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Chair

Mr. Dean Allison

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Thursday, October 19, 2006

•(1110)

[English]

The Chair (Mr. Dean Allison (Niagara West—Glanbrook, CPC)): I call this meeting to order.

Pursuant to the adoption of the committee's motion on September 21 and to clause 108 of the Standing Orders, the Standing Committee on Human Resources, Social Development and the Status of Persons with Disabilities will commence its study on the department's plans and priorities.

Minister Blackburn, we'd like to thank you very much for coming today. We understand how busy you are. If you'd like to take some time now for your opening remarks and for the introduction of those who are with you, later we'll ask some questions.

[Translation]

Hon. Jean-Pierre Blackburn (Minister of Labour): Thank you, Mr. Chairman and members of the Committee.

First of all, although I am busy, I do not consider that I am granting you a privilege by appearing before you today. On the contrary, that is part of my responsibilities. And for you, as parliamentarians, it is perfectly natural that we come before you to answer your questions about what we are doing at the Department of Labour.

The Deputy Minister of Labour is Mr. Munir Sheikh, and he is with me today. There are also a number of other officials who will be able to provide assistance, as required.

If you don't mind, I would just like to move directly to my opening remarks.

Mr. Chairman and members of the Committee, thank you for inviting me to address you again during this fall session of Parliament. You may recall that the first time, I was with my colleague, Ms. Finley. This time, you asked that I appear alone to discuss in detail the work of the Department of Labour.

As Minister of Labour, I look after the workplace and my responsibilities include labour-management relations and workplace conditions for the federally-regulated enterprises. These enterprises are largely in the communications, transportation and banking sectors.

[English]

Canada's workplace is where our nation's wealth is generated. It's also where many working-age Canadians spend a significant part of their lives. It follows that the quality of that workplace has important implications for our economy and the society that we shape together.

[Translation]

With these considerations in mind, here is what I will be covering in my remarks to you today.

First, I will talk briefly about the Labour Program at the Department of Human Resources and Social Development Canada. I will talk about its mandate, structure, operations and the laws it administers.

Second, I will update you on the priorities and the decisive action we have taken on key workplace issues.

Next, I will share with you upcoming initiatives under the Labour Program, each with a focus on improving the quality of Canada's federally-regulated workplaces.

[English]

As you will see, the steps we are taking in these areas will go a long way to ensuring that we meet the needs of Canadian workers and employers.

[Translation]

I would like now to briefly discuss our mandate.

The Labour Program focusses on two principal areas: worker-management relations and workplace conditions.

The Federal Mediation and Conciliation Service Directorate administers the dispute resolution provisions of Part I—Industrial Relations—of the Canada Labour Code. This includes mediation and conciliation assistance in settling collective bargaining and other industrial disputes.

The National Labour Operations Directorate is responsible for delivering a law enforcement and regulatory program under Part II—Occupational Health and Safety—and Part III—Labour Standards—of the Canada Labour Code, as well as the Employment Equity Act.

[English]

One of the primary goals of the code is to prevent workplace accidents and injuries that could affect the health of employees. In addition, the Employment Equity Act ensures fairness and an inclusive workplace for designated groups, including women, persons with disabilities, aboriginal peoples, and members of visible minorities.

[Translation]

The International and Intergovernmental Labour Affairs Directorate monitors labour-related developments in all jurisdictions. It also provides advice on exchanges with my provincial and territorial counterparts. On the international front, the Program represents the view of Canada abroad on policy matters concerning working conditions, labour relations and occupational health and safety.

The Labour Program is also supported by the Research Policy Directorate.

These directorates comprise 289 employees at headquarters and 386 employees in regions across Canada, for a total of 675.

[English]

Let me turn to the five key areas of recent activity within the labour program.

[Translation]

First, the Employment Equity Act. This year marks the 20th anniversary since the passage of the original Act, and my department is very pleased to celebrate the many achievements of individuals and organizations who promote a productive and inclusive working environment for all Canadians.

Let me draw your attention to the Employment Equity Annual Report, which I was pleased to table in the House of Commons this past June.

Its findings were rather encouraging. It showed how, since 1987, the employment situation of all designated groups has improved in the workforce under the Employment Equity Act.

• (1115)

[English]

There are almost 40% more members of designated groups employed in workplaces covered by the act. This means that our efforts to address discrimination and promote fairness in the workplace are making a difference.

[Translation]

We are pleased with these findings. But our government also recognizes that targeted employment equity measures continue to be needed to close the gap—in particular with respect to the situation faced by Aboriginal peoples and persons with disabilities, so that representation better reflects availability in the labour market.

Our second area of progress in the Labour Program is the Racism-Free Workplace Strategy. This strategy is vital to Canada's continued success, because in facing world markets, it ensures we are able to count on a highly competitive workforce that is uniquely rooted in diversity and inclusiveness.

[English]

But let's be clear, this is the shared responsibility of employers, employees, government, business, and labour organizations. That's why this strategy is key.

[Translation]

I recently completed a five-city tour to promote racism-free workplaces and the removal of barriers to employment and upward mobility for visible minorities and Aboriginal peoples.

I announced our plan to hire nine anti-racism officers, whose mandate will be to work in the following three areas: to promote workplace integration of racial minorities—in other words, to be inclusive; to build a network between community resources and employers; and to provide tools and assistance to employers working toward equitable representation in their workforce.

Our progress on federal pay equity is the third area of recent activity within the Labour Program. Just weeks ago, I announced new measures to ensure that workplace partners are fully informed of their obligations and responsibilities under pay equity—and are provided with the necessary tools and assistance to ensure full compliance with their statutory responsibilities. Working women deserve immediate, meaningful results on this.

Turning now to our fourth area of activity—at the international level—the Labour Program continues to help Canada play a leadership role in promoting and protecting workers' rights around the world.

[English]

As Prime Minister Harper indicated in a recent speech, proud citizens don't want a Canada that just goes along; they want a Canada that leads.

[Translation]

That is precisely what we intend to do. And this includes sharing best practices with other countries. In this context, let me mention that my counterparts, Mr. Tian Chengping, from China, and Mr. Osvaldo Andrade, from Chili, came to visit to learn about the Canadian government's workplace policies. That meeting took place several weeks ago.

There is one more area of activity that I would like to discuss, and that is healthy workplaces. I am taking action on the Joint Statement on Healthy Workplaces, which I signed in March with my fellow Ministers of Labour from across Canada.

This statement emphasizes the importance and benefits that healthy workplaces bring to Canadian society. We have demonstrated our commitment to supporting this Joint Statement through our recent contribution to the Canadian Labour Congress AIDS Workplace Initiative, and also with our ongoing promotion of the concept of healthy workplaces at public events.

[English]

I have shared with you an update on the labour program's key activities to date. I am pleased to highlight for you initiatives that will be undertaken in the coming months.

[Translation]

First, our government welcomes the upcoming parliamentary review of the Employment Equity Act. As mandated by law, this will be the second five-year review of this Act. It is my understanding that the Standing Committee will begin that work this year. I would like to remind Committee members that our government looks forward to working with you.

The second upcoming activity of the Labour Program is to examine the results of the report of the Arthurs Commission on Labour Standards—the first major review of federal employment and labour standards in over four decades. Headed by Professor Harry Arthurs of York University, the Commission considered carefully the views of citizens as it has looked at such issues as new employment relationships, work-life balance, and the impact of labour standards on productivity.

I am looking forward to receiving this report.

• (1120)

[English]

I am looking forward to receiving this report. I will be interested in hearing the views of employers, unions, and employees, and their recommendations on such topics as overtime, hours of work, vacations, and wage recovery.

[Translation]

Furthermore, work is well underway on the Wage Earner Protection Program. You will certainly have questions in this regard a little later. This important program aims to protect workers who are the most vulnerable in a bankruptcy.

As part of the reform of insolvency legislation, the Wage Earner Protection Program Act was passed earlier by Parliament. Implementing this Act will involve a considerable amount of effort.

In conclusion, as you can see, both our current and upcoming efforts are important. It is vital that management and workers work together collaboratively. Canada has a winning formula—an economy and society that both continue to thrive. And one of the key reasons for that is that we work together to ensure safe, healthy and productive workplaces.

Working together implies not only a commitment, but that there is an intermediary between both parties. Ensuring that this happens is the role I see for myself as Minister of Labour. I will continue to work hard to bridge differences between management and workers. I will not choose sides.

