

Government Orders

• (1620)

The Deputy Speaker: The hon. member for Edmonton South-west has heard Motion No. 11A. Is it in accord with his understanding of the motion that was moved by unanimous consent?

Mr. McClelland: Yes, it is, Mr. Speaker.

The Deputy Speaker: Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

(Motion No. 11A agreed to.)

[Translation]

Mr. Réal Ménard (Hochelaga—Maisonnette, BQ): moved

Motion No. 13

That Bill C-64, in Clause 28, be amended by adding after line 31, on page 20, the following:

"(4.1) Where the President of the Panel appoints one or more persons as members of a Tribunal, the President shall make reasonable efforts to appoint persons

(a) from designated groups in a proportion that reflects their representation in the Canadian population as a whole; and

(b) who, in the opinion of the President, are highly knowledgeable about employment equity or have substantial experience in this area."

Motion No. 14

That Bill C-64, in Clause 28, be amended by adding after line 31, on page 20, the following:

"(4.1) Where the President of the Panel appoints one or more persons as members of a Tribunal, the President shall make reasonable efforts to appoint persons

(a) from designated groups in a proportion that reflects their representation in the Canadian population as a whole; or

(b) who, in the opinion of the President, are highly knowledgeable about employment equity or have substantial experience in this area."

He said: Mr. Speaker, for your information, my colleague is Mr. Deshaies, and I thank him for supporting the motion.

I would simply like to say what it is about. One of the innovations in this bill, which has earned the support of the official opposition, is that the Canadian Human Rights Commission will be made specifically responsible for enforcing the Employment Equity Act. No doubt, for those not familiar with employment equity, it would be useful to point out that it involves making arrangements to ensure that four categories of people in our society: women, persons with disabilities, aboriginal peoples and members of visible minorities may finally take their rightful place in the labour market.

One of the means the bill proposes is the obligation, which applies to both the private sector and the public sector—making the public sector subject to the provisions of the bill is another

one of its innovations—meaning that, once the bill receives royal assent, 300,000 other Canadians and Quebecers will be covered by employment equity.

Another obligation under this bill is that of preparing an employment equity plan, which is to be submitted the following June to the director responsible for the program at Human Resources Development Canada. It will be up to the Minister of Human Resources Development to combine all the plans submitted by both the private and public sectors.

The reason I say this is very important is because, when plans are missing, when an employer fails to submit an employment equity plan within the required time period and fails to make all reasonable efforts—the expression used in the bill—to achieve the employment equity objectives he set for himself, then a course of redress is possible. That is where the amendment enters in.

• (1625)

For the first time since the Employment Equity Act was assented to, that is since 1986, the human rights commissioner will be able, on request and as he sees fit during summary proceedings where there has been an admission of guilt, to establish an employment equity review tribunal.

This is an extremely important body for enforcing the act because there is no provision for a right of appeal. The commissioner will therefore have the responsibility of creating a committee from whose decisions there may be no appeal, as the hon. parliamentary secretary who is so fascinated by these questions is aware. In other words, decisions will be final and binding.

The Bloc's amendment, which I believe is a well thought out amendment, will certainly gain government support, since this government is beginning to feel more and more alone.

The amendment will consist in ensuring that the three administrative officers called upon to hear the case will come from designated groups.

We feel that this is important, that there must be a correlation, a link, between what it is felt that this act represents and those who will be bringing down a decision in one of these administrative proceedings.

These are the reasons it is so vital for this bill to be amended and for the commission members not to be already in the employ of the Human Rights Commission. The Human Rights Commission employees do a good job, no denying; they are well informed about the various statutes concerning human rights, but they have never brought down decisions relating to employment equity. We on this side of the House would like to see a