

*Maternity Leave Act*

define the direction in which our hearts and heads should lead us.

Perhaps it is strange that I, as a mere male, am discussing this matter but once in a while I trespass in somewhat trembling fashion into these problems. The other day I tried to strike a blow for a nursing mother who, according to the Toronto *Globe and Mail*, had been deprived of certain rights by the Unemployment Insurance Commission. It turned out that the *Globe and Mail* report was incorrect and that the problem had been rectified. That fact was not reported in the *Globe and Mail*. I think it was not reported because I once had the temerity to stand up in the House of Commons, surveying that vast brood known as the editorial board of the Toronto *Globe and Mail*, and state I thought they had solved their housing problem very neatly because every two of them required only one seat in the editorial room. Ever since that deep criticism I have been put on the black-list of that noble publication.

Be that as it may, Sir, I support my colleague from the NDP in her endeavour to bring before us a very sensible point of view. It is one that can be referred to a committee of the House of Commons. In principle we are not being asked to accept everything, holus-bolus, that is set forth in her bill. That is no longer the purpose of second reading. We do not have to accept everything in principle; we simply say it is a matter that we should at least refer to a committee for study and consideration. Let the committee look at it, make changes and report back. When we see that product we will decide whether we accept it in principle. That is what we now do on second reading. It is not what we did before.

If there are imperfections in the way the bill is drafted—and I for one would nuzzle about some of its language—I would not say that was an imperfection. I simply say as a lawyer, and I am sure any other lawyer in the House would agree, that no two people would ever draft a bill in the same way. The bill is there, with reasonable certainty and clarity, and the important thing is that it catches a principle which could be put into the law of this country. The principle is that a woman should not be penalized for what women very naturally do. Women, very naturally, do have children from time to time. Quite apart from the element of statistics—and I would never approve or disapprove a bill like this because there was an overwhelming statistical or no statistical need for it—I say that we should look at its principle. I would not accept a statistical argument in any way, shape or form as a reason for approving legislation.

During the last 30 or 40 years more and more women have joined the labour force. I am sure that employers would tell us that you could not find any greater degree of loyalty, efficiency and job stability among employees than you find among females. Therefore, they should not be penalized in any way. We should not take from them their given right to have children and to carry on the race. I hope that not only this matter will be referred to the committee but that in addition to the two provinces

which already have legislation in this field, the new women's division which is playing a great part in the Department of Labour will initiate action through the Minister of Labour (Mr. Mackasey) so there is more action at the provincial level and a sort of standard provision dealing with this important right at the federal level.

My final thought on the subject is that the Bird Royal Commission has not yet been heard from. Presumably it will report during this session. I think the Prime Minister (Mr. Trudeau) expressed the hope last June that these ladies would put their views before us soon. I hope this will occur very shortly. I do not think we have to hold up this measure until we receive that report. It could go to the committee, and in due course when the Bird Royal Commission makes recommendations they could be sent to a committee where this very important topic could be discussed. In any event, this subject should be dealt with by a committee on its merits and a report sent back to the House. In short, I support the idea and suggest that we should not wait for months but should get on with it right now.

**Mr. Ray Perrault (Parliamentary Secretary to Minister of Labour):** Mr. Speaker, the director of the women's bureau of the Canada Department of Labour delivered a speech to the Women's Canadian Club in Toronto the other day. It was a very good speech. The lady's name, of course, is Sylvia Gelber. She asked the question, "What do women want?" She answered her own rhetorical question in the words of the report of a task force on women's rights and responsibilities submitted to the President of the United States a few months ago. Her answer was, "A matter of simple justice". It seems to me that is what we are talking about when we talk about the need for a maternity leave policy in Canada. It is a matter of simple justice, and perhaps overdue justice.

For ten years in Canada women have had the statutory assurance that within the federal jurisdiction there will be no discrimination on grounds of sex in connection with the right of the individual to equality before the law, a principle embodied in the Canadian Bill of Rights. For the past ten years efforts have been made to give meaning and substance to these technical statutory guarantees under the Canadian Bill of Rights. It is painfully clear—this fact has been pointed out by speakers in this debate and on many other occasions by spokesmen of all parties in all parts of Canada—that women do not enjoy full equality before the law and that there is not equality for them in many other areas of activity in this country.

In the area of justice, it is hoped that when the new law reform commission is established and operating, the women of Canada will have the opportunity to bring to its attention certain of the present sections of the law relating to women which might well be re-designed, if not eliminated. This is progress. But progress certainly cannot stop there, as has been pointed out by hon. members who have spoken on this bill which has been brought before the House this afternoon.

[Mr. McCleave.]