

Labour Adjustment Benefits

adjustment fund. The rules governing the establishment and administration of the fund and respecting entitlement for assistance would be made by regulation.

Is that too much to ask in a community where the workers have worked long and diligently, invested their money, their lifestyle and their youth in those communities, only then to be told by the government that this is a humanitarian bill; that if they take their pension a little bit early, and if they happen to work over 1,000 hours every year for the past ten years, they could qualify if they can pass all of these various provisions. The recommendations go on:

In addition to proceedings before the job protection board, no lay-offs may occur until negotiations take place between the employer and the union or, where there is no union, a committee of employees, to discuss ways of avoiding a loss of jobs. During such consultations, the employer shall make available all relevant financial information concerning the lay-off.

Again, is that too much to ask? Why should the government come in with programs to bail them out when they have not even identified why the lay-offs are taking place?

Where lay-offs cannot be prevented, an agreement must be signed between the employer and the union or committee of employees covering all terms of the lay-off before terminations may proceed. The Minister of Labour shall make regulations setting out minimum amounts to be paid to terminated employees as relocation allowances.

In cases where employees are on strike or locked out at the time the employer announces his intention to lay off, the above-mentioned negotiations remain mandatory before any action can be taken.

Standard hours of work must be lowered through collective bargaining; to facilitate this, the Canada Labour Code must be amended to provide that all overtime work is voluntary and to increase overtime pay to 2½ times the regular rate.

Is it too much to ask of a company, if they insist on the overtime, that they must pay two and a half times the rate? Not only do we lose out on overtime hours, but that employee is only paying his contribution to the unemployment insurance fund. If extra jobs are created, extra funding would come into the program.

Some more recommendations are:

Severance pay of at least one week per year of service, or portion of a week's pay for each portion of a year worked, with no service requirement.

A levy-grant system to ensure that all employers contribute to the cost of retraining workers.

Changes in pension legislation to improve vesting rights and ensure portability of pensions.

Those are constructive suggestions which the minister should look at very seriously.

The approach to the adjustment assistance bill taken in C-78, supplemented by the illusory employment measures announced recently by the Minister of Employment and Immigration (Mr. Axworthy), falls far short of what is needed in this country. Those were the comments made by the Canadian Labour Congress. On and on it goes. I want to say that I thought the committee put a very constructive effort into improving the bill, but it is not good enough. I am recommending to our party that we do not support this legislation because it is limited, discriminatory and not in the best interests of Canadian workers.

[Translation]

Mr. Antonio Yanakis (Parliamentary Secretary to Minister of Labour): Mr. Speaker, I am pleased to take part at the report stage in the debate on Bill C-78, an act to provide for the payment of benefits to laid-off employees in times of undue economic difficulties in a designated industry; that is, when an industry is undergoing significant economic adjustment of a non-cyclical nature by reason of import competition or by reason of industrial restructuring implemented pursuant to a policy or program of the Government of Canada to encourage such restructuring, or when the economic adjustment is resulting in a significant loss of employment in the industry in Canada generally.

[English]

Since my hon. colleagues have already addressed themselves to the portion of the bill concerned with the payment of benefits to laid-off employees, I will restrict my comments to that part of the proposed legislation concerned with the amendments to the Canada Labour Code. Mr. Speaker, I draw the attention of hon. members to Clause 31, which proposes the repeal of Section 60 of the Canada Labour Code. The earlier legislation states that:

Any employer who terminates, either simultaneously or within any period not exceeding four weeks, the employment of a group of fifty or more employees employed by him within a particular industrial establishment, or of such lesser number of employees as is prescribed by a regulation made under paragraph 60.2 (b) that is applicable to the employer, shall, in addition to any notice required to be given by him under Section 60.4, give notice to the minister in writing of his intention to do so at least

(a) eight weeks before the date of termination of the employment of the employee in the group whose employment is first terminated where the group of employees whose employment is to be terminated does not exceed one hundred;

(b) twelve weeks before the date mentioned in paragraph (a) where the group exceeds one hundred but does not exceed three hundred; and

(c) sixteen weeks before the date mentioned in paragraph (a) where the group exceeds three hundred.

(2) A copy of any notice given to the minister under subsection (1) shall be given forthwith by the employer to the Department of Manpower and Immigration and to any trade union certified to represent any employee in the group of employees whose employment is to be terminated or recognized by the employer as bargaining agent for any such employee; and where any employee in such group is not represented by a trade union, a copy of such notice shall be given to him or posted forthwith by the employer in a conspicuous place within the industrial establishment in which that employee is employed.

Section 60.1 states:

An employer who gives notice to the minister under section 60 and any trade union to which a copy of such a notice is given shall provide to the Department of Manpower and Immigration any information requested by it for the purpose of assisting employees to whom the notice relates and shall co-operate with that department to facilitate the re-establishment in employment of those employees.

These actions of the Code require amendment because they are no longer adequate to cope with contemporary industrial needs. In the past it has been implicitly assumed in government policy that the Canadian economy is able to accommodate and adjust to disruptions, dislocations and costs caused by closures and relocations of enterprise. Unprecedented numbers of plant closures and large scale permanent lay-offs of workers have recently focused public attention on this issue and have