[English]

What I want is a workforce where industrial relations are strong, durable, and supported by meaningful relationships among its stakeholders. That's my vision.

[Translation]

Canadians have every right to expect that their government will work continually to improve the quality of the workplace for workers and employers alike.

Not only does this help to ensure a workplace that strives to be fair, safe and inclusive, but Canada wins too by offering a world-class competitive labour force.

As always, I am very pleased to work with the Committee to meet the challenges of this dynamic, ever-changing market place.

I want to thank you for your kind attention, and I look forward to your questions now.

Thank you.

[English]

The Chair: Thank you, Minister Blackburn.

We're going to start our first round of seven minutes with Mr. Coderre.

[Translation]

Hon. Denis Coderre (Bourassa, Lib.): Thank you, Mr. Chairman.

Minister, it's always great to have an opportunity to grill you or cross swords with you.

You talked a lot about equity and the workplace. An historic vote will take place next Wednesday on a private member's bill which, even though it is sponsored by a political party, has the support of three opposition parties. The Bill has to do with replacement workers. Indeed, you yourself took part in the debate at second reading, in advance of the vote which will take place next week.

Mr. Massé, President of the FTQ, stated yesterday with conviction that anti-scab legislation would result in 15.9 days of lost work under the Quebec Labour Code, and 31.1 days under the Canada Labour Code.

Given that things are working well in Quebec and British Columbia, and that there is a need to maintain some balance as regards relations with workers, why is the government against this legislation? Your role is to strike that balance.

I will have other questions for you later.

Hon. Jean-Pierre Blackburn: Mr. Coderre, you know as well as I do that the legislation was amended in 1999 by the government you were then a part of. When we looked at this issue of replacement workers or anti-scab legislation, there was no consensus among stakeholders. People were diametrically opposed on the issue. After a series of meetings, reports and discussions among the various parties, a consensus was reached: in the case of a strike, a contractor cannot hire replacement workers with the aim of undermining union representation. That is very clear. If the union feels that it has suffered harm, it can file a complaint with the Canada Industrial Relations Board, which will then investigate.

It is important to strike a balance. When a strike occurs, the employer does have the right to continue to run his business. Similarly, unions have the right to use the strike option to try and win support for their issues or obtain changes in wages and working conditions.

We believe that this legislation achieves the appropriate balance, particularly since, when a strike occurs, an employer has to call on replacement workers, and it isn't easy to find people with the appropriate skills to replace striking workers. Furthermore, these employees return to their jobs when the dispute comes to an end, and replacement workers then have to leave.

• (1125)

Hon. Denis Coderre: Yes, I understand that you are still against this legislation. As far as I know, there is the appropriate balance in Quebec; the system works very well. In any case, the legislation does allow a business to continue to operate. However, in the name of social peace, I would strongly recommend that you reconsider your position. There is a consensus in Quebec and British Columbia, and I believe the rest of Canada could do the same thing.

There is a little guy from your part of the country, a little guy from Jonquières by the name of Lucien Bouchard who really set the cat among the pigeons a few days ago. He practically said that Quebeckers were a little lazier than everybody else and that they should work a little harder.

Do you think that Quebeckers are not working enough compared to their counterparts in Ontario and the United States? Do you also believe that we're dragging our feet?

Hon. Jean-Pierre Blackburn: You made a comment about British Columbia and Quebec. When only two provinces in Canada have anti-scab legislation...

Hon. Denis Coderre: Minister, with all due respect, my speaking time is limited, and your time is precious as well. I'm satisfied with the first answer you gave me. But I would like to get your opinion about the comments made by Lucien Bouchard, if you don't mind.

Hon. Jean-Pierre Blackburn: I'd like to continue, Mr. Coderre. When there are only two provinces in Canada with anti-scab legislation in place, it's important to respect the view of the eight other provinces that don't want anti-scab legislation. The Government of Canada shares this area of jurisdiction with the provinces, and yet you would have us force the hand of the provinces by shoving anti-scab legislation down their throats, even though they don't want it.

Hon. Denis Coderre: With all due respect, you are responsible for the Canada Labour Code, which is a Canadian Code.

But I really want to know if you share the views of Lucien Bouchard, namely that Quebeckers are lazy.

Hon. Jean-Pierre Blackburn: There is no need for me to comment on each and every thing that other people say. The former Premier of Quebec, Mr. Lucien Bouchard, is a highly respected man who expresses certain views on occasion. I consider the question of productivity in Canada to be an important one, and we intend to hold a forum—I believe it is scheduled for December 8—and invite business people and union stakeholders to get together to look at

business productivity and discuss the best way of achieving good productivity. When employees injure themselves, or fall sick...

Hon. Denis Coderre: But what do you think about Quebeckers, Mr. Blackburn?

Hon. Jean-Pierre Blackburn: ... or when the workplace environment is stressful and working conditions are not beneficial, all those factors lead to lower productivity. I am not in a position to say whether people are hard workers or not. That is not my concern.

Hon. Denis Coderre: You are talking to me as though I am a public servant. And the fact is, I am very fond of them. But I just want to know whether you think Quebeckers are lagging behind. You never shy away from expressing your own views.

Hon. Jean-Pierre Blackburn: Who are these public servants you're so fond of?

Hon. Denis Coderre: I am fond of all public servants. I was a Minister for quite a long time. I just want to know if you think that Quebeckers are indeed lagging behind and that they should work more. Personally, I don't believe that to be the case. What do you think?

Hon. Jean-Pierre Blackburn: As Minister of Labour, my job is to try and promote productivity in the workplace. That is the goal we are pursuing within the department. Our mandate is not to determine whether one province is making mistakes or anything else.

Hon. Denis Coderre: I see. I guess you don't want to put your foot in your mouth.

I will come back on another round, Mr. Chairman.

[*English*]

The Chair: We're going to move to the next round. Thank you, Mr. Coderre.

The next individual we have is Madame Lavallée.

[*Translation*]

Mrs. Carole Lavallée (Saint-Bruno—Saint-Hubert, BQ): Thank you very much, Mr. Chairman.

Mr. Blackburn, I want to begin by thanking you for appearing before the Standing Committee on Human Resources, Social Development and the Status of Persons with Disabilities. I believe your presence here today is significant, particularly since the last time you appeared, we really didn't have enough time for our discussions. I have the feeling it will be the same story today.

Something very important is going on in Parliament these days. A vote is coming up; it will take place next Wednesday and will deal with the legislation regarding replacement workers.

I would like to remind you that on November 5, 1990, when you were the Member of Parliament for Jonquière, again for the Conservative Party, you voted in favour of anti-scab legislation—specifically, Bill C-201 tabled by your Conservative colleague, the member for the riding of Richelieu at the time. I want to remind you of that fact because it is clear that something inspired you at the time. Surely you did not just vote mechanically back then, without believing that anti-scab legislation would be helpful, not only in Quebec, as you have already said publicly in the House of Commons, but also for all workers in Canada.

So, I would just like you to take a few moments to think about this and try and recall the reasons that prompted you at the time to vote in favour of this Bill. You still represent the riding of Jonquière—Alma, which is one of the most unionized ridings in Quebec, if not in Canada.

I find this change of opinion very surprising. You told us there is less investment in provinces where anti-scab legislation is in effect. Yet the Bloc Québécois demolished that argument, which comes from the Montreal Economic Institute and the Fraser Institute, two right-wing think tanks which, as you well know, play with the numbers until they end up saying what people want to hear, which is always favourable to employers. In any case, these figures covered the period from 1967 to 1993. So, they are not very recent and had been provided by very large corporations, when in fact, as you well know, the Quebec economy is based more on SMEs.

The second time you came, you said that anti-scab legislation offered no benefit whatsoever. That is what you said on September 22, when our NPD colleagues tabled a bill similar to Bill C-257. At the time, you said, and I quote:

There is no evidence to show that prohibiting the use of replacement workers would actually bring workers even one of the benefits that are claimed [...]

As you know, everyone in the world of work is saying that it does have benefits. People say that labour disputes don't last as long, that they are less violent, and that the return to work and the workplace atmosphere are far better. They also say that it ensures a more appropriate balance between job action by workers and pressure tactics used by employers.

Let's come back to this notion of "balance", because we heard that term used yesterday and today in the House. That is your new argument. I heard you say that balance—and again, I am going to quote you—"[...] is the right of the employer to continue to operate his business [...]"

