

*Employment Equity*

make the penalty clause apply also to employment equity so it is enforced. But, of course, that is not part of the Bill.

The other aspect of this Bill is that when there are reports the reports are not made public. But if there is a report, that is the only part of the Bill where there can be a penalty or a sanction. The only penalty, as I said before, is through the Human Rights Act. The Human Rights Commission does not enforce employment equity. The Human Rights Act cannot enforce the employment equity Bill; it is not part of the mandate. The Human Rights Commission will be enforcing provisions of the Human Rights Act as they may apply to the workplace based upon the data contained in the annual report. They cannot force the Bank of Montreal or the Royal Bank to hire more women in the middle management or senior management positions. What we are hearing from women across the country is that this Bill should have within it a clause which will make sure it is enforced.

Another part of the Bill you would find interesting is the provision for what is called an action plan. When this Bill was first presented to the House there was no provision for an action plan at all. We had group after group coming before us saying that there has to be an action plan. The Minister, to her credit, introduced an amendment which will provide for an action plan. Ultimately, as the Government responded, they introduced an amendment for an action plan which included, of course, goals and timetables. Ultimately, they made sure that this action plan remain confidential. We have an action plan now which is confidential. The employees of the Bank of Montreal, or the employees of Bell Canada cannot have access to the action plan. The Human Rights Commission does not automatically have access to the action plan.

It is worth repeating that Gordon Fairweather, the Chief Commissioner of the Human Rights Commission of Canada, said in a February speech, and he repeatedly urged management that, though not required by Bill C-62, it would be in their interests to make, upon request, a copy of the action plan available to the Human Rights Commission. Here is Gordon Fairweather saying, "You do not have to give us that action plan, but I think it would be in your interests if you do so." If the Human Rights Commission is going to have any way of interpreting whether there is employment equity or discrimination in this country, surely its job would be a lot easier if it had access to action plans whenever it wanted. If we are going to have any kind of industrial or economic democracy, surely the employees should also have access to action plans.

● (1220)

I am not sure what the Conservative Party is afraid of. The Conservatives campaigned with very prestigious people like Jed Baldwin for freedom of information for many years. I have a great deal of admiration for Jed Baldwin. I remember his Private Members' Bills in this House. I also remember the former Prime Minister; I forget his riding but his first name is "Joe". I remember that he also took considerable action during his short nine months as Prime Minister in 1979 with respect

to better freedom of information law. But we now have a Prime Minister who seems to ignore the root beliefs of his Party. Perhaps it is because he was not here all those years with the former Prime Minister, Jed Baldwin and Walter Baker, who was such a distinguished man, when they talked about the need for freedom of information, because we now have an Employment Equity Bill which says there must be an action plan but the action plan must be confidential even from the employees. I wonder once again why the Minister did not make the appropriate amendment on behalf of the people of Canada.

Another part of the Bill about which we heard a lot of criticism is its failure to include equal pay for work of equal value. We put a number of amendments in committee which would have made that a part of the Bill. They would have made equal pay for work of equal value a reality in terms of this legislation.

The National Action Committee on the Status of Women urged that Bill C-62 contain a reference to Section 11 of the Human Rights Act so that equal pay matters would be addressed by employees. I believe that is very important. We moved that amendment without success in committee. Judge Rosalie Abella said that equal pay is an integral element in the implementation of employment equity and that it must be included in any undertaking by employers to make the practices in the workplace more equitable. This was something which was called for by the women of this country, but which is not in the Bill.

Something else which is missing in the Bill is contract compliance. Back in August, 1984 the Prime Minister talked about the need to have contract compliance, to have some kind of equity laws which would make it impossible for companies which do business with the federal Government to discriminate against women and other minorities. Rosalie Abella said the same thing. Recommendation No. 27 states: "Contract compliance should be imposed by legislation". We might ask, is that not a radical thing to do? Is that not too radical for Canadian Conservatives? It is not.

In the United States where Ronald Reagan is President, and I consider Ronald Reagan, to a fair degree more Conservative than many Conservatives in the House, has contract compliance, and Ronald Reagan's United States finds that contract compliance has been an effective tool in changing discriminatory practices by some employers in firms which deal with the U.S. Government. If it can be done in the U.S. why can it not be done in Canada? I believe it is reflective of the fact that we have a majority Government which is too large and insensitive to the opinions of the people of Canada.

In 1980 the Canadian Government had contracts with some 25,000 to 30,000 firms with \$6.5 billion worth of contracts going to the private sector and some \$5.5 billion going to Crown corporations. Supply and Services alone in 1982-1983 signed 333,928 contracts worth \$5 billion on behalf of the federal Government. So I believe we must have contract