

Unemployment Insurance Act

Mr. Speaker, may I remind you that it is one o'clock.

[English]

Mr. Deputy Speaker: It being one o'clock I do now leave the chair.

At one o'clock the house took recess.

AFTER RECESS

The house resumed at 2.30 p.m.

[Translation]

The Acting Speaker (Mr. Tardif): The hon. member for Portneuf.

Mr. Godin: Mr. Speaker, when the house rose at one o'clock, I was extending congratulations.

This morning, I brought to the attention of the minister who is sponsoring the bill, that the employees of the manpower centres were working seriously, conscientiously and intelligently. But there are a few who, because they are human beings, may interpret the law in different ways, and even though these are isolated cases, I can say that some individuals who present themselves to some of these centres may be wronged.

I have before me the file of one of these unemployed and I take it upon myself to bring it to the attention of the minister. He is the head of a family, 57 years of age, who has always worked and who applies at the manpower centre. He draws benefits during 15 days. Afterwards, the centre writes to him as follows:

The amount of benefits has been reduced on account of the days where you stated that you were unavailable and where we considered you to be unavailable.

Our man returns to the centre and he gets a letter a few days later.

We have reconsidered your application for benefits. On the strength of information obtained, you are excluded from obtaining benefits for the following reasons: You have not proven that you were in a position and available to work, as prescribed under section 54(2) (a) of the Unemployment Insurance Act.

Then, the man asks to be heard by the referees of the commission at the regional office. After the hearing, he is informed that:

The claimant, invited to appear at the hearing of his case before the board of referees, was present—

I will spare you the rest.

The claimant has brought forward no new evidence which would have allowed the members of [Mr. Godin.]

the board of referees to change the decisions already taken. Therefore, the board of referees unanimously confirms the two decisions taken by the insurance officer and rejects the appeal made by the claimant.

This is rather strange. "The claimant has brought forward no new evidence which would have allowed the board of referees to change the decisions already taken". I suggest that this short sentence is quite important, Mr. Speaker. It is quite obvious that the man could not come up with something new, being a worker and not a lawyer. He is unable to invent new evidence. He has always argued his case and exposed the facts in all sincerity. Since he does not belong to any association or union, he is a little uncomfortable. He decides to meet his member of parliament, who asks the authorization to appeal to the regional office of the commission, as he is allowed to according to a commission rule which reads as follows:

RIGHT TO APPEAL

The act provides that an appeal from the decision of the board of referees can be submitted to the referee in Ottawa:

- (1) by the insurance officer in any circumstances;
- (2) by an association of employees of which the claimant was a member during his last period of employment preceding his application, and of which he remained a member until the date on which the appeal was made;
- (3) by the claimant, if the decision of the board of referees is not unanimous;
- (4) by a claimant whom the chairman of the board authorizes to make an appeal.

This paragraph gave the member the right to make his request to the referee in Ottawa.

All appeals to the referee must be filed with the office of the Unemployment Insurance Commission.

All these requirements had been met.

• (2:40 p.m.)

The answer goes on like this:

Following your letter—

That is the office of the commission which advises the member that a form has been sent to the claimant.

Following your letter in which you ask for the authorization which will enable you to take the case of the above mentioned to the Canadian referee in Ottawa, we must tell you that we have sent that gentleman a form he must complete and return to us as soon as possible.

Upon reception of that form, we will send his request to the chairman of the board of referees for study.

And the file includes the answer to all that, and I quote:

Following your letter about the above-mentioned, we must tell you that the chairman of the board