Minister, that is not what balance is. Balance means that the employer and the employee have the same rights. When there is a labour dispute, the employer goes without his production revenues, and the employee goes without his work income. Indeed, there is less production, and the worker has no work. That's why there is in fact a balance. Balance does not mean that the employer fills his pockets during the labour dispute while the workers go into debt and suffer psychological distress when they see other workers putting on their uniforms, going to their locker, to their workbench, doing their work and receiving a salary which is often lower than what they would receive. That is not balance, Mr. Blackburn. You used to know what it was, and I suspect you still do. I think I know why you voiced opposition to it today, but I would prefer to have you tell us yourself or let the people who are hearing us today arrive at their own conclusions.

Having said that, I would like to give you a few minutes to respond, because I really would like to know why you changed your mind. You have already changed your mind, because you once believed in this.

• (1130)

At one time, you made similar comments to the ones I'm making today. However, as Minister, rather than defending ideas that have

stood the test of time in Quebec in your caucus and in Cabinet, it would seem that if the Conservative Party tells you it doesn't like something, you turn around and say: that's okay and that is what I'll say.

That's exactly how you are currently perceived by people all across Quebec and workers in your own riding of Jonquière. It's not very pleasant for anyone.

Perhaps you could respond to my comments.

• (1135)

[English]

The Chair: Minister Blackburn, just to let you know, you only have a minute and a half left.

[Translation]

Hon. Jean-Pierre Blackburn: Thank you.

I intend to take the time to respond anyway. I am quite familiar with the tactics used by Members of Parliament when they ask questions. They use up a lot of time, so that there is hardly any left, but that's all right. I can still work with that system.

I just want to remind you that when you're an M.P. from Quebec, you have a particular role to play; when you become the Minister of Labour, you have to see issues from a national perspective.

Quebec has had anti-scab legislation in place for 30 years now. Why is it that over a 30-year period, only two provinces have passed anti-scab legislation? Is it working in Quebec? Yes, very well. However, don't force the other provinces to do something they don't want to do.

In 1993, even Ontario passed anti-scab legislation, and then withdrew it two years later, because they realized it simply wasn't a good idea.

Mrs. Carole Lavallée: Minister, that is not what happened, and you know it perfectly well.

It was the NDP government that brought in anti-scab legislation, which everyone agreed with. But when Mike Harris formed a government, as leader of a Conservative Party like yours, he rejected it. It was not rejected because it wasn't effective; on the contrary, we know that it is effective. Even recently, the media were pointing out that there are fewer labour disputes in Quebec. In fact, the pattern that emerges is that in 1976-77, there were still a great many labour disputes, but that number has gradually gone down, and is still going down.

[English]

The Chair: Just a quick response. We're almost out of time.

[Translation]

Hon. Jean-Pierre Blackburn: You say the Conservative government in Ontario decided to withdraw that legislation, but perhaps you could explain why the current Liberal government has not brought it back in? It certainly had every opportunity to do so, but it did not.

It might be worthwhile to look at the statistics with respect to work stoppages in our area of jurisdiction; there were 63, but in Quebec, there were 282. That was just before the legislation was passed in Quebec. In 2005, there were only five work stoppages in our area of jurisdiction, whereas in Quebec, there were 76. So, in Quebec, there are 15 times more work stoppages compared to what we have succeeded in doing without anti-scab legislation.

I would also like to say a word or two about the length of labour disputes. Between 2002 and 2005, for businesses that come under the Canada Labour Code, the length of labour disputes was 43.5 days; in Quebec, it was 46.6 days.

So, it is clear that there is absolutely no evidence that anti-scab legislation would be the preferred solution.

Mrs. Carole Lavallée: When the next round begins, Minister, I will present some of that evidence.

[English]

The Chair: That's all the time we have right now. Thank you very much, Madame Lavallée.

We're going to move to our next questioner, Ms. Davies.

Ms. Libby Davies (Vancouver East, NDP): Thank you very much, and thank you very much for coming today, Minister.

To respond to your response to my colleague from the Bloc, I think that if we accepted your point of view that because the provinces don't have certain standards or haven't done something, therefore the federal government shouldn't act, we wouldn't have a public health care system in this country. Surely the federal government is here to meet its responsibility and carry out its mandate, and one of those things is to protect workers. This anti-scab bill is dealing with a federal jurisdiction for federally regulated areas.

I'm from British Columbia. I know the positive impact this law has had in British Columbia, but I also lived through the very nasty TELUS labour dispute, and I saw what happened to those workers when it dragged on for month after month because there was nothing in federal legislation that could protect them from replacement workers. So I find your argument that somehow the federal government isn't going to do anything because the provinces aren't doing anything to be, well, to say the least, very disappointing. Then what are we here for?

I think there's disappointment overall about your government's performance in advocating for workers' rights. We just saw you reject the task force report on pay equity. Your response to that: make sure people understand what their role is. This was a two-year process. There were over 100 recommendations. They clearly laid out that we needed to have new legislation. You, as minister, have rejected that.

The termination of the Canadian Labour and Business Centre: it is unbelievable that such an operation would have to close down. The labour market partnership agreements: why has there been no disclosure or information that the program will go ahead? Even Bill C-55 is languishing in the Senate and hasn't been proclaimed yet. Why is this government not moving on it? I could go on and on and on.

To come back to the anti-scab legislation, this is before us here and now. Here is an opportunity for the federal government to show its leadership in the protection of workers' rights. It does bring industrial peace. It produces stability in the labour market, in the workplace.

So I ask you again. For what reason is your government saying that it will not support this very important piece of legislation that we believe actually will be adopted by the House? It's beyond me why your government won't support it?

• (1140)

[Translation]

Hon. Jean-Pierre Blackburn: Thank you, Ms. Davies.

I just want to say, once again, that this debate is one for the provinces to have. If eight provinces out of ten had anti-scab legislation, the situation would be completely different. We must not force the provinces to do something they don't want to do. The number of employees that fall within our jurisdiction is considerably lower than for the provinces. But when the federal government passes legislation, that has a major impact and significant implications for the other provinces. It is for that reason that we believe we should respect the will of the provinces.

I would also like to talk about some statistics. There is no evidence that replacement worker legislation results in shorter labour disputes. Between 2003 and 2005, the average work stoppage in Quebec lasted 47 days, compared to 38 in Ontario. In Quebec, it was 47 days, but in Ontario, where there is no anti-scab legislation in effect, only 38 days. That is a further example...

[English]

The Chair: There is a point of order.

[Translation]

Hon. Denis Coderre: For everyone's benefit, I would ask that you supply your sources and the years you are referring to, please.

Hon. Jean-Pierre Blackburn: Yes, of course. That is what I was doing. These statistics are taken from...

[English]

Mr. Munir Sheikh (Deputy Minister of Labour and Associate Deputy Minister of Human Resources and Social Development, Department of Human Resources and Social Development): The Department of Human Resources and Social Development has been collecting these data going back to the early 1970s. We collect data on the number of work days lost, the number of strikes, wage settlements, and all that. These are data that we have been collecting for more than 20 years on the same technical basis as Statistics Canada collects all of their data. These data have been public, and they're available to everybody, and they've been used by many analysts.

Hon. Denis Coderre: So just to finish my point of order—

The Chair: No, that's not a point of order, actually.

We'll go back to Ms. Davies.

Ms. Libby Davies: What is the argument here? On the one hand you're saying that you're not in favour of this because you have numbers that you believe show it's not necessary. On the other hand you're saying that it's a provincial area, and you're not going to jump in. To me that seems a total cop-out. We're not hearing the real reason why your government is opposed to it.

This is a federally regulated area; 15% of the workforce comes under federal jurisdiction. Why wouldn't we have these very basic labour rights in place to ensure that replacement workers aren't allowed in? This is a very basic issue, and I don't think you've addressed the principle of it yet.

[Translation]

Hon. Jean-Pierre Blackburn: Ms. Davies, I just want to come back to my point about the importance of achieving balance in this area. I think this is extremely important. The legislation was amended in 1999 by Parliament. That was seven years ago.

There was a consensus at the time, which was that employers can use replacement workers when a labour dispute arises, but that they must not do that with the aim of undermining union representation. If the unions feel they have suffered harm as a result, they have the option of filing a complaint with the Canada Industrial Relations Board.

I would just like to come back to the numbers now. Despite the fact that this legislation is in force in Quebec, between 1975 and 1977, on average, work stoppages in that province lasted 37 days. The average went up to 47 days between 2003 and 2005. Both Statistics Canada and the Workplace Information Directorate at Human Resources and Social Development Canada have been compiling these data for twenty years now.

