

Canada Labour (Standards) Code

than 25 per cent of the workers covered by such agreements are entitled to three weeks' holiday after five years. If we were to introduce such a requirement across the board we would be destroying collective bargaining.

Those who understand the collective bargaining process know that a group will often settle for two weeks' holiday rather than three weeks or four weeks in return for something they believe to be more beneficial, perhaps better sick leave arrangements or higher rates of pay. Nothing in a collective agreement can be studied in isolation, so I am reluctant to accept an amendment such as the hon. member proposed, for the reason that it runs contrary to provisions in many of the collective agreements. Moreover, the whole bill is based on minimum standards. The same is true of general holidays, although I am not convinced I am on as good a ground statistically here as I am in connection with the three weeks' holiday proposal.

Mr. Knowles (Winnipeg North Centre): So we can count on your support on that one.

Mr. Mackasey: I did not say that. It is just that my mind is a little more open on that one. The concept of maternity leave has been well accepted by everybody in the House. Again, it fits in nicely with the proposal in Bill C-229 amending the Unemployment Insurance Act. The period of time, 17 weeks, is of course identical with the provision made in the Unemployment Insurance legislation when one counts the two weeks' waiting period and 15 weeks' insurance.

The proposal here is that the employer be obliged to provide maternity leave for 17 weeks. This is one of the reasons we are definite about the way in which those 17 weeks are to be made up. Some speakers have suggested the arrangement ought not to be so rigid. We are not providing a holiday. Under the Unemployment Insurance Act we are interested in providing income to more than one million women in the work force who work because they have to work, because their wage or salary means the difference between poverty and a decent income.

Here we are seeking to provide maximum protection for the mother and the child. We would be defeating that purpose if we allowed a woman to determine herself how the 17 weeks should be broken up—whether it should be two weeks before confinement and 15 weeks after, or whether it should be 15 weeks before confinement and two weeks after, for example. The studies which have come out of the ILO, carried out in conjunction with the medical profession, indicate that the ideal circumstances for people in general—not, of course, for every individual—are those provided in the formula we have proposed, that is, the nine weeks and the six weeks. Of course, we have added two extra weeks so as to be consistent with the provisions of the unemployment insurance legislation. We cannot leave it up to the mother to decide how these 17 weeks should be broken up if we are to be consistent in our concern for her health and the health of what one might call the new addition.

One of the areas in which I found a real scarcity of information and research involved the question of group

[Mr. Mackasey.]

termination. I do not intend to take too long discussing this question. One document which I would recommend to all hon. members who are interested in the subject is a document which was published recently by the research department of the Western Business School and the Ontario Department of Labour. To my surprise—this shows I do not know everything—I find it was financed in part by the federal Department of Labour. It is worthwhile reading.

What these researchers have done is to study objectively the effect advance notice had on a particular group of employees in London, Ontario. Hon. members may recall the decision by Kelvinator to cease operations in Canada entirely. Advance notice was given and there was also severance pay. One of the conditions of receiving it was that workers were to remain on the job despite the fact that advance notice had been given. In the event, the workers did stay on the job in order to get the severance pay.

I shall not even read the conclusion of the report because it would take too long, but summarized very briefly the conclusion was—and this is substantiated by similar studies undertaken in the United States—that advance notice is really meaningful provided the full services of federal and provincial manpower departments and other agencies are given an opportunity to take effect. The irony of this is that the unions, despite many of their statements, are hardly progressive in this field. They failed in this case to co-operate with the departments of manpower, federal or provincial, in the attempt to find work for those affected during the advance period, or to arrange for retraining.

I would appreciate it if some of the labour critics in the House would look at this short but important study. It would indicate that measures to deal with the results of group termination of employment are much more effective if both sides involved, management and employees, accept the services of the proper agencies in order that the people concerned may find new jobs more easily.

One of the sections of the report speaks of the hardship caused by shutdowns of this type to a predictable group of people in the work force, persons over 50, persons whose skills are no longer required. They are virtually paralyzed, without any real chance of being reabsorbed into the work force. This means that the government must assume its responsibility—as I think we have in the case of the textile industry to a limited degree—to provide some income for those who are out of work often for reasons over which they have no control, perhaps as a result of a decision by a corporation whose headquarters are a thousand miles away to close down a branch plant in this country. There has been legitimate criticism with regard to the amendment specifying 50 employees. I believe that in the course of honest discussion during the committee stage we could perhaps vary the figure in such a way as to relate it to the size of the community in which a lay-off takes place. I am flexible in this area and look forward to the observations of hon. members.