

*Unemployment Insurance Act, 1971 (No. 2)*

**Mr. Nickerson:** Mr. Chairman, not only the unemployment insurance program but a number of other programs which are supposedly of a job-creating nature come under the jurisdiction of the minister. They are to be based on the percentage of unemployment in that particular region. In regions such as those that I represent, particularly those in the north of Canada and those areas that have a large indigenous population, the Statistics Canada figure can create a problem. I will give an example. In my constituency 8 per cent unemployment is shown, whereas offices within the Department of Employment and Immigration will say that the real rate is something like 22 per cent, because many people just are not counted, they are no longer entitled to UIC benefits and they are not counted at all.

• (1600)

I am wondering, Mr. Chairman, if the minister is aware of this type of problem and is proposing any solution. It is becoming more and more widespread that programs are based on the percentage of unemployed.

**Mr. Axworthy:** Mr. Chairman, that is similar to the issues raised on second reading by the member for Rosedale, with a view to getting a much better definition of unemployment, who is unemployed, and how we can provide for more adequate distinction for the different categories. I associate myself with these remarks because it is important to have a clear understanding. I have asked my colleague, the Minister of Supply and Services, to find out if StatsCan could find a more appropriate way of coming to grips with the issue. The report back was that, without exceptional additional expense the present labour survey is probably the most useful tool that we have to make those judgments about the rate of unemployment. We do take into account as the member knows, that that part of the problem is caused by the fact that a number of native people on the reserves are not included in the labour report survey. We tend to build that factor into the formula when we come to the calculation of the allocation of money for the direct problem of unemployment. We just do not use the labour force survey statistics in that respect. We do build in some additional factors.

I would like to find a better answer for those points raised by the hon. member for Rosedale. We are trying to examine the position to find if there is a more effective way to come to grips with the figures. It is not always fair to compare the labour force survey with the actual number of claims that there may be in an unemployment centre office at that time. The unemployment centre judges claims by a different means, and they are in regard to different cycles. The labour surplus judgment that they make is not always an accurate reflection of what the actual rate of unemployment may be.

I must confess that I am as perplexed at times as the hon. members opposite are. We have asked StatsCan to look into the problem to see if we can get a better reading on it, to find a system that is not only effective but also that is not so costly as to be prohibitive.

**Mr. Kristiansen:** Mr. Chairman, I have two questions for the minister. The minister will recall that on March 24, 1982, there was a motion under Standing Order 43 that I raised regarding the question of voluntary lay-offs. There was an exchange of correspondence relating to that. The minister's last answer was, I think, on April 30, 1982. I am not sure—it may be partly my fault or maybe the minister misread it somewhere in an excerpt—but I would like to explain the problem again and again get a response from the minister so that he could take another look at it.

What basically happens in these cases is that a discrimination takes place as between the treatment of employees of non-union firms and the treatment of employees of unionized firms which have seniority clauses and collective agreements. In the case of a non-unionized company, the Unemployment Insurance Commission will simply accept the word of the employer that a given person is laid off. But where there is a collective agreement in place, the UIC tends to go behind that decision and see whether or not it is going to accept the word of the employer, and make its own judgment as to who should or should not be laid off in the circumstances. Here is what has happened in some of these cases. I am not attempting to sensationalize it in regard to the allegations, because one never knows what the medical reasons may be. There have been older employees in some cases who have been forced to remain on the job, people who are close to retirement, working on very heavy jobs that they are not used to any more, and who have suffered injury and are now on compensation. In some cases it is alleged that heart attacks have occurred and that at least one person has died as a result of that. It is urgent that we return to the kind of humane consideration and flexibility in the interpretation of regulations, that we require to go back to the system of two or three years ago, when the UIC simply accepted the word of the employer, in good faith, that this was the person who was laid off. That is one question to which I would like an answer.

The second question deals with another matter. I know that the minister is currently considering some correspondence from me. I have not yet received the answer, but I am sure his staff is working on it. The problem arises owing to the existence of clauses in collective agreements whereby employees do not receive their holiday pay, for example, for Christmas Day, Boxing Day and New Year's Day, because they were on lay-off. These agreements state that they must work the scheduled day preceding the holiday and the day following, and that has to be within a 60 day period. What has happened is that we have many employees, many hundreds in my own community alone, who have found themselves intermittently off and on work over a period of months and months. But because they reported back to work once within that 60 day period they are now dinged for two or three days' unemployment insurance overpayments, sometimes having to make up for the whole qualifying period, depending on when that vacation or the time of lay-off fell.

When you have been unemployed for five out of six months and find yourself dinged for that much money, surely there is