

Labour Conditions

(Translation):

Mr. Speaker, by these few examples, I think I helped the house realize that a means must be found to check such discrimination. It is not enough, as the Minister of Labour has done, to make recommendations to the employers of this country. The government of Canada must take the lead in passing legislation that will eliminate such discrimination in the sector of our economy under the federal administration.

I confess that for the last few years a serious effort has been made in order to convince Canadian employers and Canadian industrialists to do something in order to cope with this problem. With this end in view, I wish to quote a few pamphlets one of which was published by the unemployment insurance commission in 1959. This publication was addressed to Canadian employers and said:

Our national employment service branches throughout Canada report that employers tend to increasingly recognize the advantage of hiring older workers.

The reason for that is quite simple.

Thanks to their skill and experience the output of mature workers is of better quality and brings in higher profits for the employer.

Therefore, if we are asking to consider the advisability of hiring older men and women who are able to work efficiently, it is not so much for humanitarian reasons (those people are not asking for charity), but we are rather trying to appeal to your sound business acumen.

The civil service commission authorities themselves, in a report submitted to the House of Commons in July 1960, agreed not to impose any age limit except for serious reasons.

Through a series of spot announcements employers in all the Canadian provinces were invited by the national employment office to hire middle-aged workers. It was said, among other things:

It is too bad that so many Canadian men and women are denied the right to earn their living because of their age, for the simple reason that the employer prefers younger persons.

Another spot announcement released in 1959 went as follows:

If you hire an employee over 40 years, you will be sure of getting an experienced, mature and responsible person.

These examples show that efforts were exerted by the unemployment insurance commission and by the Department of Labour as well, in order to urge Canadian employers not to discriminate against workers aged 45 or more.

On the other hand, I submit that that is not sufficient. Decisive steps must be taken in order to stop such discrimination and I feel that the government would do well to enact as soon as possible a piece of legislation which would solve this problem.

Such legislative steps have been taken by some American states, comprising New York. Indeed, in June 1958, that state enacted a law similar to the ones which were already in force in Pennsylvania, Rhode Island and Massachusetts.

Here is what the newspaper *Dimanche Matin* of June 15, 1958, had to say in connection with this law:

Under the provisions of the new New York law, it is illegal for a prospective employer to require an applicant to state his age. Moreover, the usual tag: "Age 21 to 35" will no more be allowed in classified ads appearing in daily or weekly newspapers, on the radio or on T.V. It will also be forbidden to advertise for a person under 45 years of age, as we often see in the newspapers.

Employers will not be allowed, in future, to mention any age in their ads in newspapers, magazines, periodicals, etc. The words: "Young man" and "Young girl" will also be forbidden.

Private employers as well as public and other employers will be required, in future, to accept applications from unemployed persons under or over 45 years of age and consider them on their merit.

The government would be well advised to seek inspiration from laws passed by various American states and by eastern Germany in 1959, with a view to preventing discrimination.

As I said earlier, what the government and members of this house can do in order to solve this problem would be, first of all, to set an example to Canadian employers and provincial governments by passing a legislation that would condemn any policy of discrimination in fields coming under the government's jurisdiction.

This legislation could apply to different sectors of the economy which come under the government's purview and are defined as follows in section 2, chapter 38, of the Statutes of Canada, 1956:

- (i) works, undertakings or business operated or carried on for or in connection with navigation and shipping, whether inland or maritime, including the operation of ships and transportation by ship anywhere in Canada;
- (ii) railways, canals, telegraphs and other works
- (iii) lines of steam and other ships connecting a province with any other or others of the provinces, or extending beyond the limits of a province;
- (iv) ferries between any province and any other province or between any province and any country other than Canada;
- (v) aerodromes, aircraft and lines of air transportation;
- (vi) radio broadcasting stations;
- (vii) banks and banking;