

Private Members' Business

Bankruptcy Act. In the early 1980s, the then consumer and corporate affairs minister tabled a bill. It died on the order paper.

In 1986, the previous consumer and corporate affairs minister of this government, the man who is now the House leader for the government—

An hon. member: Is that Harvie?

Mr. Rodriguez: That is Harvie Andre. —said that amending the Bankruptcy Act to give more protection to employees was one of his priorities. Two ministers and four years later, this priority has not been achieved yet.

An hon. member: The banks got to him.

Mr. Rodriguez: The banks got to him. It shows that there are other priorities that have more priority.

Now we come to the present consumer and corporate affairs minister. What is he saying? He said in the House the other day, "I am going to look at the NDP proposal in Ontario where some kind of fund will be set up". Where have these people been? Where are they?

First of all, I want to say in making my argument that there are two things that have to be considered. One is the limit. I have dealt with the limit in my bill. I have raised the limit to \$9,000 per employee.

I do a second thing in the bill. I moved the employees to the top of the parade. They go to the head of the line.

An hon. member: Where they should be.

Mr. Rodriguez: I want to talk about the secured creditor and the preferred creditors of business. I do not understand secured and preferred. I really do not. They can secure a loan against a piece of equipment—a chair, a table, or a microphone. This is secured creditor. But what about the workers' toil, labour, commitment? Is that not a secured right? When an employee works for an employer, he puts in his commitment, labour, time, effort and loyalty to the company. That has to rate above securing a loan against equipment. The employee has given credit to the company and that credit has to be secured ahead of the security against equipment and the money that the company borrowed against equipment.

We have two problems. It is not just raising the limit to \$500. It is actually saying that employees come first and the banks go to the back of the bus, or secured creditors go to the back of the bus.

My friend across the aisle is smiling because he knows that what I am saying is common sense.

I do not know what the great fuss is about. I do not know why this government and previous Liberal governments have sat on this egg for so long. I know the gestation period for an elephant is nine years. Surely, this has got to be a super elephant to try to amend the Bankruptcy Act. It cannot be that difficult.

An hon. member: What's the gestation period for the NDP?

Mr. Rodriguez: The member wants to know what the gestation period for the NDP is. Let's go to an election now and we will see where you are going to be dispatched to. You will be dispatched to the waste basket of history, brother, just like Maggie Thatcher.

There has been a suggestion from the government that it will look at a fund. Employees and employers can contribute to the fund. I have a problem with that. Why should the employees contribute to a fund? They are not responsible for the company going bankrupt. Oftentimes, it is the company's own fault that it goes bankrupt. Employees do not have any participation in the decision-making of the bankrupt company, that is, management's right to make decisions for the company. Those are protected very fiercely by management. Why should the employees put their own money into the fund so that when the bosses make the mistakes and lose their jobs, they get paid back their own money? Why should they be contributing to the fund?

If the workers go to the head of the parade, then the employees will get their share on a priority basis when the assets are sold. It seems to me that that makes a lot of common sense. Surely, if this is a priority for the government, it ought not to take four years and three ministers of consumer and corporate affairs to realize that the legislation has to be placed before the House of Commons. There have been enough studies done on this matter. There has been other legislation which has been attempted. Yet, we still do not have the Bankruptcy Act updated.

Recently the Auditor General said in his report that it is a crying shame and it is a scandal that employees of bankrupt companies are left without the moneys for which they have worked for the company. This situation has been allowed to continue. Only a heartless govern-