seek changes, to withdraw those rules, or to strengthen those rules. Those rules can be changed simply by Order in Council in the back room of the cabinet process. That is not good enough.

An even more important argument is that if we are to say to the private sector that it must have legislation passed by the Parliament of Canada which can only be changed within the Parliament of Canada, why is the same thing not at least done for the public sector? Why should a heavier burden or a more entrenched version of employment equity be placed upon the private sector but not upon the public sector? In many respects we are making the process much tougher in the fact that the legislation will be entrenched. We are making it more firmly entrenched and more difficult to change for the private sector than for the public sector. As Judge Abella pointed out in her report, the legislation should apply to federal Government Departments and agencies as well as to private sector firms.

It is also important if we are to give a good example to the provinces. As I mentioned a few minutes ago, the federal Government has only limited jurisdiction in respect to labour matters in Canada. Most firms and their employment equity programs will come under provincial jurisdiction. If we pass an inadequate Bill at the federal level, a Bill which is not properly enforceable and does not apply to the public sector as it applies to the private sector, a poor example is given to the provinces which we hope will follow our example in Ottawa. Over the years, going back to the thirties, the federal Government has set the trend in advanced labour legislation to protect employees. Sooner or later the provinces came onside and did more or less the same thing.

• (1140)

I have mentioned certain items where this Bill falls short. There are no adequate penalties for federal employers, or for employers in private sector companies with less than 100 employees. Second, the definition in Clause 4, to which I referred for affirmative action, is also inadequate. Not only is it inadequate, it will not do the job. It starts off being a very good definition. I read part of it a second ago, but let me refer to it again. It says that an employer shall implement employment equity by instituting such positive policies and practices as will ensure that persons in designated groups achieve a degree of representation in the various positions of employment with the employer that is at least proportionate to their representation in the workforce.

The problem is that many of these groups are not in the workforce. The number of disabled people in the workforce is very small because they cannot get jobs. The number of visible minorities is small because they cannot get jobs. If you look at the representation in the workforce and use it as a standard, as this Bill does, it will be very poor. The Bill will amount to nothing. To introduce an affirmative action program and to look for a standard, you cannot look at the representation, especially for disabled and visible minorities and native people in the workforce.

Certain Members read out the rate of unemployment for blacks in Canada. It is extremely high. In some parts of Montreal 60 per cent to 70 per cent of young blacks are unemployed. We have the same situation in many parts of the country. The situation is the same for natives. We all know that. In Regina, Winnipeg and places where there are many native people, both on the reserves and near the reserves, there are very high rates of unemployment. The definition of being in the workplace is that you must have been for an interview for a job within the last four weeks of being interviewed. Many people have given up hope. They have tried and tried again and again without success. That definition is wanting. We tried to amend that definition both in the committee and in the House. The proposed amendments were turned down.

We were successful, and I give credit to the Minister and to the Parliamentary Secretary, in having an amendment accepted in committee that the employer in introducing employment equity must consult with bargaining agents and with employee representatives. That was a step forward. I congratulate the Minister. It is a good move. We also tried to get an amendment which would oblige the employer to consult with the representatives of the target groups. Very often the target groups are not very well represented in the employees' associations or unions. It is unfortunate.

I met a young woman working in Kingston in the correctional service. She told me, for example, that if I went to speak to the unions in the correctional services I would not get a very sound opinion of what women think in the correctional service because they are such a small group. The unions do not represent their point of view. I think it is good that we consult with the unions and with the employee associations, but if we want to know how employment equity should be implemented we should also have consultations with the designated groups or their representatives, such as women, native people, visible minorities and so on. We introduced an amendment in the House and in committee to do that but it was turned down. It seems strange to me because the same logic applied there as with the other amendment. In one case the Government accepted it and in the other case it turned it down. In any case, there is still an inadequacy in the Bill in that respect.

Again I give credit to the Government, to the Minister and to the Parliamentary Secretary for agreeing that there had to be action plans. When the Bill was first presented to the House there was no requirement on the employer to prepare action plans setting out goals and timetables. Many witnesses argued that that must be done. In response to those representations, the Minister agreed. We now have Clause 5 in the Bill which reads:

> An employer shall, in respect of each year, prepare a plan setting out
>
> (a) the goals that the employer intends to achieve in implementing employment equity in the year or years to which the plan relates; and
>
> (b) the timetable for the implementation of those goals.

Very good, Mr. Speaker. But when we get to Subsection (2) of Clause 5 it reads:

> A copy of a plan—