I repeat: it's important to remember the need to maintain balance in Canada. Only two provinces have passed anti-scab legislation: Quebec, in 1977, and British Columbia, in 1993. The other provinces don't want such legislation. And Ontario, even with the new government now in office, is not moving in that direction either.

• (1145)

[English]

The Chair: That's all the time we have—

Ms. Libby Davies: But do you agree that this does not prevent you from using your federal mandate to make sure that workers who are under federal jurisdiction are protected? It seems to me you're using the fact that other provinces don't have this legislation as a cop-out. There's nothing to prevent you.

Again, in terms of the principle of this issue, is the federal government prepared to protect workers in federal jurisdiction from replacement workers?

The Chair: That's all the time we have right now, Ms. Davies. Perhaps we can come back in the second round and finish that.

We're going to move to the last questioner of this round, to Ms. Yelich. Seven minutes, please.

Mrs. Lynne Yelich (Blackstrap, CPC): Thank you. I'll be sharing my time.

Thank you very much, Minister, for being here today. I have a couple of questions and a couple of comments.

You have travelled quite a bit, trying to talk about the goals you have with labour. I'm interested in knowing if you've spent any time in Saskatchewan. Our mining industry is an example of working with aboriginals in the north. At Cameco and Cogema, where aboriginals have very good jobs, they have very good work practices. I would like you to use them as a case study of how well you can work when you're trying to have racism-free workplace strategies, because I think they have done that.

I think you're right to stay out of some of the provinces' jurisdictions. In Saskatchewan, I understand that's why our economy doesn't grow; many investors in the private sector do not want to invest in Saskatchewan because of our labour and our labour laws. I think it would be very worthwhile for you to study that. If the proof is there...because most companies will invest in Alberta, but they will not cross that border, even though we have as many resources and sometimes more.

Those are just a couple of things I'd like you to ponder. I did see that you travelled to Vancouver, Calgary, Toronto, Montreal, and Halifax, and yet I do think that in Saskatchewan you could probably cite examples across the board of what you need for a good labour strategy.

My main question, Minister, is to ask if you could update the members of the committee on the status of your department's racism-free workplace strategy.

[Translation]

Hon. Jean-Pierre Blackburn: Thank you, Ms. Yelich.

During a recent trip across Canada, I did indeed have a chance to promote racism-free workplaces. I want you to know that I heard some very interesting things during that trip, which I would like to share with Committee members, if you don't mind.

According to a Statistics Canada survey, 1.8 million Canadians say they have been subject to racism during their lives, and most said that it occurred in their workplace. In addition, seven years from now, half the population of Vancouver, Toronto and Montreal, which are the three largest cities in Canada, will be made up of members of visible minorities. That is the new reality in Canada.

Given that new reality, racism in the workplace should be of concern to us. It is with that in mind that my first stop was Vancouver, where I went to promote racism-free workplaces.

In the different cities we visited, we explained that we will be hiring nine new staff members to go into businesses to talk about racism-free workplaces and try to promote workplaces that are both healthy and inclusive. In so doing, the debate on these issues will become public. It's important that the debate about racism not only be between two people having a chat in a corner. We have to have this debate publicly, because Canada's diversity is now a reality that we have to deal with.

When I was in Vancouver, not only did I hear about racism in the workplace and the practices put in place to try and eliminate it, but I was also told about the need to recognize immigrants' foreign credentials here in Canada. It's a serious problem for them—and that is understandable—that we don't recognize diplomas they have received abroad as engineers, doctors or skilled workers who emigrated to Canada.

What are they going to do to earn a living? Let's try and put ourselves in their position. If we emigrated to another country where our skills, our training and our diplomas were not recognized, what would we do to develop as individuals? This is a reality that our government is currently trying to address, in cooperation with the provinces, so that a solution can be found that allows immigrant workers who come to Canada to have their skills recognized.

When I got to Calgary, I saw quite a different reality. As well as talking about racism and promoting racism-free and healthy workplaces, we were looking at a situation where this city is currently experiencing an economic boom. Thirty billion dollars are going to be invested in the few years, and yet they don't have enough labour available to perform the work that needs to be done, including building new municipal infrastructure.

As Minister of Labour, I told them that the solution was not to fill airplanes with workers selected in other regions and bring them to Alberta. That just creates a problem somewhere else, which is no better. Mayor Bronconnier mentioned that what the major cities in Alberta need to deal with the economic boom there are things that might be produced in certain regions of Quebec or other regions of Canada.

The third reality I came face to face with in terms of the labour market is the current situation in Montreal. For example, at the Michelin plant, company representatives told me that 40% of their workforce will be eligible for retirement in next five years.

What are you supposed to do when 40% of the people working for a business are set to retire in the next five years or at least will be eligible to retire in the next five years? That new reality gives us food for thought: we certainly can't keep going in the same direction. At some point, we will have to allow people working for businesses to stay in the labour market longer. We'll have to take another look at the way we do things.

Finally, when I got to Halifax, I faced yet another reality. Of course, in addition to racism in the workplace, the Minister of Labour told me that contractors had come to tell him they have lost employees. One of them had told him the week before that he had lost 36 workers who had all moved to Alberta for work. As a result, he was unable to fulfill his contract, because he had lost his workforce to another province.

Just to conclude, I want to say that the world of work is ready for change. In the very near future, we will have to look at these realities and adjust our way of doing things to reflect those realities.

● (1150)

[English]

The Chair: Thank you, Minister.

That's all the time we have for this round.

We're going to move to our second round, which will be five minutes for questions and answers. We'll start with Ms. Brown.

Ms. Bonnie Brown (Oakville, Lib.): Thank you, Mr. Chairman.

Welcome, Minister.

I have three topics I would like to get answers about. I'll present them as succinctly as I can and hope you will answer as succinctly as possible.

The first one is this project review of the labour standards. I wonder if you've received the report from Harry Arthurs. I'm wondering when it will be made public, and then when will the resulting legislation to amend the Canada Labour Code be tabled? I really want yes or no, and dates if possible.

Two, do you have any plans to re-establish a federal minimum wage, and how many federally regulated workers are now receiving the relative provincial minimum wage? They are essentially workers regulated by your department.

Third, one of your desired outcomes of all the work you and your staff do is a fair and stable workplace, yet the federally regulated sector accounted for a disproportionately large share of days lost due to a work stoppage; that is, 32.5%, or almost a third, of all work stoppages happened in the federally regulated sector. How do you account for this? In my view, the federally regulated sector should be setting the tone for the rest of the country.

[Translation]

Hon. Jean-Pierre Blackburn: Thank you for your questions, Ms. Brown.

With respect to the Arthurs Report, as I mentioned earlier, Part III of the Labour Code, which deals with labour standards, has not undergone a comprehensive review for 40 years. It goes back to 1965.

The previous government mandated an independent commissioner, Mr. Harry Arthurs, a highly respected university professor, to carry out that analysis. Working with the other commissioners, he met with a great many union and employer stakeholders. He also asked a number of universities to prepare studies on a variety of topics.

As regards labour standards, which are under Part III of the Canada Labour Code, we know that this part of the Code addresses workplace practices in terms of hours of work, overtime, annual leave, unfair dismissal, and wage recovery. It also talks about...

● (1155)

[English]

Ms. Bonnie Brown: On a point of order, Mr. Chairman, I asked a very specific question: has he received the report from Mr. Arthurs? I know who Mr. Arthurs is. Has he received it? Is he going to make it public and when? And when does he expect to have amendments to the code?

I don't want to hear all this extra material.

[Translation]

Hon. Jean-Pierre Blackburn: Well, you may see this as just extra material, but I don't, because other people are also listening and they should have an opportunity to find out what is in the pipeline. Labour standards affect all employers and all businesses, and therefore, this is hardly an irrelevant topic. It's a very important matter that parliamentarians will have to look at.

The report *per se* will be tabled on October 30. I believe this will be a great event for all Canadians, because we will have a chance to see the recommendations. In addition, it will lead to new cross-Canada consultations aimed at soliciting feedback from employers, unions and others with respect to the recommendations of the Arthurs Report.

Our job will be to achieve consensus. Based on this consensus—if it is possible to reach one—either before Christmas or shortly after the holidays, we would like to propose amendments and table legislation on labour standards. As you know, the whole question of self-employed workers is extremely important. Promoting work-life balance in workplaces across Canada is another unavoidable reality that we must consider. This is something the Arthurs Report will certainly address.

