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CANADA

**Standing Committee on Human Resources, Skills  
and Social Development and the Status of  
Persons with Disabilities**

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EVIDENCE

**Wednesday, May 26, 2010**

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**Chair**

**Ms. Candice Hoepfner**



## Standing Committee on Human Resources, Skills and Social Development and the Status of Persons with Disabilities

Wednesday, May 26, 2010

• (1540)

[Translation]

**The Vice-Chair (Ms. Raymonde Folco (Laval—Les Îles, Lib.)):** This marks the 17<sup>th</sup> meeting of the Standing Committee on Human Resources, Skills and Social Development and the Status of Persons with Disabilities, held today, Wednesday, May 26, 2010, from 3:30 p.m. to 5:30 p.m.

As the agenda indicates, pursuant to the Order of Reference of Friday, May 7, 2010, we are studying Bill C-13, An Act to amend the Employment Insurance Act.

[English]

For the very first part of our meeting this afternoon, we have two witnesses. First of all we have, as an individual, Madam Duquette, who is present here. Welcome, Madam Duquette. *Bonjour.*

As well, I understand that her spouse, Mr. James Duquette, is participating by video conference from Kabul, Afghanistan. Welcome, Mr. Duquette.

We'll begin. How are we going to do this? Madam Duquette, would you like to do a presentation first? Has something been organized as to who speaks first?

**Mrs. Anne Duquette (As an Individual):** We haven't organized that yet.

**The Vice-Chair (Ms. Raymonde Folco):** You haven't organized anything yet.

**Mrs. Anne Duquette:** No.

**The Vice-Chair (Ms. Raymonde Folco):** Mr. Duquette, would you like to be the first to speak, seeing you're so far away and you've been waiting—before you fall asleep over there?

**Lieutenant-Colonel James Duquette (As an Individual):** As you please, madame. I'm more than willing to let Anne go first, but it's your call.

**The Vice-Chair (Ms. Raymonde Folco):** It's your call.

Go ahead.

**LCol James Duquette:** Okay. Thank you.

Good afternoon, everyone back in Canada. It's an honour to have been asked to testify before this committee.

I am Lieutenant-Colonel James Donald Ernest Duquette, and I am currently serving in Kabul, Afghanistan, under the North Atlantic

Treaty Organization as a member of the International Security Assistance Force.

Do you want me to pause for the interpreter, ma'am?

**The Vice-Chair (Ms. Raymonde Folco):** Don't pause. Go right ahead. They'll let us know if you're going too fast. Keep going.

**LCol James Duquette:** Okay.

Today I'd like to outline the circumstances surrounding my application for and subsequent denial of parental benefits. Specifically, I would like to highlight an omission in the Employment Insurance Act that is negatively impacting the lives of many operational veterans currently serving in the Canadian Forces and their families.

On October 31, 2003, my wife, Anne, announced that she was pregnant with our first child. A few days later, I was informed by my career manager that I had been selected for a year-long deployment as a member of the United Nations Disengagement Observer Force in the Golan Heights, Israeli-occupied Syria, starting the following summer.

Following a lengthy period of training, I returned home to witness the birth of my son, Jacob, on July 13, 2004, and was then deployed four days later. Throughout my training and the majority of my deployment, I made it known to my chain of command that while the mission must come first, I intended to balance that by applying for parental leave upon my return to Canada in order to share in the care of our baby, to live up to my family responsibilities, and to bond with Jacob. Unfortunately, it was not possible during this period to start the administrative process, as the request has to be approved by the losing unit and my post-deployment posting was not determined until approximately 11 months into my tour.

Upon receipt of my posting message to the Canadian Forces information operations group in Ottawa, I applied for parental leave commencing immediately upon my return to Canada. Unfortunately, my request was denied. As it turns out, my 54-week deployment as a United Nations peacekeeper was longer than the eligibility period to receive parental benefits under the Employment Insurance Act. Since reception of parental benefits is a prerequisite for the approval of parental leave, denial under the Employment Insurance Act gave my chain of command no choice but to reject my request for parental leave.

At that point in time, I had been a member of the Canadian Forces for 14 years, and it must be stressed that employment insurance premiums had been deducted from my monthly salary throughout that time. In order to better understand the reasons why I had been denied parental benefits and subsequently parental leave, I read through the Employment Insurance Act and found that there are certain circumstances within the act that would have allowed for an extension of the 52-week eligibility period. These circumstances focus on situations that would preclude a family from being in a position to bond as a unit, such as hospitalization, and surprisingly, being confined in a jail, penitentiary, or other similar institution. Having been away from my young family for extended periods of time, I can truly empathize with anyone who must go through that, regardless of the reasons for the separation. However, it did not seem right that the laws of Canada would specifically accommodate for the quality of life for convicted criminals while omitting similar provisions for members of the Canadian Forces deployed on active operations.

