

had any vacation with pay, he would be entitled to receive it for the prior 12 months and also for the further two-month period.

The bill does not take effect until a person has worked at least 30 days for one employer. It was the feeling of the department and the Government that an employee should be employed for 30 continuous days with one employer before he could benefit under the bill.

Some honourable senators may wonder why the Government, in this connection, has adopted a policy which is popularly known as one year, one week's vacation with pay; two years or more, two weeks' vacation with pay. It was learned that this formula is in operation in five provinces; in two provinces there is the two-week formula effective after the first year; and three provinces have no legislation relating to this particular subject.

The bill further provides that where any employee, under a collective bargaining agreement or any other labour agreement, is entitled to greater benefits with respect to vacations with pay than are provided for in the bill, such collective bargaining agreement or other labour agreement shall apply. In other words, this bill provides a minimum benefit; and if an employee has any greater benefit, it is preserved for him.

By a further clause, regulations can be made by the appropriate administration, and the drafters of the bill have taken the trouble to set out in detail nine or ten subjects on which they believe regulations will be necessary. There was also inserted a general clause under which regulations can be made with respect to any other matter which may arise; this is to make the measure flexible, so that the bill can be properly and efficiently administered.

Finally—and this, to me, is a very interesting clause—it is provided that any employer who violates the provisions of this legislation is subject to a fine with a maximum of \$500. Further, the criminal court which hears the charge may make a further order directing that any amount of vacation pay due to the employee concerned shall be paid, and if it is not paid the defaulting employer can be committed to prison.

The bill also provides that the employee shall have one year in which to lodge any complaint that he has with respect to any employer. Under the Criminal Code the time limit is six months, but it was felt that employees should have the full period of one year in which to make their complaints. I do not think I have anything further to add. I have been provided with a brief by the Department of Labour and I think I can answer most questions that honourable

senators might ask about this legislation. If the house wishes the bill to be referred to committee I am quite willing to do that, or if the house wishes to give the bill third reading, I will so move.

Hon. Mr. Roebuck: Would the honourable senator tell us what conference has been held between the drafters of the bill, himself, as sponsor, and the labour leaders?

Hon. Mr. Brunt: I made inquiries as to that, and the procedure which was adopted and followed was this. The bill was drafted and then sent to labour unions and employers, who made a study of it. Certain discussions were held between labour unions and various employers, and then, I understand, the bill came out in its final form. However, there was one important amendment made to the bill in the House of Commons yesterday, and I might call it to the attention of the Senate. This was an amendment to section 3 of the bill, which originally had only one clause. A second clause was added, which reads:

This act does not apply to employment under a collective agreement entered into after the coming into force of this act and containing provisions, approved by the minister, for the granting of an annual vacation with pay.

It is agreed by everyone that no minister would ever approve of a collective bargaining agreement that contained fewer rights for employees with respect to vacation with pay than are contained in this bill. That is why that clause was added.

Hon. Mr. Wall: I wish to ask a question. It is not intended to detract from the value of this legislation. To what extent does this bill give statutory validation to conditions which now exist? To what extent are vacations with pay, as foreseen in this legislation, actually being given now? Is this merely a statutory validation of existing conditions or can the honourable senator tell us what conditions with respect to holidays with pay this legislation is designed to meet? How many people will be affected?

Hon. Mr. Brunt: I cannot say how many people will be affected, but the purpose of the bill is to provide that every employee engaged in federal works, undertakings or businesses will be assured of a minimum annual holiday with pay. You cannot give these employees any less than the minimum, but this is not by any means to be considered as the maximum. For instance, railway employees will come under the act but they will not use it, because their benefits are greater now under a collective bargaining agreement than they would be under the act. All those rights are preserved under this bill, which does not take anything away from labour. It ensures