[English]

The Chair: You still have 30 seconds, Ms. Brown.

Ms. Bonnie Brown: I'm sorry, I didn't get answers. I only got more and more—

[Translation]

Mr. Jean-Claude D'Amours (Madawaska—Restigouche, Lib.): Thank you, Mr. Chairman. I will complete the questioning.

Minister, there is one thing I would like you to clarify. As I understand it, you voted in favour of anti-scab legislation in the past. So, my question is: did you vote in favour of that legislation just to please your constituents, or were you really convinced that it was important?

Let's talk about conviction. If that was your conviction at the time, then explain to me how—because I really don't understand—from one day to the next, or one year to the next, you could suddenly have changed your mind? Having a conviction about something means that you strongly believe in it. It means that you work hard for something to happen, you defend it, you promote it, you try to convince your colleagues, and you present arguments to that end. You must have had some, unless you just wanted to please your constituents.

[English]

The Chair: Could we have a quick response, please.

[Translation]

Hon. Jean-Pierre Blackburn: Thank you, Mr. Chairman.

Let me remind you, once again, that I am the Minister of Labour. As a result, my responsibility extends to the whole of Canada. Quebec has anti-scab legislation. British Columbia also has such legislation. The other provinces do not want it. We should not be forcing them to pass this kind of bill because they don't want to work that way.

I also would remind you that even Ontario, which passed this kind of legislation in 1993 turned around and struck it from the books in 1995. And even though there have been many opportunities to bring it back in, Ontario still doesn't want one.

We have to consider that dimension—namely that only two provinces in ten have this kind of legislation on their books.

[English]

The Chair: Thank you, Mr. Blackburn.

Madam Lavallée.

[Translation]

Mrs. Carole Lavallée: Thank you very much.

Mr. Blackburn, I had promised myself that I wouldn't come back to the figures you quoted earlier. I don't really want to do that, and I'm sure you understand that people probably don't want to hear me do it either. However, I feel an obligation to do it, because you have given people the figures that suit you. In fact, you quoted figures that support your own arguments, even though they are not accurate.

You talk about the length of labour disputes, but that is not what we should be talking about. We should really be talking about the number of person-days that have been lost. And, of course, we need to distinguish between workers who fall under the Quebec Labour Code and those who fall under the Canada Labour Code. That way, you'll be looking at figures that really reflect reality.

I don't want to come back to your numbers, but I do want to cite a few that are from 2002. My figures are from the Quebec Ministry of Labour. Although 7.3% of workers in Quebec worked for federally regulated employers, they were responsible for 48% of the work days lost as a result of labour disputes. That is what we should be talking about. If you want to talk about figures, those are the ones we should be talking about.

On the other hand, if you want to talk about the frequency of strike action, you may want to know about an analysis prepared by J. W. Budd in 1993, some 15 years after anti-scab legislation was passed in Quebec. After looking at more than 2,000 collective agreements in Canada, Mr. Budd concluded that there is little evidence that anti-scab legislation increases the frequency of strikes. Mr. Budd is a professor at the University of Minnesota.

I don't want to go back over everything that you said earlier. I don't even want to go back over the 1999 consensus on the Canadian replacement workers legislation that you referred to. The fact is, there was no consensus; that is not correct. A professor at Laval University actually tabled a minority report.

I also would like to talk about the Canada Labour Code. You raised a new, convoluted argument to the effect that Canada doesn't want to impose legislation on the provinces. But we are not asking you to impose legislation on the provinces; we're simply asking you to look after workers who fall within the federal government's jurisdiction. That's all. That is what showing leadership is all about, Minister. And that is what you should do.

In fact, you should be saying that federally regulated workers should take advantage of this. That is the whole purpose behind the Canada Labour Code. It is not there for workers in the provinces. Part III of the Canada Labour Code deals solely with labour standards. It states that the minimum wage is the one set by the provinces.

But I want to ask you think about something. In terms of the Labour Code, why not simply decide that the code that applies is whatever code the provinces see fit to adopt? Why don't you do that?

In Quebec, we would be very happy with this kind of development, because that would resolve our problem and all workers would be subject to anti-scab legislation. And you would continue not to demonstrate leadership. Do you really need a labour code?

Mr. Harry Arthurs has spent the last two years trying to overhaul Part III of the Canada Labour Code. On June 6, Minister, you told us that his report would be tabled in June. Now you are telling us that you haven't received it yet. Perhaps Mr. Arthurs' problem is the fact that labour is more of a responsibility of the provinces and Quebec. Perhaps that is Mr. Arthurs' problem. Why is he having trouble producing a meaningful report?

You talked about self-employed workers. They come within the purview of the provinces; so, don't get involved. I realize you're having trouble modernizing your labour standards, but there may be two issues there.

First of all, part of the problem is that it has three parts to it: Part I, Part II, and Part III. Minister, some things have to be changed at the same time. For example, federally-regulated female workers should be entitled to protective re-assignment when pregnant women find themselves working in an unhealthy environment. That involves changing Part II, with respect to health and safety, and Part III, which relates to labour standards. Both of these parts of the Code have to be worked on at the same time.

I realize that Mr. Arthurs is extremely competent and I have a lot of admiration for the work he is doing and has done in the past. However, you have essentially put blinkers on him by asking him to modernize only Part III of the Canada Labour Code.

Having said that, I would like you to think about the possibility of the federal government no longer having a labour code and your leaving this responsibility to the provinces.

● (1200)

Hon. Jean-Pierre Blackburn: Ms. Lavallée, you raise all kinds of issues in all kinds of different areas, but it would be nice if you could ask one question at a time. That way, I might actually have an opportunity to answer you, and people might be interested in hearing that answer.

But let's come back to Professor Arthurs. You know perfectly well that when the report is completed, it will be made available in both languages. What that means is that it has to be translated. It is incorrect to say that I will make the report public in English only; I want it to be translated into French and be available in both languages. When a report is extremely comprehensive, the process takes longer, and there is a need to ensure that the two versions of the

report concur. That is why the report will be officially tabled on October 30, and everyone will have an opportunity to read it at that time.

I should also like to say that we were consulted in the House when the then Liberal government proposed Professor Harry Arthurs' candidacy. As a party, we agreed with that appointment. We see him as both competent and credible. Throughout the process, we have heard nothing but praise for his work. It remains to be seen what specific recommendations he will make.

I also want to say that I find it rather odd that you are insisting to such an extent that anti-scab legislation be passed. What you really want is for Canada not to work and for Quebec to separate from the rest of the country. You want to break up Canada. Perhaps that's the reason why you're trying to force us into a squabble with the other provinces. So, no, we will not force the provinces to pass anti-scab legislation if they don't want to.

I repeat: if this kind of legislation were in force in eight of the ten provinces, the debate would be quite different. But at the present time, only two provinces have such a law. Quebec has had one for 30 years. So, the other provinces have had a chance to see how things work there. Even though we believe that such a system has its advantages, the fact remains that the other provinces don't want it. Why should we force them? I think it's a matter of respecting their area of jurisdiction. I really do not believe that we're just playing with numbers here. This is serious: we're talking about Statistics Canada. Furthermore, these data have been collected for the last 20 years. So, the picture we are presenting is an accurate one.

Of course, I understand why people may have trouble following this, because you aren't using the same figures. In any case, legislation has been in place since 1999. It was passed by the House of Commons. It made it possible to strike a balance of sorts, by ensuring that when replacement workers are hired, they will not be there to undermine union representation. Furthermore, if a union believes it has suffered harm, it can file a complaint with the Canada Industrial Relations Board, which would immediately open an investigation. The fact is that the system works.

● (1205)

[English]

The Chair: Thank you. That's all the time we have.

As a point of clarification, Minister, it is good to see the sudden interest of our opposition members on federal issues, which is always exciting for us here. There were a couple of comments, though, made about how this legislation is useful, and we talked about the frequency of strikes and making sure it was more balanced and peaceful, with less conflict.

I do want to go back to the figures. I have before me a report, and once again it's available through Statistics Canada. I am trying to understand, from a chair's perspective, that in Quebec there have been over 45% strikes and lockouts from 2003 to 2005, as well as the largest percentage by far, as we talked about before, of days not worked—almost 2,600 days. So I'm trying to get my head around where we're at and how this legislation will actually affect some of those things.

Once again, we talked about numbers. The numbers in Quebec clearly are higher than in any other province. My question is just to clarify how that will work out.

