

There are some who would say: What about those organizations which require people of a certain denomination? Section 2 (d) excepts them from the provisions of the Act. So that there is no problem about those groups and they are excluded from the operation of the Act.

I would suggest there is no reason for this exception. At least, there is no valid reason. The exception is not founded in other fair employment practices legislation. And it would seem that it has never been found necessary to have such an exception elsewhere. I would suggest that it would serve no worthwhile purpose and that it might defeat the purpose of the Act if allowed to remain.

*By Mr. Pouliot:*

Q. What clause is that?—A. That was clause 4(5).

Q. Thank you. It is about *bona fide*?—A. Yes, about *bona fide*. Then, about nationality, our point there is that if you are going to outlaw discrimination on account of race, national origin, religion, or colour, why stop there? Why not include nationality because, after all, it is just as objectionable to discriminate against a person because of his nationality as it is because of his race, national origin, colour, or religion. So far as complaints are concerned, our point is that under the present Act complaints must originate with the person who has a complaint.

Frequently citizens are fearful about lodging complaints. They are fearful about becoming involved in legal proceedings, and the time and the embarrassment and worry which such proceedings may cause. It has been considered wise to allow the administrative head of agencies that administer such legislation to initiate such complaints on his own, and we suggest that the director, who would be charged with the administration of this Act, be given the authority to make investigations and to lodge complaints on his own initiative.

As far as educational activities are concerned, we are whole-heartedly in favour of combining education with this legislation. It may well be that clause 10 contemplates that there will be apparatus for education which will be introduced following the passage of the Bill. However, it would be most helpful if this committee would at least indicate its desire to see educational facilities and a program set up similar to the type of program that is to be found in other jurisdictions. It would be designed to educate the public, the employer, and the trade unions to the idea that it is not right to discriminate, that it is not Canadian to discriminate.

Finally we should like to see an amendment made in the powers that are given to an Industrial Inquiry Commission. Under clause 5(4), an Industrial Inquiry Commission may now only recommend the course that ought to be taken with respect to the complaints which may include reinstatement with or without compensation for loss of employment.

We may get a situation as follows: Here is a person who complains that he has been discriminated against. The director is unable to effect a settlement of the case. The case is then referred by the Minister to an Industrial Inquiry Commission. The commission is asked to report on the facts of the case and to give their findings.

The commission will be limited under this wording to ordering that the person in question be reinstated with or without pay for loss of employment. But reinstatement is only one of the several types of cases which may arise in the way of discrimination.

A person who has never been given employment cannot be reinstated. And our point is that the commission should be given the power to recommend that the person be employed because he has been the victim of discrimination, as well as those cases where a person was employed and then