and notice of employment opportunities are of utmost importance, for they demonstrate at last to women employees that they will no longer be penalized for assuming as mothers, their indispensable role to society. It is clearly unfair that this role should affect so

negatively nearly all aspects of their professional lives, including their revenues, fringe benefits, promotion opportunities and experience.

I am delighted that the Minister chose to include those provisions in the Labour Code and I hope that all parties will agree to have those amendments passed quickly by the House. I hope as well that the amendments pertaining to sexual harassment will gain wide acceptance. We Canadians have been tended to consider sexual harassment as strictly a human rights issue, and employees who were so victimized in the work place quite often just did not know how to react.

Until last year when the House adopted amendments to the Canadian Human Rights Act, the legislation did not contain any specific reference to sexual harassment and very few employees were aware that such behaviour could lead to legal action on grounds of sexual discrimination. Even though recent amendments to that Act leave no doubt as to that, there are persons who are often reluctant to use those means.

The investigation of a complaint under the Canadian Human Rights Act lasts more than a year, and its success depends on the ability to adduce evidence that will convince an ordinary court of law. Unfortunately, that kind of evidence is not always easy to gather in cases of sexual harassment. Even though a complaint may be settled by one of the Human Rights Courts, probably the settlement of one such complaint would not be a deterrent, since in order to reduce those cases, the shamefulness and unacceptability of such conduct would have to be publicly recognized. Therefore, with the current amendments, a definition of sexual harassment would be introduced in the Code to clarify what is meant by such a conduct. In my view, this will significantly help reinforce the fact that sexual harassment is a degrading behaviour, an insult to human dignity and an unacceptable conduct when a person's occupational life is affected. Further, after consulting the employees or their representatives, employers would have to develop a policy prohibiting sexual harassment and make each of their employees aware of its contents.

In order to put an end to such harassment, the active co-operation of employers is needed because they can not only increase the level of people's awareness, but also take immediate disciplinary action after a specific incident. They can control sexual harassment in the workplace just as they control hazardous behaviours.

Mr. Speaker, the reforms put forward in Bill C-34, involving as they do not only Part III, but also Parts IV and V, are progressive and timely. Further, the extensive and therefore stimulating consultations that were held with labour and management representatives proved they were both practical and workable. I am confident honourable members will support these major government initiatives, and they will do so as soon as possible.