

*Routine Proceedings*

The petitioners urge the Minister of Communications to oppose Unitel's bid to compete with the long distance services of Canada's telephone companies. They also urge him to consult with all affected parties who will be impacted severely by the deregulation of the service and further urge him to hold local hearings in our communities before deciding the fate of Canada's telecommunications system.

## HUMAN RIGHTS

**Mr. Jack Whittaker (Okanagan—Similkameen—Meritt):** Mr. Speaker, I also have a petition from people from all over British Columbia, various other points in Alberta and throughout Canada.

They petition Parliament to ensure that the government and Parliament act immediately to bring forward amendments to add sexual orientation to the Canadian Human Rights Act as a prohibited ground of discrimination.

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## QUESTION ON THE ORDER PAPER

(Questions answered orally are indicated by an asterisk)

**Mr. Albert Cooper (Parliamentary Secretary to Minister of State and Leader of the Government in the House of Commons):** Mr. Speaker, Question No. 49 will be answered today.

[Text]

**Question No. 49—Mr. Skelly (North Island—Powell River):**

With respect to Canada Post Corporation, a) are over 30 employees discharged each month b) are there over 100,000 employee grievances outstanding c) does it take an employee more than a year to have an arbitration case heard d) do over 80 per cent of the employees discharged have their jobs returned through the arbitration procedure e) do employees rehired after arbitration receive full pay for their time off f) does Canada Post delay the repayment of lost salaries of reinstated employees, and, if so, for what reasons?

**Hon. Harvie Andre (Minister of State and Leader of the Government in the House of Commons):** In so far as Canada Post Corporation is concerned:

a) In the 1990-91 fiscal year, 317 employees were discharged or released from the corporation. This averages out the approximately 26 per month. Approximately 20 per cent of these employees were "released from incapacity". In these cases the employee continues to

work in his/her regular position until the matter is either settled between the parties or decided by an arbitrator. In these circumstances, the employee suffers absolutely no loss in pay. Approximately 55 of the 317 employees were discharged for their failure to meet the requirements during their probationary period. Approximately 75 per cent were for disciplinary matters such as insubordination or theft.

b) There are approximately 135,000 employee grievances in the system at this time. To reduce the number and to expedite the resolution of these grievances, a separate fast-track process was agreed to by the parties in March of 1990 (the Backlog Arbitration Resolution). It should be noted that this number is not a clear representation of the employee-employer relationship at Canada Post since a single incident often generates hundreds of individual grievances for example, if a supervisor is alleged to have performed bargaining unit work, the entire shift will be encouraged to grieve the matter.

c) In many cases, yes. Every discharge/release is grieved by either the employee or the union on behalf of the employee. Due to the number of grievances in the system, the corporation and the CUPW agreed to give discharge cases priority (agreement reached March 4, 1988 and included in Appendix "C" of the current collective agreement). Even so, many of these employees are forced to wait months for their cases to be heard. The discharge/release arbitration cases must be scheduled in the order in which they were referred to arbitration and are assigned to arbitrators (who are outlined in the collective agreement) in rotation of their availability dates. These arbitrators, who are assigned specific regions of the country, provide an average of approximately four hearing dates per month. The process is further complicated by the fact that many cases require more than one hearing date for completion.

d) No. A review of the corporations' statistics concerning arbitral awards indicated that only 7 per cent of discharge grievances were completely sustained by the arbitrator (i.e.: reinstated with full compensation and seniority and without penalty). In 57 per cent of the grievances, the employee was reinstated with terms and conditions of employment, time served or some combination of both. In many of the cases, the reinstatement (i.e.: the employee had several years of seniority or suffered from an alcohol/drug problem) or that although some form of discipline was warranted, discharge was too harsh a penalty. Finally, 36 per cent of these discharged/released grievances were either denied by the arbitrator