

Employment Equity

The Parliamentary Secretary has made the case that the exclusion of Government Departments in the Bill as it now reads is possibly justifiable since there are affirmative action programs in the Public Service and, as I said this morning when I was speaking to amendment No. 1, the Treasury Board does have a program in place and it is working. It is true that the example set by the public sector in dealing with employees since 1981-82 has been getting better and the public sector is trying its best to answer some of the pre-occupations of the four target groups, women, visible minorities, the handicapped and native people. However, it is because sometimes politicians like to fiddle with legislation that we are asking that the Government's program be entrenched in the legislation so that the public sector would be able to preach by example to the private sector. The Government should not ask the private sector to be subject to a law against discrimination in employment practices while the Government itself is not. In order to be fair to the private sector, the Government should accept graciously that it should also be included in the legislation so there is the appearance of fairness and justice.

[Translation]

That the appearance of justice and an element of fairness be perceived and understood by everyone.

Mr. Speaker, the provincial public sector, for instance, should be urged to follow the example of the federal Government. That is one of the things we hope to achieve, namely, that the provinces, which are I believe responsible for 80 per cent of Canadian workers, will emphasize employment equity and fairness in their policies.

Hon. Members will recall that the Affirmative Action Program, when it was at the developmental stage in 1982, was aimed at introducing affirmative action to various pilot departments. Hon. Members will recall this did not start with a huge comprehensive program but with pilot projects in a number of departments, and subsequently, these programs spread to other departments. This initiative was taken under the Liberal Government, and it was not until after the Canadian Charter of Rights and Freedoms was adopted, and especially Section 15, that the Government asked Judge Abella to proceed with a thorough study of the application of the employment equity principle, to find out whether it was possible to expand this concept to the private sector. And Judge Abella herself made the recommendation in her report that the federal Government should include into and come under the legislation. So this was not our idea. Judge Abella, an expert in this field, chaired a committee which sat for a year or more and whose report was tabled in the House in 1984, recommending that the federal Government and all departments be included in the legislation.

Therefore, Mr. Speaker, if we are to follow the kind of logic to which I am used, if the expert tells us it should be included in the legislation, if logic dictates that to set the example it is imperative that the private sector have the impression of being on the same wavelength as the public sector, in the sense that the public sector does not do anything which is not expected of

the private sector, or vice versa, it seems normal to me that we include departments as defined in the Financial Administration Act. Mr. Speaker, I could go on at length about that definition, how a corporation or a department can be defined so that the provisions of the Financial Administration Act do not apply to Crown corporations, not to mention other statutes which are amended as a consequence of that. Mr. Speaker, there would be practically no end to examples where the governor in council enjoys full discretion to exclude certain departments from Schedule B. Not all departments are covered by this exclusion provision contained in Bill C-62. No. I would imagine that some Crown corporations are affected by this measure and, hopefully, they will obey the law and abide by its provisions.

In 1983, Mr. Speaker, and I am saying this because it is important, the Hon. Member for Windsor West (Mr. Gray), who was then President of the Treasury Board, officially launched the Affirmative Action Program in the public service. The program was administered by the Public Service Commission and was aimed at promoting equal access to public jobs for all Canadians. The main objectives—I will repeat them, because they are very important—are: first, to help women plan their careers and maximize their opportunities for employment in the Public Service of Canada. Second, to promote equal access to jobs in the Public Service for native people, including Indians, Métis, non-status Indians and Inuit. Third, to increase participation by the physically and mentally disabled in the Public Service.

Mr. Speaker, all this to try and set an example, and act like a dedicated employer, a good corporate employer, by trying to set an example to the rest of the industry, by creating affirmative action programs that could, I imagine, be imitated by the private sector. Today, we have a Bill, the result of a Royal Commission of Inquiry chaired by Judge Abella who made a number of recommendations.

I said it with regard to Amendment No. 1 and I say it again with respect to Amendment No. 2, Mr. Speaker. It is not something we made up, it is something Judge Abella said, and I think the Government ought to listen: federal Government departments should be subject to the requirements of Bill C-62.

[English]

Mr. Stan J. Hovdebo (Prince Albert): Mr. Speaker, I appreciate the opportunity to speak to Motion No. 8 which would amend Bill C-62. I would like to comment on the few statements the Parliamentary Secretary made suggesting that the Government had in place an adequate affirmative action program. We recognize that the Financial Administration Act requires the Treasury Board to take some affirmative action. We also recognize that that has been put in place, but Treasury Board's policies on equity lack the force and commitment of law. The Member suggested that we would be going backwards. He said that there is no need for any Government, unless it wants to go backwards, to take away anything that is presently a policy of the Treasury Board and