Well, I want to tell Mr. Péloquin and the people he represents that we, on this side of this chamber, have done all we could to oppose this government bill.

I could not agree with you more, Mr. Péloquin. I endorse your choice of words — carefully weighed words no doubt — when you describe Bill C-113 as arbitrary. Unfortunately, we are outnumbered by the Conservative senators, in the same way that there was an overwhelming number of members in the other place who were insensitive to your needs, to your request. However, on this Friday morning, we are attempting a last-ditch effort to bring this government and its supporters to reason.

[*English*]

Honourable senators, Bill C-113 contains mostly inequities, but one of the worst is the potential loss of insurable earnings if a worker voluntarily leaves his or her job. We know — and the entire country knows — that if a worker leaves his or her job for a reason that the government believes is without just cause, that worker will be denied UI benefits by virtue of Bill C-113.

What fewer people realize is that not only will that worker be denied any UI benefits but he or she will also lose all his or her weeks of insurable earnings, which is the currency upon which a UI claim is based. Let me give you an example of that:

A worker is employed for four or five years in a factory. We know as a matter of fact that workers have been on the job without receiving any UIC for long, extended periods. In fact, 30 years is not unusual. He or she quits and applies for unemployment insurance. The UI Commission determines that the worker has quit without "just cause" and denies benefits. The worker immediately obtains other employment, perhaps even in the same factory, but eight or nine weeks later is laid off because the factory closes — something that has become all too common. He or she goes to the UI Commission, expecting to get benefits, but is told: "You only had nine weeks of insurable earnings and that is not enough weeks of employment to establish a UI claim." The laid-off worker replies, "What do you mean? Only weeks before this job I had five years of continuous employment." The Conservative government and its agents say, "Too bad". When the worker left her job without so-called "just cause," she lost those five years of insurable earnings. It is as if they never existed. Wiped out.

• (1120)

Under Bill C-113, those five years of employment cannot be used to establish a UI claim and, for good measure, the government put into Bill C-113 a clause that specifies that those prior years of employment cannot be used to determine the length of a claim or the amount of money to which a claimant is entitled. That is certainly overkill.

It gets worse. What if, after five years of steady employment, a worker quit her job but did not make any

[Senator Corbin]

claim for unemployment insurance. If she then obtained another job within a week or two and then, a few months later, she was laid off for reasons beyond her control, can she successfully make a claim in these circumstances? The answer: Not necessarily. The Unemployment Insurance Commission will go back to see why she quit her first job. If they determine that she quit without that notorious "just cause", she retroactively loses those five years of insurable earnings, and thus does not qualify for benefits. What a diabolical system.

Bill C-113 not only denies any benefits to those whom it decides have sinned; it retroactively strips them of all their weeks of insurable earnings, as if they were not being punished enough already. That is wrong. It borders on the immoral. It is a vendetta on those people who kept some of the wheels of the economy turning in this time of government-inflicted recessionary policies.

I am proposing an amendment that would ensure that a worker is not stripped of his or her weeks of insurable earnings even if he or she is denied benefits. They worked those weeks; they earned those weeks; they paid into the fund with their money. It is one thing for the government to deny benefits, but it is quite another to say that those prior weeks and years of contributions never existed. If they did not exist, if they were not weeks of insurable earnings, why not, at the very least, have the decency to return the UI premiums that were paid?

Therefore, I move, seconded by Senator Cools:

> THAT Bill C-113 be not now read the third time, but that it be amended:
>
> *a*) On page 10, by striking out lines 16 to 29 and substituting the following therefore:
>
> "tial claim for benefit, the weeks of insurable employment before the week in which the event giving rise to the disqualification occurs, and the weeks of insurable employment in any employment that the claimant loses, after the event, shall be used for the purposes of subsection 6(2) or (3)
>
> (5) The weeks of insurable employment mentioned in subsection (4) shall be used for the purposes of sub-"

The Hon. the Speaker *pro tempore*: It was moved by the Honourable Senator Bolduc, seconded by the Honourable Senator Lynch-Staunton that the bill be read the third time.

In amendment, it is moved by the Honourable Senator Corbin, seconded by the Honourable Senator Cools:

> THAT Bill C-113 be not now read a third time, but that it be amended:
>
> *a*) On page 10, by striking out lines 16 to 29 and substituting the following therefore:
>
> "tial claim for benefit, the weeks of insurable employment —