

● (1610)

## GOVERNMENT ORDERS

[English]

### EMPLOYMENT EQUITY ACT

#### MEASURE TO ENACT

The House resumed consideration of the motion of Miss MacDonald (Minister of Employment and Immigration) that Bill C-62, an Act respecting employment equity, be read the third time and passed; and on the amendment (Ms. Copps) (p. 12465).

**Ms. Margaret Mitchell (Vancouver East):** Mr. Speaker, this is the fourth time I have risen to speak on this very important Bill, Bill C-62, with regard to employment equity. As the critic responsible for the status of women, I have a very particular concern about how it will or will not affect opportunities for Canadian women. My riding of Vancouver East has one of the largest representations of urban native people, second only to Winnipeg. There are also a very large number of people who represent other visible minorities, not to mention many low-income people and many handicapped persons. I have, indeed, a great deal of concern about this Bill. We had all hoped that it would have true meaning for these groups and would present opportunities as never before, at least for employment in jobs which fall under federal jurisdiction. I regret to say that speaker after speaker and witness after witness has pointed out that this is not the case. It is very unfortunate that, as a precedent setting Bill, it falls so short of what minority groups need and want.

I would like to take some time to refer to some of the comments made by the Minister this morning. I was working in my office and could not help but want to respond to some of the comments she made. She said: "is enabling legislation, not a set of rigid guidelines". We certainly know that it is not a set of rigid guidelines. She went on to say: "The aim is to encourage employers and Governments. The Government's aim is to encourage employers". She quoted Judge Abella who said that the Government must be aggressive, vigilant, and open-minded. Unfortunately, she did not continue quoting the Judge's comments. In *Equality in Employment* at page 195, Judge Abella said:

A voluntary program with a mandatory reporting requirement is nonetheless voluntary in the absence of a requirement to remedy the discriminatory practices disclosed by the information reported.

She goes on to say:

—it is unrealistic to rely on public opinion as an effective monitoring agent.

She also says:

Voluntary programs in the federal government have had little impact on the composition of the public sector workforce.

I wish the Hon. Member for Winnipeg—Fort Garry (Mr. Axworthy) were here because I think that is a direct response to what the Liberal Government did not do. Its record was far from positive in this area.

### *Employment Equity*

We agree with the Minister that data and information are important, but they are only important if the process does not start here. It must lead to action and to results for the target groups which I have mentioned. It must lead to systemic changes in the institutions, corporations, or businesses which are employing people. This Bill does not provide for that. For example, what difference does it make if a company meets the deadline for reporting and shows how many or how few women it has in middle-management positions or non-traditional jobs? It is very little use to know this unless the company is going to make some changes, unless it is going to be required to adopt a policy of employment equity which will open up more jobs and a fairer promotion system for women in a planned way as a part of company policy.

Employment equity must be legislated and there must be appropriate penalties, not only for failing to report, but for failing to do something about it once they have the information. Otherwise, I am sure no employer will take employment equity very seriously. Companies will probably hire a few token women in order to avoid embarrassment. This is not systemic change, and is not an adoption of employment equity policy. This is like the Prime Minister's (Mr. Mulroney) approach to employment equity of appointing one or two more women to a board in order to keep them quiet. Yet there is not really a major systemic change. We do not even have a woman Minister responsible for the Status of Women.

This morning the Minister of Employment and Immigration (Miss MacDonald) also talked about systemic discrimination, a point which has been raised repeatedly by our Party and by many witnesses who appeared before the committee. The Minister talked about how difficult it is to deal with this because it is, in effect, hidden. I agree with her. However, systemic change will not be brought about in a large company or bureaucracy by requiring them to report on what proportion of their staff is women, native people, disabled people, or visible minorities. Even if there is provision to use the Canadian Human Rights Commission, the role of that organization has been to deal with individual complaints on a case by case basis. That is not systemic change. It is not a change in the system or the company policy.

The Minister also suggested that public disclosure would make the discrimination public, and that the target groups or the Canadian Human Rights Commission could then take action. Why should they have to do this? If a mandatory employment equity agreement is made with the federal Government for every company and Crown corporation in its jurisdiction, there should be no need for this. We know that target groups do not have resources. The Minister of Justice (Mr. Crosbie) has not even given them any money for their test cases on equality under the Charter of Rights. How will they get money to appeal the complaints with regard to employment equity? Believe me, there will be many, many complaints. Even though there have been some increases in the resources of the Canadian Human Rights Commission, it has never had enough resources to deal with this. We need