

Canada Fair Employment Practices Act

It may be a misconception to attempt to make applicable to the civil service the provisions of the Industrial Relations and Disputes Investigation Act which the bill before us seeks to do. It occurs to me that the penalty sections of the Industrial Relations and Disputes Investigation Act would require amendment as well if Bill No. C-9 were to pass.

Under these circumstances, we must consider the possibility that certain anomalies would ensue. I therefore come back to the point that it is quite possible the end sought by the hon. member for Skeena could be achieved by amendments to the Civil Service Act or by a revision of the act, and I personally feel that this is the best way to ensure the results the hon. member is asking for.

Apropos of the questions that have been asked by the hon. member for Skeena and the hon. member for Essex West, we must come to the point and ask ourselves what could be the effect of the proposed bill. It could give the Minister of Labour (Mr. Starr) authority to deal with complaints concerning discrimination in employment which, in all other respects, is subject to the civil service commission and to the administration of the Civil Service Act. We know the jurisdiction of the industrial inquiries commission appointed by the Minister of Labour. I therefore come back to the point I brought to the attention of the house before, namely that the civil service commission reports directly to parliament, and not through the minister. For this reason, if we proceed as proposed by the hon. member for Skeena we could quite conceivably be setting up a great conflict in jurisdiction. Therefore, I reiterate the point which I have repeated time and time again, namely it is very possible that the desired results could be brought about by a revision of the Civil Service Act.

The hon. member for Skeena made certain remarks in relation to bills being passed or being talked out in this hour. I say this in all sincerity, and free of any cynicism whatever; I have no idea whether or not someone will be talking at six o'clock, or whether this bill will come to a vote before six o'clock, but I am sure of this. Whether it comes to a vote or not I hope the suggestions put forward in periods such as this help to make better laws. I have often wanted to have the chance to express and re-express myself on this idea, which is attributed to this hour, because week after week there are far too many cynical things said about it. Sometimes I suppose it is easy to say that bills are talked out; but, at the same time, can we not take advantage of this hour as

members of parliament to come to this floor of the house well prepared and briefed on bills that are being talked about and in that way perhaps make better suggestions that will give our nation and people better laws? I think this can be done. I do not think I am talking out the bill right now. I do not know whether it is going to be voted on or not, but I say in all sincerity that I have put forward some suggestion which will go toward making better laws for all Canadians from coast to coast.

I say to the hon. member I know the end result he wants. I agree completely with him. Anything that smacks of discrimination in the Dominion of Canada, be it in relation to unions, companies, the crown or the civil service commission, is entirely repugnant, and I am sure that this bill in many ways receives complete bi-partisan support. Again I say, up to now the civil service commission has practised a policy of non-discrimination, but if there is any reasonable doubt whatsoever let us use the best possible method to make sure that discrimination does not take place.

I often have said this in relation to parliamentary traditions. Sometimes the best laws are unwritten laws. We who have looked into the law a little bit often feel that usage and custom which do not require to be written down in acts sometimes have the greatest sanction. At this time I feel that anything that smacks of discrimination is so abhorrent to members of parliament and so abhorrent to Canadians in general that non-discrimination is written large in our hearts. Let us make sure that it will never come up in relation to government practice or private enterprise practice. At any rate, we agree on that. Why not let us discuss the best means of achieving the end? I have offered my contribution to the House of Commons this afternoon. I am sure other members will do likewise as we debate this most important measure.

Mr. N. L. Spencer (Essex West): Mr. Speaker, in rising to take part in this debate I want to assure the house that I am going to be very brief, because in the limited time that is available to discuss this measure I know that there are other hon. members in the house who would like to make some contribution to the discussion and deliberation in respect of this bill.

I would like to make this general observation. I am very happy indeed that the hon. member for Skeena (Mr. Howard), made it clear at the outset that he had in mind no particular instances of discrimination on the part of the government of Canada in so far as employment is concerned, based upon race, national origin, colour or religion. Having