

*Employment Equity***GOVERNMENT ORDERS**

[English]

EMPLOYMENT EQUITY ACT

MEASURE TO ENACT

The House resumed from Tuesday, April 15, consideration of Bill C-62, An Act respecting employment equity, as reported (with amendments) from a legislative committee; and Motion No. 31A (Mr. Allmand) (p. 12262); and on Motion No. 32A (Mr. Allmand) (p.12262); and on the amendment (Mr. Cassidy) (p. 12263).

Mr. Speaker: Before giving the floor to the Hon. Member for Nickel Belt, may I advise the House that because of the ministerial statement Government Orders will be extended by 13 minutes beginning at one o'clock today.

Mr. John R. Rodriguez (Nickel Belt): Mr. Speaker, the other day when we were debating this particular subamendment presented by the Hon. Member for Ottawa Centre (Mr. Cassidy), we pointed out that Clause 4 and Clause 5 do not contain any punitive action. Clause 4 states that an employer shall, in consultation with such persons as have been designated by the employees, identify and eliminate each of the employer's employment practices not otherwise authorized by a law, and so on. Those are clear instructions. But what if the employer does not do those things? There is no follow up action whatsoever. In fact, it sends a clear message, and this has been our point all along. Since there are no repercussions when an employer does not do what the law tells him he must do, the Government is not really serious about bringing about equity.

It seems to me from all of the evidence after one year of implementation of the equality section of the Charter, we have not made much progress. Judge Abella gave a speech at the Canadian Club the other day and pointed out that we have not made much progress with respect to equality for women in the workplace. The Government brings forward Bill C-62 and places certain responsibilities upon employers with respect to equity in the workplace, yet the teeth are missing from the Bill. I recall saying about a different Bill that the Bill was nothing but a "roaring rabbit". It is the same with this Bill. The message which clearly goes to employers is: "We have only put this in here for show. It is only window dressing". There was a demonstration of disabled persons on the Hill a few days ago. They clearly pointed out that they are not hoodwinked by the Bill. I believe one of their comments was: "We are not stupid. We know this Bill is not going to help resolve the problem". We cannot masquerade this shell of a Bill as a Bill which is taking a step towards providing some equality in the workplace. That is why my colleague put forward his amendment.

The only penalty in the Bill is in Clause 6. Clause 6 states:

On or before June 1, 1988 and on or before June 1 of each year thereafter, every employer shall file with the Minister a report in respect of the immediately preceding calendar year—

That is with respect to how many employees and so on. The penalty for not filing that report is \$500,000. It seems to me that that is not where we have to put the penalty. The penalty ought to be where employers are required to do certain things to actually bring about equality in the workplace. Very conveniently, the Government excludes the federal civil service from the provisions of the Bill. So the Government itself is not even prepared to accept the Bill as applying to itself as an employer.

We would urge the Government to accept the subamendment of my colleague, the Hon. Member for Ottawa Centre. I believe it would show the good faith of the Government. It would show that it really wants to do something about equality in the workplace. It would certainly send a message to the employers that the Government is serious about creating equity in the workplace.

I would not mind if the Government wanted to take the \$500,000 penalty out of Clause 6. I would not personally be opposed to that. What is the big fuss about not filing a report? Members of the Government have said that we should not burden business with a lot of form-filling. Here they are putting in Clause 6 which requires a lot of form-filling. That information can be found out. After all, the employer has to file an income tax return. It seems to me that this is not where we ought to place the emphasis. Clauses 4 and 5 are the clauses which require employers to do specific things with respect to equity. Those are the particular clauses which need the teeth and not Clause 6.

● (1130)

Mr. Alan Redway (York East): Mr. Speaker, I have listened with interest to the Hon. Member's comments with respect to enforcement provisions in the Bill. This Bill was introduced in the House for first reading in June of 1985. That is almost one year ago. There was debate on the Bill at that time. There was debate on the Bill at second reading stage. There was debate on the Bill in committee. Here we are now back with it in the House of Commons. So it has had a great deal of debate. I know that the Hon. Member has been a party to that debate. I know that he realizes in his heart of hearts that there is an enforcement mechanism in the Bill. In fact, in part of his remarks he referred to the fact that there is such a mechanism. Quite clearly, as Hon. Members are aware, the Bill provides that there must first be a plan.

Mr. Rodriguez: Where is the enforcement?

Mr. Redway: It provides that there must be a plan. Of course, that is set out in Clause 5. As the Hon. Member is also aware, the Bill provides that the Minister set out the requirements of the plan, which is set out in Clause 12. Under the provisions of that clause a Minister can issue regulations as to the guidelines for the plan.

Mr. Rodriguez: What if they don't?