When discussing this matter with other leaders within the Canadian Forces and those working as administrative staff within the orderly rooms, I was also disheartened to find out that my situation was not unique. While I do not have specific names of other service members who have been denied parental leave due to operations, it is my understanding that similar circumstances occurred to significantly reduce the period of parental leave eligibility for many members returning from international operations such as our mission in Afghanistan, and no doubt domestic operations, such as support to the recent Olympics.

Following the birth of our daughter, Megan, in 2006, I again applied for parental leave and was granted it this time. I can wholeheartedly say that it was one of the best periods of my life. It brought our entire family closer together. It enabled me to share in the challenges of raising a newborn for the first time—Anne had already done it once—and it provided me with the opportunity to build a closer relationship with my wife, Anne, and our son, Jacob. That period was the beginning of a true lifelong family connection and it laid the foundation for an amazing relationship that we continue to share.

This period had such an effect on me that I have encouraged, and I continue to encourage, any soon-to-be military fathers to take advantage of this benefit as well. I'd like to take this opportunity to note that as an officer I realize that parental leave is a fairly recent entitlement for the Canadian Forces, and I fully understand how difficult it must be to ensure that all relative active legislation is aligned with changes within the policy of an individual department.

● (1545)

As a father and a soldier, I appeal to this committee to endorse the recommended amendment to the Employment Insurance Act. It will directly enable Canadian Forces members like me to answer the call of duty to Canada, as well as live up to their duties as parents.

Subject to your questions, that concludes my statement.

**The Vice-Chair (Ms. Raymonde Folco):** Thank you, Major.

Before we address questions, I'll ask Madam Duquette to make a first presentation, after which we'll have the questions.

Madam Duquette.

**Mrs. Anne Duquette:** Thank you.

My name is Anne Duquette. I thank you for the opportunity today to allow me to testify in support of the amendment of Bill C-13.

I speak from the perspective of a military spouse and encourage you to amend the Employment Insurance Act as requested.

I would like to share with you what our family endured during my husband Major Duquette's deployment in 2004.

I'll just note that we weren't 100% sure whether Jim could speak, so some of this is repetitive.

**The Vice-Chair (Ms. Raymonde Folco):** That's fine. Go ahead.

**Mrs. Anne Duquette:** While I can only speak directly for myself, there are many other military families who have run into this obstacle in the past and others who will run into it in the future if it is not changed. For this reason, I stand for all military spouses whose partners have been and will be deployed.

Our situation began in 2004. Jim was to be deployed to the Golan Heights on a year-long tour of duty. At the time of his departure, I was at the end of my pregnancy, anxiously awaiting the birth of our first baby, hoping he would arrive in time to meet his dad.

In addition to the impending year overseas, Jim was away from home completing the necessary predeployment training for the majority of my pregnancy. Jacob arrived safely on July 13, 2004, by emergency C-section. Jim spent the first two nights of Jacob's life sleeping in a chair by my hospital bedside. The third night was spent at home together as a family. The next morning Jim deployed.

It was a difficult first year of parenthood, to say the least. Having to keep our home and all associated duties in order, coupled with the daily worry for Jim's safety and well-being, was a huge challenge. Now add a newborn into the equation.

For a first-time parent, I was put to the ultimate challenge. I was alone with a newborn; I had no backup, no help during the sleepless nights, no one to reassure and affirm my new parenting skills, and my nearest family member was six hours away. Fortunately, Jacob was an easy baby, and my sister relocated and moved in to help. As for Jim, he missed out on his son's first year, time he will never get back. He missed his first smile, first time sitting, his first hugs and kisses, and his first steps, even. In the back of our minds was the constant question: would they eventually be able to bond as father and son? Jim got to know and see his son grow via e-mails, photos, and stories.

But that's not where my problem lies. Jim chose his career and accepted the likelihood of deployment. I accepted this when we entered into marriage. We both accepted this when we chose to start our family. The problem occurred once he returned home, one month after Jacob's first birthday.

Jim applied for parental leave upon returning to Edmonton. Prior to his deployment we had discussed how he could use the precious leave time to bond with Jacob, learn how to be a father, and reconnect with me. We were no longer just the two of us. Reintegration is difficult enough for any military family following a deployment, and our family had now fundamentally changed. A year apart was more bearable with the expectation of a wonderful parental leave together upon his return; however, disbelief set in when Jim returned home in August 2005 and was denied parental leave because he was no longer eligible for parental benefits under the Employment Insurance Act.

The Employment Insurance Act stipulates that parental benefits can only be received up to 52 weeks after birth or adoption. There are only a few exceptions to this, one being if a person is in jail for the year following the birth. There are no exceptions for military duties. A convict has more rights than a member of the armed forces serving our country, risking their life on a daily basis because our government has directed them to do so.