Hon. Denis Coderre: On a point of order, Mr. Chair, I'm a federalist. I have been in politics for 25 years. I'm a proud Quebecker and I'm a proud Canadian. I will never accept any question from the chairman that looks like Quebec-bashing.

The Chair: Absolutely not. We're just trying to reconcile the numbers.

Hon. Denis Coderre: Quebec is normally by itself, and I will never accept that kind of question, not from him, nor from you.

The Chair: We already talked about the fact of where the legislation is. I want to have an understanding of how that speaks... You have talked about other numbers, so these are numbers that are just—

[*Translation*]

Hon. Jean-Pierre Blackburn: Mr. Chairman, I would just like to come back to the statistics brought to our attention. According to our data, between 2003 and 2005, on average, work stoppages in Quebec lasted 47 days, compared to 38 days for Ontario. We're talking about recent data here. In addition, despite the legislation which is currently in effect in Quebec, the average length of work stoppages in that province went from 37 days between 1975 and 1977—in other words, just before the law was passed—to 47 days between 2003 and 2005. Despite that law being in place, work stoppages lasted longer. And finally, just as a basis for comparison, between 2003 and 2005, the number of work days lost in Quebec is one and a half times higher than in Ontario. Those are the figures we have. Nothing in what we have seen would indicate that anti-scab legislation would be more helpful on a Canada-wide basis and resolve the problems people have alluded to.

In fact, if you look at the first page of today's newspaper, it says that the majority of Quebeckers don't like union leaders and believe that unions have too much power in Quebec.

Hon. Denis Coderre: Come on!

Hon. Jean-Pierre Blackburn: That is the people talking, not us. Apparently only 40% of them have a favourable opinion of the leaders of central labour bodies. As for you, I'm not sure...

Hon. Denis Coderre: And only 17 per cent of voters in Quebec like the Conservatives. Are we going to talk about that?

Hon. Jean-Pierre Blackburn: I'm not sure...

Hon. Denis Coderre: Come on...

Hon. Jean-Pierre Blackburn: I'm not sure...

[*English*]

The Chair: Order.

Thank you very much for clarifying that for us.

We're going to move to the next person on the list. Five minutes, Ms. Davies.

Ms. Libby Davies: Thank you very much.

Mr. Minister, none of the argument you've just presented explains why you voted for and supported this bill and this principle a few years ago and now you do not. I don't buy your arguments at all. I

think it's false to say that somehow you don't need to do anything because the provinces aren't ready to take some action. That's really an abdication of a federal responsibility.

However, I want to come back to the labour market partnership agreements. I know that Barb Byers from the CLC was presenting at this committee on Tuesday, and she pointed out that less than 1% of the total payroll in Canada is spent on training. So we're well below the OECD.

There was a program through the labour market partnership agreement. There was to be a commitment of \$3.5 billion. There were some agreements in place. Not only has your government put that on hold, but we've seen further cuts in training and workplace initiatives, and to literacy programs as well. This is a very important area. I think both organized labour and employer groups would agree that apprenticeship training programs are critical in Canada. We are falling behind.

So I want to ask you why this program is being put on hold, and why we aren't seeing some movement to ensure that these agreements go ahead and that the financial resources are there to back them up.

● (1210)

[*Translation*]

Hon. Jean-Pierre Blackburn: Mr. Chairman, I just want to remind people that when we are invited to appear before Committee members, the questions that we are asked should be connected to our ministerial responsibilities. In this case, those questions should be addressed to my colleague, the Minister of Human Resources and Social Development, Ms. Finley. I believe she will be appearing before your Committee in the very near future. When she does, she will be able to provide clarifications in relation to the questions you are asking.

[*English*]

Ms. Libby Davies: But surely, as Minister of Labour, you must have some priority or commitment about apprenticeship programs and training. You're part of that overall department. You're at the cabinet table. You're part of the government. Unless you're saying you just don't want to answer the question... But it seems to me that this is a very important question for the labour department and the labour minister.

Are you saying—

Mr. Brian Storseth (Westlock—St. Paul, CPC): I have a point of order, Mr. Chair.

Ms. Libby Davies: —you don't want to provide information about what the government's priorities or plans are?

The Chair: I have a point of order here.

Mr. Brian Storseth: Thank you, Mr. Chair.

I understand that Ms. Davies has not been part of a federal cabinet, but I think it's quite clear what the minister's response was, that this is not relevant and that we will be having the Minister of Human Resources come forward.

Ms. Libby Davies: Mr. Chairman, it is relevant, and I think it's fair debate to ask the minister. He's part of the government and he should be able to comment on it.

The Chair: Proceed, Ms. Davies.

[*Translation*]

Hon. Jean-Pierre Blackburn: Mr. Chairman... Did you want to say something?

[*English*]

The Chair: Go ahead, yes.

[*Translation*]

Hon. Jean-Pierre Blackburn: Mr. Chairman, may I remind the member, once again, that these questions should be addressed to the Honourable Diane Finley, who is the Minister of Human Resources and Social Development Canada, which is responsible for this matter. I believe she will be appearing before the Committee very soon.

It seems to me there are many different topics that could be discussed here. How is it that no one has even mentioned pay equity, for example? That is a very interesting question. We replied to the Committee responsible for the Status of Women a month and a half ago, but not a single opposition member has asked even one question in the House on this important matter. I do hope one of you will raise it at some point.

[*English*]

Ms. Libby Davies: That's my next question, because I'm pretty angry, as a lot of women in Canada are, that your government rejected the pay equity task force report after so much investment by employers, employee groups, the organized labour movement. The response from your government was to say, well, we're going to have more education, we're going to look at people's roles and mandates. The task force report clearly showed that the complaint-driven process as it is now is not working. Women are spending decades to gain pay equity, and that's even when they have a union fighting for them.

So I would ask you about the pay equity task force report and why your government has rejected those recommendations and the idea that we don't need new legislation.

The Chair: Minister Blackburn, we only have about twenty seconds left.

[*Translation*]

Hon. Jean-Pierre Blackburn: It's clear that I cannot answer that question in 20 seconds. I want to at least let you know that we have decided to be proactive—in other words, not to remain in a holding pattern. The previous government did in fact cut some of the measures that businesses were going to have to implement.

So, we have made a proactive proposal. If someone asks me a question about this, I can certainly provide additional details.

[*English*]

The Chair: Thank you, Minister.

We're now going to move over to our last individual this round. Mr. Fast, for five minutes, please.

• (1215)

Mr. Ed Fast (Abbotsford, CPC): Thank you, Mr. Chair.

Minister, I want to thank you and your staff for appearing before us. I commend you for the work you're doing in a difficult portfolio.

I'd like to move to the issue of pay equity, since it has been raised by Ms. Davies. I'm a bit puzzled, and I'll tell you why.

In Canada we already have the Canadian Human Rights Act, which in fact prohibits discrimination in the area of wages where men and women perform work of the same value or similar value. Subsequent to that legislation being passed, there were also some guidelines issued that set out the criteria that would be applied in trying to ensure that we have pay equity in Canada. Yet we hear from the opposition parties that they want more legislation, they want more regulation, they want more action.

As you know, for the last 13 years we had a Liberal government that had the current legislation in place, but it appears that no action has been taken in moving forward the issue of pay equity. In fact, there are a number of areas in which there could have been some action, but the government didn't move forward. As examples, there's the area of educating employers in the area of wage equity; ensuring that we had a more robust dispute resolution process; and ensuring that we have a vigorous compliance program, coupled with enforcement.

I would really appreciate hearing from you some comments as to what you're moving forward with to ensure that we move toward true wage parity and wage equity in Canada.

[*Translation*]

Hon. Jean-Pierre Blackburn: First of all, our government recognizes the principles of pay equity, as laid out in the Canadian Human Rights Act. Furthermore, I was a government member of Parliament at the time, back in 1986, when our government enacted certain regulations. Following that, in 1995, the Liberal government decided to cut off funding, in order to promote pay equity in the workplace. I should also point out that the Canadian Human Rights Act sets out the principle of equal wages for work of equal value.

When we met with the various unions, women's groups and employer representatives, we realized that there was no consensus among them—not even among the unions. No two groups were in favour of the same approach in terms of the means of achieving pay equity. Some wanted us to adopt the Quebec model; others, the Ontario model; and still others, the model proposed in the Bilson Report, the 113 recommendations of which were recently tabled.

