

*Government Orders*

This was one of the concerns we heard when Bill C-105 was introduced so we corrected the situation with Bill C-113. This bill now offers more protection and safeguards to those who will claim UI benefits.

Earlier I was listening to the comments made by the hon. member for Mission—Coquitlam, who referred to the case of a person forced to leave her job to look after her child. This is a just cause. The act clearly states that a person, man or woman, who must leave an employment to look after his or her child is automatically eligible for UI benefits. It is spelled out in the legislation. If you do not see that you just do not want to see reality. This person has a valid reason, and so does a person who is forced to leave a job to look after a family member who is sick and requires care at home.

A person who leaves a job because he or she has to accompany a spouse who takes a job in another city also has a valid reason.

There are a whole series of valid reasons now covering 40 different scenarios and giving added protection to those who must rely on the UI program in these circumstances.

A lot has been said about sexual harassment. From the time that Bill C-113 is passed by this House and receives royal assent, after consideration by the Senate, anyone who goes to an unemployment insurance office and says that they had to quit because of sexual harassment will automatically be eligible for UI benefits. The person who fills this statement and claims UI benefits gets the benefit of the doubt. That is how the law works. That is how Bill C-113 protects workers who are forced to quit their job because of sexual or any other harassment, whether it has to do with the colour of their skin, their religion or whatever. Much better protection is afforded to claimants under Bill C-113 than the present program.

• (1715)

Now regarding those who have to claim UI because they have been fired, where the ground for dismissal given by the employer is "disciplinary action"—it can cover a whole range of reasons, but let us stick to "disciplinary action" for the sake of argument—again, the person who reports to an unemployment insurance officer to claim UI benefits after his or her employment was terminated by disciplinary action gets the benefit of the doubt. With Bill C-113 the unemployment insurance officer is now required to ask the employer to prove that the grounds for dismissal are valid, justified and that there was just cause for dismissal. Where the employer fails to provide such evidence, the claimant is indeed

entitled to UI benefits. This is an additional protection provided in Bill C-113 to prevent the kind of abuse we talked about when I met with groups of construction workers.

Several days in a row, unemployed construction workers from Sept-Îles showed up at my office. I had the pleasure to meet with them, chat with them and listen to their concerns and apprehensions. I was told it was common practice in the construction business to terminate construction workers' employment on the grounds of "lack of productivity".

At present there is very little construction workers can do because a 7 to 12 week penalty applies under the present program. Workers tend to take the 7 to 12 week penalty, after which time they receive benefits at a 50 per cent rate, that is to say half of what they would get under other circumstances. With Bill C-113 however, the same worker can go to the unemployment office, state the reason why he or she was dismissed and when it happened, and the Unemployment Insurance Commission officer then has to ask the employer to prove they did so for cause. Otherwise, the claimant immediately gets UI benefits at the rate of 57 per cent. This is one way the program was improved by Bill C-113.

Construction workers told me that employers in the construction business were regularly making that type of lay-off. They said they were worried that after the employee had taken his case to the board of referees and had had to wait for three or four months, finally the employer would not appear before the board to testify about the lay-off. The claimant would be eligible, retroactively, of course, to his unemployment benefits, but he had to go three to four months without an income.

Construction workers asked me if the legislation could not provide some form of penalty to prevent and stop that and also to force employers to appear and testify and to think carefully before issuing a lay-off notice for lack of productivity or whatever.

We looked into that concern and even if that change is not included in Bill C-113, which is a fiscal measure that does not deal exclusively with changes to the unemployment insurance system, I can tell you that representations have been made to the minister himself and people who work with him and people from the department. We are examining the possibility of including in the Unemployment Insurance Act a provision or a change which would force the employer to prove that the lay-off was justified and to penalize him if he does not appear. We are looking at that and we are certainly going to pursue that issue very diligently.