

*Labour Adjustment Benefits*

**Mr. Caccia:** Mr. Speaker, while I am sympathetic to the motives of the hon. member for Kootenay West (Mr. Kristiansen) and to the sincerity of his argument, the proposal he is making to delete the last two lines on page 2 would make of the designation of industry, a policy without a government in charge of it. For that reason it should be rejected.

**The Acting Speaker (Mr. Blaker):** Is the House ready for the question?

**Some hon. Members:** Agreed.

**The Acting Speaker (Mr. Blaker):** Is it the pleasure of the House to adopt the motion?

**Some hon. Members:** Agreed.

**The Acting Speaker (Mr. Blaker):** All those in favour will please say yea.

**Some hon. Members:** Yea!

**The Acting Speaker (Mr. Blaker):** All those opposed will please say nay.

**Some hon. Members:** Nay!

*And more than five members having risen:*

**The Acting Speaker (Mr. Blaker):** Pursuant to Standing Order 75 (11), the vote stands deferred.

The question is on motion No. 4. Is it the pleasure of the House to adopt the motion?

**Some hon. Members:** Agreed.

Motion No. 4 (Mr. Caccia) agreed to.

**The Acting Speaker (Mr. Blaker):** The question before the House is on Motion No. 9.

**Hon. Chas. L. Caccia (Minister of Labour)** moved:

Motion No. 9

That Bill C-78, an act to provide for the payment of benefits to laid-off employees and to amend the Canada Labour Code, be amended

(a) by adding immediately after line 9 at page 4 the following:

"4. (1) Subject to subsection (2), the governor in council may, in any order under Section 3, declare

(a) that the designation of the industry in the order is retroactive in effect and applies as of such day, before the date of the order, as is specified in the order; and

(b) that this act applies in respect of lay-offs from a Canadian establishment in the industry designated in the order occurring on or after the day specified pursuant to paragraph (a).

(2) The governor in council may not specify pursuant to paragraph (1)(a) a day that is more than forty-eight months before the day this section comes into force."; and

(b) by renumbering the subsequent clauses accordingly.

**The Acting Speaker (Mr. Blaker):** Is it the pleasure of the House to adopt the said motion?

**Some hon. Members:** Agreed.

Motion No. 9 (Mr. Caccia) agreed to.

**The Acting Speaker (Mr. Blaker):** The question before the House is on Motion No. 11. I would remind hon. members that earlier today the Speaker indicated that the motion might not be in order pursuant to Beauchesne, Citation 773(1) which states that an amendment is out of order if it is beyond the scope of the bill. Does the hon. member for Kootenay West wish to present argument?

**Mr. Kristiansen:** Mr. Speaker, with regard to Motion No. 11, we would ask to stand this motion until we have time to present further argument, although I shall make some comments now. According to page 25 of the bill, it is clear that a subsidiary body to the commission referred to in Motion No. 11, a lesser body, a committee rather than the board referred to in the motion, would have, by the nature of its existence and duties, exactly the kind of requirement and authority which, it is suggested here, go beyond the scope of the bill. On page 25 the bill reads as follows:

60.13 (1) It is the object of a joint planning committee to develop an adjustment program to eliminate the necessity for the termination of employment or to minimize the impact of such termination on the redundant employees and to assist those employees in obtaining other employment.

(2) Subject to Subsection (3), in attaining its object under Subsection (1), a joint planning committee may, unless the members of the committee agree otherwise, deal only with such matters as are normally the subject-matter of collective agreement—

That is, unless they agree otherwise. That clearly gives them the power, by mutual agreement, to go beyond those items most often found in collective agreements.

The next subclause reads as follows:

(3) The members of a joint planning committee shall co-operate and make every reasonable effort to develop an adjustment program as expeditiously as possible.

I would remind you, Mr. Speaker, that in committee a clause was deleted from the bill which had provided that a joint planning committee would not be allowed to look at some of these questions. If we deleted that clause, which said we could not do what this amendment covers, and if we have already put in, through Clause 60.13 (1), a provision which by its very nature necessitates the investigation of the expected social and economic impact of the intended termination, then if a subsidiary body to the board is given that power and that authority, surely it is not going beyond the scope of the bill to suggest that the board should have similar authority, similar scope and similar powers. I do not argue that, if this were not the case, Her Honour would be correct in reaching the conclusion she has, but with all deference I think that the bill has been misread or misinterpreted. The clear implication of the bill would require exactly the kind of provision that is mentioned in our amendment.

**Mr. Caccia:** Mr. Speaker, we submit that Motion No. 11 goes so far beyond the principle of the bill that it is quite unacceptable to us.

**The Acting Speaker (Mr. Blaker):** The hon. member for Kootenay West has sought leave of the House to present written argument to the Speaker, presumably tonight or