Also, because we are a minority government—we are aware of that reality, seeing as how the Opposition reminds us of that fact every day in the House of Commons—we wondered about the best course of action: even if we were to pass new legislation, it wouldn't take us very far, because we would always have to ensure that the legislation was enforced. So, we opted for enforcement of section 8 of the Canadian Human Rights Act. But how would we actually accomplish that?

The Department of Labour has 90 inspectors that regularly visit corporate workplaces to ensure that contractors and others are complying with the Canada Labour Code legislation. Having said that, those 90 inspectors receive special training with respect to pay equity. As a result, when they visit corporate workplaces, they ask employers whether they are applying the principle of pay equity and whether they are moving forward in that regard. They attempt to educate and inform employers, so that they can actually make progress in applying principles of pay equity to their own employees.

The Department of Labour also has 15 mediators, and there will soon be a sixteenth. One of these mediators has special skills in the area of mediation counseling as it relates to negotiations on pay equity. The others will also be receiving additional training on this. After a few meetings, if we realize that the employer is not willing to take action and is not acting in good faith, these mediators are authorized to file a complaint with the Canadian Human Rights Commission, so that it can investigate the situation and act accordingly.

This is our vision: by proceeding in this manner, in a way we are forcing employers to move forward, but not in a negative way. In fact, we are taking a proactive stance, explaining that the legislation exists and that employers have to apply the principle of pay equity. In my opinion, this will allow the two parties to move forward together.

So, that is what we have decided to do, because even if we had passed more legislation, we would still have had to ensure that it is enforced.

Let's take Quebec, for example—it is another good example. Indeed, in 1995 or 1997—I don't remember exactly—Quebec passed pay equity legislation. All business corporations had until 2001 to be compliant. And yet we are now in 2006, and some 60% of business corporations have not yet achieved pay equity.

In my opinion, we are still moving in the right direction, because what we are doing is both proactive and positive.

• (1220)

[English]

The Chair: Thank you very much, Minister. We're all out of time.

We're going to move back to the Liberals. Mr. Coderre, you have five minutes, sir.

[Translation]

Hon. Denis Coderre: Thank you, Mr. Chairman.

Mr. Chairman, I was a Minister. I was the Minister responsible for Sport, I was the Minister of Citizenship and Immigration, where I managed more than 75,000 employees and a budget of \$1.3 billion, and with great pride, I worked closely with people. I was also President of the Queen's Privy Council for Canada, so I am well aware of what a minister's job entails.

The role of a minister is not to be a member of Parliament with convictions or a minister responsible only for his own turf; the role of a minister is not to be constantly tagging along behind someone else. The role of a minister is also to be a source of inspiration. When

you are aiming to work towards equity and for the environment, when social peace is challenged, when you are seeking a balance between the rights of workers and the rights of employers, the role of a minister—in other words, your role, Minister—is to bridge the gap between the two.

So, you can forget about coming here this morning and telling us all kinds of stories about not wanting to force the hand of the provinces. You have legislation called the Canada Labour Code. In Quebec, the strikes that lasted the longest occurred in companies that are subject to the Canada Labour Code, as opposed to the Quebec Labour Code. That creates problems in families, it creates significant social problems, and you know as well as I do that I could cite the Vidéotron example. So don't bother coming to tell us this kind of thing, because we're not suitcases; we don't have a handle on our back.

Minister, I'm going to give you one last chance before moving on to another matter. At the time, you quite rightly demonstrated a certain amount of conviction as a member of Parliament. I don't even want to give the impression of having doubts about that; I believe you. You are a kind hearted man and you are capable of making decisions. So, please tell me why you were in favour of anti-scab legislation back then, but now you are against it.

Was it the Department that told you—just as they told the former Minister of Labour—not to get involved in this and not to support it? Is it the Prime Minister's Office, which seems to control every member of Parliament and Minister, telling you that? What is your answer?

Hon. Jean-Pierre Blackburn: At least it brings a smile to my face, Mr. Coderre.

First of all, I would remind you that it was your government, back in 1999, that passed the legislation that in fact allows a business to use replacement workers, provided that it does not undermine union representation. If they actually had a leader, Liberal Party members might cooperate a little more. Right now, however, everybody seems to be going off in different directions, because your party doesn't have a leader.

Hon. Denis Coderre: We will see the results subsequently, Mr. Blackburn.

Hon. Jean-Pierre Blackburn: In 1999, the Liberal Party...

Hon. Denis Coderre: We'll see the results of that subsequently. I would prefer that you talk about yourself.

Hon. Jean-Pierre Blackburn: In 1999, it was your party that passed this legislation, and it is working. Once again, I can give you evidence of that. When an employer uses replacement workers, a union can file a complaint. Since the coming into force of the new provisions...

Hon. Denis Coderre: We know all about that. Tell me about yourself, Minister.

Hon. Jean-Pierre Blackburn: But it's important that I tell you this.

[English]

Mr. Brian Storseth: On a point of order, Mr. Chair—

[Translation]

Hon. Denis Coderre: We don't control our own time here. Just answer me.

[English]

Mr. Brian Storseth: —I understand that Mr. Coderre likes to be very active when it comes to his questions, but perhaps he could wait until the minister is done so that the translation—

Hon. Denis Coderre: That's debate.

The Chair: That's not a point order. Thank you.

Mr. Coderre.

L'hon. Denis Coderre: Let's be serious here.

[Translation]

Just tell me, yes or no, whether you are in favour of anti-scab legislation and whether, yes or no, you were asked to speak against it because you are a Minister.

Hon. Jean-Pierre Blackburn: Mr. Coderre, following the use of replacement workers, some unions filed a complaint in specific strike-related situations. Since 1999, 18 complaints against unfair labour practices relating to the use of replacement workers have been filed with the Canada Labour Relations Board. Of those 18 complaints, 13 were withdrawn, three were heard and rejected, and two are still under consideration. So, as you can see, that is the current reality, and I repeat: the legislation works and we have to maintain the appropriate balance. In my opinion, we are now all aware of the fact that unions constitute a very important lobby. Having said that, if unions believe that this is so important, they should start by getting the provinces to pass this kind of legislation.

•(1225)

Hon. Denis Coderre: Minister, you are starting to sound like a broken record.

Hon. Jean-Pierre Blackburn: Then the federal government could do the same; but in this case, you're asking us to force their hand.

Hon. Denis Coderre: Minister, the lobbies don't have me in their back pocket. Let's talk about something else.

I'd like to give you another figure. This one comes from the FTQ, which got it from Statistics Canada. Between 1992 and 2002, 121.3 days were lost by 1,000 employees subject to the Quebec Labour Code; however, 266.3 days were lost by 1,000 employees who were subject to the Canada Labour code. You still have a chance to change things: on October 25, there will be an important vote, and you should be there. The people of your riding will be watching to see what you do.

I have one last question, Mr. Chairman.

You are also the Minister responsible for the Economic Development Agency of Canada for the regions of Quebec. You say that you like making decisions, that you look at all the files and that you check them one by one. But we are told that you had all your communication materials changed, and for one purpose alone: because you felt the image they presented was not good enough. That cost \$27,693. We now know that the new image you have for

your communication materials uses a shade of blue that looks strangely like the blue favoured by the Conservative Party.

Did you sign this contract— yes or no—and who was it awarded to?

[English]

The Chair: We'll have a very quick response, Minister, as we're out of time.

[Translation]

Hon. Jean-Pierre Blackburn: Mr. Chairman, I just want to say that this does not come within the purview of the Minister of Labour. If this gentleman wishes to ask a question about the Economic Development Agency of Canada for the regions of Quebec, he has only to ask me to appear before the Committee, and I will then be very pleased to inform him that these communication materials will be used with partners and on many different occasions.

[English]

The Chair: Thank you, Minister.

We're going to move to the next individual, Mr. Brown, for five minutes, please.

Mr. Patrick Brown (Barrie, CPC): Thank you, Mr. Chairman.

Minister, thank you for being here today. I certainly appreciate the information that you've provided thus far.

I wanted to see if you could speak briefly about the Employment Equity Act and if we can anticipate a review of that act.

[Translation]

Hon. Jean-Pierre Blackburn: Mr. Brown, as I mentioned earlier, we noted that groups did not agree on the approach to take with respect to pay equity. Some preferred that we use the Ontario model, others, the Quebec model, and still others preferred what was suggested in the Bilson Report, which contained 113 recommendations.

We analyzed all this material and concluded that as a minority government, this was not the right time to amend the legislation. What is important is ensuring that women's issues do move forward and that we are proactive in promoting pay equity. Because section 8 of the Canadian Human Rights Act advocates equal pay for work of equal value, we felt we should focus on enforcing that legislation.

