Yesterday, the handicapped indicated three major areas where they wanted change. I believe they demonstrated good citizenship in the relations between organized community groups with special interests and their attempt to have the legislators who they elected reflect their concerns and put those concerns into law. My colleague's recommendation should be seriously considered for enactment by the Government.

The second amendment we are discussing is Motion No. 14A. This concerns authorizing those issues which would be authorized by a law.

If I understand the Hon. Parliamentary Secretary correctly, he objected to this change because he believes it might be too restrictive to name only the Canadian Human Rights Act as the decision making guide for employers. I suggest that definitively stating which Act is the guide would give employers a far better indication of the rules of the game. Rather than having a loosely worded, non-applicable escape clause, this stipulation would clearly define the intention of the new law. What is the purpose of formulating a law with specific goals when that legislation contains wording that allows for escape clauses? The Government must either believe in what it is doing and codify and quantify it in law so that it is clear, or it should not bother putting it in law.

In this instance, the problem with the phrase: "not otherwise authorized by law" is that future legislation could in fact exempt more employers from this Bill or force a Charter challenge or amendment. Rather, only affirmative action programs designed to redress the imbalance should be exempted from action taken to conform to this Bill.

The National Action Committee spoke to this point. It is quite obvious that it is the commission's responsibility to apply the treasury directives which are found in the Canadian Human Rights Act. I suggest that we are only being fair to the business people who must apply these conditions with respect to employment equity.

Incidentally, perhaps the Parliamentary Secretary could bring to the attention of the Minister that according to the Human Rights Act the commission has the responsibility to look at all changes and applications with, I might say, *en sous du lieu* with the qualification of *bona fide* occupational requirement so that it is not punitive to the business community. If a business community can demonstrate that it is not in the best interest of either the worker or the industry, then it would have reasonable cause not to accommodate that particular party or issue within its business structure.

If the Government would act with reasonable accommodation—keeping keeping in mind the *bona fide* occupational requirement—in conformity with the Canadian Human Rights Act, it would be working in the best interest of the employer. It would enable the groups concerned to work toward the goals of this Employment Equity Bill.

**Mr. Lorne Nystrom (Yorkton—Melville):** Mr. Speaker, we are dealing with two motions that are somewhat different. Motion No. 12A in the name of the Hon. Member for Notre-Dame-de-Grâce—Lacine-East (Mr. Allmand), deals with consultation. The motion states:

> That Bill C-62, be amended in Clause 4 by striking out line 30 at page 2 and substituting the following therefor:
>
> "ing agent, or with such persons as have been designated by the designated groups to act as their respresentatives, implement employment equity by."

This amendment attempts to improve the consultation process provided for in Bill C-62. All groups have been very concerned about the lack of consultation.

My main point is that the Canadian Labour Congress and representatives of trade unions in this country also appeared before our committee. They said very clearly that in the case of a plant that is organized, consultation is not enough. They need the right to negotiate employment equity with the employer. It seems to me that this is a very important fundamental principle in the Bill.

If this country is to have any semblance of economic democracy or any semblance of participatory democracy, surely trade unions that represent workers in a plant should not only be consulted but should be involved in the process of negotiating employment equity as part of the collective agreement between the workers and the employer. I believe that is the sensible way to proceed.

For example, many federally regulated businesses, many of which come under this Act, are unionized. Let us involve the trade unions that represent the workers in negotiating employment equity. Who would know the problems of the plant better than the workers in that particular plant? Who would know the way of producing the product and who would know about the discrimination and barriers in that particular industry better than the workers in the industry who are represented by a number of trade unions in the country?

If this is not the appropriate place for such a clause, I call on the Government to include a clause in the appropriate place to ensure free and open collective bargaining between trade unions that are representatives in a federally regulated industry and the employer. We can then negotiate employment equity. We want to have harmony in the workplace and a semblance of co-operation, commonness of goal and objective. It is very important, in my opinion, to have the unions involved in negotiating employment equity.

• (1140)

I am not sure why my friends in the Conservative Party are afraid of making this Bill a bit more democratic and participatory. I remember many months ago when the Conservative Party was in opposition it complained day in and day out about the Liberal Government not opening up its institutions, Parliament and Bills to ensure there was more participation from the grass roots. But once that Party got into office it forgot where it came from and what it stood for. Here is another opportunity for the Conservative Party to put into practice what it preached many months ago, to ensure that the