

and any existing bargaining agent". Therefore, those companies with unions must provide the action plan to the union for it to see, and if there is no union it must be given to the employees. The amendment goes on that it must be: "(c) made available to the Human Rights Commission, on request".

This seems to be a logical suggestion. The Bill finally requires an action plan with timetables and goals. At the very least, that action plan should be distributed to the employees who are affected by it and to the Canadian Human Rights Commission that must enforce the action plan. That is all that this amendment asks. I cannot understand the reticence of the Government in turning this down. I suppose the only explanation is that it was trying to please the many target group witnesses who wanted more teeth in the Bill and finally admitted that there should be an action plan with targets and timetables, but it did not want to upset the employers and therefore did not require those action plans to be distributed.

This amendment states that those action plans must be made available and communicated to the employees so they will be in a position to judge whether or not the action plans effective. They will also have to be made available to the Canadian Human Rights Commission which has the right to enforce them under the Bill as amended by the Government. Unfortunately, there are not many sanctions in the Bill for the Canadian Human Rights Commission to use. However, if it is going to enforce it at all, it should have access to these action plans for examination and response. That is the purpose of the amendment. I do not see on what logical basis the Government can contest this amendment. I ask the Government, in the spirit of non-partisanship, to give consideration to this amendment and accept it.

Mr. Lorne Nystrom (Yorkton—Melville): Mr. Speaker, I want to support this very reasonable amendment suggested by my hon. Liberal friend. I am sure the Parliamentary Secretary will accept it with much enthusiasm.

When this Bill was first introduced there was no reference whatsoever to the concept of action plans. After many hearings and many witnesses the Minister introduced an amendment to include an action plan. We made some progress because the Bill now provides for an action plan. However, that action plan will essentially remain secret because it cannot be seen by the employees, the employment centres or even by the Human Rights Commission.

Why bother having an action plan if it is going to sit in the vault of the employer and not be seen by anyone? This is particularly puzzling when we consider that the Conservatives campaigned on the importance of freedom of information and openness in Government.

For the benefit of the Minister of State for the Canadian Wheat Board (Mr. Mayer), let me read the clause of Bill C-62 which states that an action plan will be prepared by the employer but remains secretive under the Bill. Clause 5(2) of the Bill states:

Employment Equity

A copy of a plan prepared under subsection (1) shall be retained by the employer at the employer's principal place of business in Canada for a period of at least three years after the last year in respect of which the plan is prepared.

I find it very strange, in a democratic state in the 20th Century, to have that plan absolutely secretive.

Many witnesses said that action plans are required and should be public. The witnesses were unanimous in that regard. Our Party also suggested in committee an amendment similar to what is now before the House. We said that a copy of the action plan should be filed with the Canada Employment Centres, the Canadian Human Rights Commission and that a copy of the action plan should be permanently posted in each of the employer's workplaces. I believe those are very reasonable requests. Perhaps this is one area where we can have an all-Party agreement at report stage in the House.

As further evidence, I want to refer to a speech made by a distinguished former Member of the House, Gordon Fairweather, who is now Chief Commissioner of the Canadian Human Rights Commission. I have a copy of notes that he used in a speech made on February 4 at the international conference at the Weston Hotel.

He said:

Returning to my example, we would use the investigation powers of the Canadian Human Rights Act to find out why women were under-represented and what was being done about it. We would conduct interviews and study the relevant documents, including a second kind of information contemplated in the Employment Equity Act—the action plans that employers are expected to develop for ensuring that the target groups are fairly represented in the workforce.

Perhaps we would find that women were applying for these jobs—

Second, he says:

In these and like cases, the complaint would prove to have been superfluous. So I would like to make a pitch here. There is no legal requirement on you under the Employment Equity Act to let us see your action plans. The legal requirement comes under the Canadian Human Rights Act after a complaint has been filed. But I believe it would be as useful to you as it would be to us if you made your plans available to us informally, on request, before the complaint stage. We would both be spared the trouble of some unnecessary complaints.

Mr. Fairweather, the Chief Commissioner of the Canadian Human Rights Commission, is saying that he would appreciate the possibility of having these action plans made public, or at least made available to the Canadian Human Rights Commission.

In another statement relevant to making the action plans public, Mr. Fairweather states:

Since they are on the public record, reports filed under the Employment Equity Act would be an element in this judgment. This is the state at which an informal look at action plans would help us screen out unnecessary complaints.

He is reiterating the necessity for looking at the action plan.

I support this amendment because it would make those action plans public so that the Human Rights Commission could see them. The action plans should be public so that the employees in a particular industry would have a chance to see them, and they should be public so that the Canada Employment Centres across the country could see what is in those action plans.