We have 90 employees—inspectors—who go out and visit companies. Previously, they were not involved in this and didn't ask questions about pay equity. But now, they will. They will be asking contractors whether they are implementing pay equity measures in their company, whether they have considered the fact that the Canadian Human Rights Act requires them to move in that direction. They will be informing them, advising them and giving them the necessary tools to move forward and negotiate with their employees, in order to make pay equity a reality in their company. We believe that by taking this kind of proactive approach, we will all be winners and people will now be able to move forward and do what has to be done. If a contractor is acting in bad faith, of course, inspectors will be responsible for informing the Canadian Human Rights Commission, which will be in a position to carry out a much more serious investigation, possibly leading to sanctions. That decision would be for the Canadian Human Rights Commission to make.

I note that no one has asked any questions about pay equity in the House of Commons. That is probably because members of the Opposition have realized that this makes sense and don't dare ask us questions about it. It's been quite a while now. Normally, the Opposition's role is to question the Minister about the major issues, but there have been no questions on this in the House of Commons.

[*English*]

Mr. Patrick Brown: Thank you.

The Chair: Do you have any more questions? No?

We're going back to Mr. Lessard, for five minutes, please.

[*Translation*]

Mr. Yves Lessard (Chambly—Borduas, BQ): Thank you, Mr. Chairman.

Good morning, Minister. I'm going to ask you something that falls within your area of responsibility. In this case, I don't think you'll be able to blame others, because it concerns one of your recent decisions.

I'd like to begin with a statement you made in front of this Committee on June 6. You said: "I want to foster constructive union-management relations." You also said: "My vision of the Canadian workforce is one where industrial relations are strong and durable."

This morning, you were consistent. You maintained that same approach today, adding that, as regards labour relations, you hope that both parties—in other words, employers and unions—can also contribute in such areas as racism-free workplaces, equality in the workplace, pay equity and healthy workplaces. That presupposes that there is room for employers and unions to exchange views and work together. Yet this forum for working together did exist: it was called the Office for Labour-Management Partnerships, whose funding has just been abolished, as part of your \$1 billion budget cuts.

How is it possible to reconcile that last decision with the wishes you expressed on June 6 and this morning?

• (1230)

Hon. Jean-Pierre Blackburn: Perhaps I could ask the Deputy Minister to provide additional clarifications in that regard.

[*English*]

Mr. Munir Sheikh: Chair, I have the director general responsible for this issue here. Can she give the information?

The Chair: Most definitely, yes.

Ms. Elizabeth MacPherson (Director General, Federal Mediation and Conciliation Service, Department of Human Resources and Social Development): There is a labour-management partnerships program that is still in existence. It accepts applications from unions and employers who wish to work jointly on any kind of project that is intended to improve their union-management relationship.

[*Translation*]

Mr. Yves Lessard: That program may well exist, but I'm talking about the Office. It provides a forum for employers and unions to get together to try and resolve their differences or plan the future in relation to major issues such as those I have just mentioned.

Did you know that you had done away with the budget that allows that committee to function?

[*English*]

Ms. Elizabeth MacPherson: I believe the organization the member is referring to is the Canadian Business and Labour Centre, which was part of the mandate of the Minister of Human Resources Development. It was an advisory council to that minister, and I believe it has been disbanded as a result of recent budget cuts.

[*Translation*]

Mr. Yves Lessard: So, you did know.

This week, if memory serves me, Ms. Byers testified on behalf of the CLC. She expressed deep concerns about this.

Minister, labour and management have to work together on issues on which you claim to be seeking our input. So, our input will be to ask you why you have chosen to abolish this forum that allowed the two parties to plan their work and foster what you call strong labour-management relations.

Hon. Jean-Pierre Blackburn: I would just say that there is more than one way to improve relations between the parties and to discuss improving productivity and healthy workplaces. And as evidence of that, I was mentioning earlier...

Mr. Yves Lessard: Yes, I realize that, Minister, but there was only one such forum and that is what I'd like you to talk about. Are you prepared to acknowledge that this forum was particularly well-suited for meetings of the two parties at the national level, and provided an opportunity to cover a whole range of topics, such as those you have invited us to address this morning? But in response to your invitation, I'd like to talk about the real issues.

And I would like you to answer the following question: was the rationale for this decision, as the memo from Treasury Board and the Finance Department suggests, a belief that this organization served no useful purpose and that you had to cut the fat? If that's the case, then the parties should know that. They are very concerned about no longer having access to this national forum for discussion.

•(1235)

[English]

The Chair: Please give a very quick answer. We're out of time.

Mr. Munir Sheikh: We don't know what happened before 1999, but from 1999 until today we are not aware of any office that has dealt with labour-management issues under the supervision of the Minister of Labour. Nothing has been cut in our labour program as a result of the recent budget cuts.

The Chair: Thank you very much.

[Translation]

Hon. Jean-Pierre Blackburn: And that is an important point.

[English]

The Chair: That's all the time we have. That may be a question for Minister Finley.

[Translation]

Hon. Jean-Pierre Blackburn: So, you are saying something that is not true.

[English]

The Chair: That's all the time we have.

Mr. Storseth.

Mr. Brian Storseth: Thank you, Mr. Chair.

I want to take the time to thank Minister Blackburn for coming out today to share with us his vision for his department and tell us about some of the strong work his department has been doing. Indeed, the opposition's reluctance to ask questions on some of the major undertakings in his department definitely shows the hard work and good work he is doing.

Minister, could you outline your efforts to promote safe and healthy workplaces from a national perspective? With a lot of the things you've been talking about today you've helped enlighten the opposition on a more national perspective on things. I wonder if you could approach this from more of a national perspective and tell us how you are working to build upon some of the safe practices with the stakeholders.

[Translation]

Hon. Jean-Pierre Blackburn: Before answering that question, I want to point out that the information presented by the member who questioned us earlier is not correct: there have been no cuts. I think it's important to point that out. The fact is that something didn't jibe with the information I had.

Furthermore, even though we're talking about healthy private sector workplaces, we also have to address this issue within the business environment and in our own personal life—in other words, at home. Last spring, all the provincial and territorial Ministers of Labour gathered in Whistler. We signed a joint agreement that talked about promoting healthy workplaces. Of course, that means avoiding

workplace accidents. And I just want to remind you how important this is, because in fact, four people die every day in Canada as a result of accidents in the workplace. That's a lot of people. There are also a lot of people who injure themselves in the workplace.

Given that reality, we have mutually pledged, every time we have a chance to do so publicly, to address problem situations in the private sector that appear dangerous. We're not talking about just making observations and then going about our business; rather, we're talking about documenting the facts, standing back and taking the time to say that the situation is dangerous, and advising the individuals concerned, so that steps can be taken to avoid potential accidents, injuries or fatalities.

Similarly, Mr. Storseth, we must be aware of the dangers that can affect us in our own homes and everyday life. When we become aware of a dangerous situation, it is up to us, as individuals, to intervene and try to avoid this kind of situation. For example, often a member of the family will stand on a chair to change a light bulb. But we need to adopt safe practices; otherwise, we risk suffering serious consequences. We all do certain things mechanically. It's really just a matter of being aware of that. Once we have that awareness, we see things differently.

Now, every time I walk into a private business as the Minister of Labour, or the Minister responsible for the Economic Development Agency of Canada for the regions of Quebec, I see things from a different perspective. I look at the workers and try to identify dangerous situations. I'm concerned about that. All the provincial Ministers of Labour and myself are trying to promote safe workplaces where safety is omnipresent. Every workplace fatality is a tragedy. Both co-workers and families are severely affected over the long term. And, of course, accident victims also suffer long-term consequences.

I have criss-crossed the country promoting racism-free workplaces. I have also talked about safe workplaces that are free of sexual or psychological harassment. We also have to promote what we call work-life balance. For example, if an employee's child is sick, someone obviously has to be at home. In such cases, the boss has to be conciliatory and promote quality of life. An employee who enjoys good quality of work life is more productive. And the employer benefits as well. It's the same thing when there are no workplace accidents. It's a win-win situation. Reconciling a healthy workplace and family life, while ensuring that employees are happy in their line of work, is a good way of doing business.

•(1240)

[English]

The Chair: Thank you. That's all the time we have.

Minister, we want to thank you and your department very much for coming out today and answering our questions.

[Proceedings continue in camera]

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