

*Unemployment Insurance Act*

I am quite sure that good judgment is not always used in certain cases of disqualifications—and I think other hon. members will agree with me—such as when there is some doubt about the reason for a person having left his job. For example, a person may find it too hard to do the work. This happens in mines, in bush operations and even in restaurants. The day comes when one's feet are too flat, the floors are too hard, or the dishes too heavy and work becomes unbearable, so one leaves. Then there is the question of whether you had a sufficiently good reason for leaving the job, if you were not sick or incapacitated in some manner.

If you argue that case, the disqualification period should run from one week to six weeks, depending on the case the claimant made. There should be some leeway. In my opinion, the decision should not be the length of time the claimant should be disqualified, but whether his claim should be accepted or rejected. It should be either the maximum penalty or no penalty. It is black or white; there is no grey. You either win the case, or you lose it. Quite often, because of his inability to fight the case, the claimant loses it. I have made many statements about the number of people who were fully disqualified in my area. I have also said that the period of their disqualification has always been the maximum period, which does not coincide with the information reported to the minister by his officials. I should like to make it very clear that these are the 8 per cent or 10 per cent of the cases which are handled by those offices. We only hear about the bad ones. We do not hear about them before the end of six weeks. If I hear about them they have gone beyond the end of six weeks. If there is a case of disqualification, it is the three-week disqualification.

● (1650)

If people are able to go into the office, argue and get half of that—a week and a half, which the minister says is the average—they would probably feel quite satisfied and would not write to me saying they were disqualified, abused and should not have been disqualified. I can only go by my experience because I have no way of checking the actual figures. I would not believe them if they were given to me, because they totally disagree with my experience. I do not trust figures very much, in any event. I am told that the rate of unemployment is only 7 per cent. The rate is 100 per cent for the person who is unemployed.

My understanding of the act is very limited. My experience is with appeals only. I never have anything to do with the initial presentation of a case. When disqualification occurs, I deal with the person who is not satisfied. He feels he has not received justice and appeals to me. It may well be that there are more lenient people in some of the other offices, and it may be that they give people a week and a half or a week instead of three weeks. I am sure I am right, because I was more often here when we changed the Unemployment Insurance Act than most members. I think I have probably participated five times in major changes in the act, and in every case the fears I had about the changes came to pass. I foresee not a three-week disqualification from now on, but always a six-week disqualification. It may well be that it is only because I am part of the appeal structure, but surely some hon. members have had the same experience as I have.

Those who win do not come to us telling us how successful they were and that they only had to have a one-week disqualification when originally they had to have a three-week disqualification. The only time they come to us is when they are not satisfied, or when they have been badly treated. I suggest that from now on it will be six weeks instead of three weeks, and if any hon. member is that remote from his constituents, he should not bother wasting his time sitting here, because he will not be re-elected. If he does not handle his appeals where there is no other appeal procedure, he can only hope that this parliament goes on until he has been here six years, because then he can qualify for retirement pension.

All hon. members, I am sure, are faced with bad UIC cases—and there are some. However, I do not agree with hon. members who feel that there has been unfair treatment by senior officials of UIC or officials of their district offices. There are many complaints and many problems. We have had problems with regard to disqualification. But there must be two sides to everything, and I am certainly not one who always agrees that the worker should have the final word or that his case is always right. The worker's interpretation is what he wants it to be, and often employers have their interpretation as well. An employer will not admit that he fired a girl because every time he tried to pinch her, she said no. He will say that she was not suitable. The employer is going to show himself in the best light. If he says that he fired the employee because of her incompetence, or for unsafe practices, that is a justifiable dismissal. However, the employee may have a totally different viewpoint. The commission, of course, must consider both sides. There are occasions when the stories are in agreement because of collusion. These are cases which the system is really not capable of handling, and our structure is not able to deal with them.

I urge that hon. members consider their own experience and decide for themselves, regardless of party. I urge them to look honestly at the problems which have developed and which come to them through their constituency offices or their offices here, and ascertain whether abuses which have occurred or whether the penalties which have been applied under the three weeks' disqualification have been marginal. Some of these hon. members have been able to argue successfully. The fault has not always been with the claimant or with the employer. If this penalty must be applied to prevent abuses by people quitting their jobs without just cause, I wonder what advantage there would be in applying double the penalty without being able to solve the problem itself.

I know there are abuses; I know there have been abuses. But by doubling the penalty in this case the minister is attempting to satisfy those hon. members who profess to be for law and order and is using opportunity to penalize someone who may not meet their criteria. I suggest that doubling the penalty in this case will not do much good. I see no justification for increasing this from three weeks to six weeks. I have not been in the committee to follow the discussions there. The discussions are very hard to follow because they flit from sections of the act to clauses of the bill, back and forth. I have not been able to ascertain any justification for the increase in penalty, other than to reduce the cost of the plan.