At the time we had nowhere to go, and no one could help us. Jim ran into wall after wall while pursuing this injustice, and returned to work as commanded. Shortly after, we were posted to Ottawa. Our daughter, Megan, was born in 2006, and Jim was able to take his parental leave this time, as he was not deployed.

What an incredible contrast. Parenting was fun and much easier for both of us. We could share both household and child duties. We bonded and became stronger as a family. Megan is still daddy's little girl to this day. Jim was able to share with joy and amazement each and every one of her firsts. We can never get back what he missed in Jacob's first year of life, but he will never forget Megan's.

A chance meeting with MP Pierre Poilievre, while on a door-to-door campaign, gave us an opening in the wall that we had previously banged up against. Thankfully, Mr. Poilievre looked into the current act and realized the need to change it.

I'm proud of my husband, his comrades, and their families. This change will not benefit our family personally, as it is years too late, but it will help many military families today and in the future.

Thank you for allowing me to share my perspective with you today. Please support our troops and the families that await them at home.

• (1550)

**The Vice-Chair (Ms. Raymonde Folco):** Thank you very much, Madam Duquette.

Before I open it up to questions, I'd like to say that Mr. Poilievre is here today, so he'll be able to ask some questions or have some comments.

I think I speak on behalf of everybody in this room, not just the MPs, that we very much appreciate, first of all, Major Duquette, your being able to speak to us from so far away, and Madam Duquette, the

courage that you have. We talk about the courage of our soldiers abroad, and we are very proud of you, but the courage of the wives and husbands who remain here, we really admire you. Thank you very much for coming today, both of you, either by teleprompter or being here physically.

I'll open up the first round, which will be seven minutes. We'll begin with Mr. Savage.

**Mr. Michael Savage (Dartmouth—Cole Harbour, Lib.):** Thank you, Madam Chair.

Major Duquette, Mrs. Duquette, thank you very much for being with us today. Let me thank you, Major Duquette, for the service that you're providing to our country, and also Mrs. Duquette, for the work you're doing as well in support of the family.

It feels a little bit like the *Oprah Show* or something, where they reunite families every now and then. I can tell by looking at Jim's face when he sees your picture how happy he is just to see you, and vice versa.

I come from a military area, the east coast, the home of Canada's east coast navy and many other serving personnel. I meet all the time with people who are in the position of either being on their way to Afghanistan, or just back, or serving. I think of families like the Gascoigne family; their son is on my son's soccer team, and I see how they cope with the stress of military life. The division of families, the separation of families, is very difficult. You've summed it up with typical stoicism that it's a choice you've made and you accept that responsibility, but nonetheless it is above and beyond the call, so we thank you for that.

I guess the only question I have would be for either one of you. You've both indicated that this is a bit of a passion for you, having gone through the experience and seen both sides of it. It might not affect you anymore, but can you just talk a little about what you think this change might mean to other military families who might be affected by it?

**The Vice-Chair (Ms. Raymonde Folco):** Go ahead, Major.

**LCol James Duquette:** Having had the opportunity to spend the parental leave period at home with Megan, Anne, and Jacob, I know 100% the value of parental benefits, parental leave. As Anne said, it was a night-and-day difference. We came closer together as a family. I know in my heart that's the right thing to do as a father.

What frustrated me was knowing how many other people this affects and knowing that there are other guys—guys who might not be senior officers like me, who might be uncomfortable talking on video conference, who...*[Technical difficulty—Editor]*

**The Vice-Chair (Ms. Raymonde Folco):** Major, we've lost you, but we will get you back.

Is there a technician? Thank you.

Major, I apologize, we had a technical problem. I think you realized that, but we're back on the air. Please go ahead.

**LCol James Duquette:** I'm a communications officer, I fully understand.

**Voices:** Oh, oh!

**LCol James Duquette:** As I was saying, this affects privates and corporals, young families across the forces. Whether it be in Afghanistan, any of our other UN missions, or domestic operations, it's affecting a lot of guys who are simply saluting and soldiering on, and it's just not right. It's available, and the benefits that would bring to the families as a whole, you can't put a value on that.

• (1555)

**The Vice-Chair (Ms. Raymonde Folco):** Madam Duquette, would you like to add something?

**LCol James Duquette:** Sorry, can I throw in one more thing?

**The Vice-Chair (Ms. Raymonde Folco):** Please.

**LCol James Duquette:** If this amendment is successful in going through, I can honestly say that this will be the biggest mark, in my entire career, that I will be able to leave on the lives of Canadian Forces from now on. I'm honoured to be a part of this whole process.

**The Vice-Chair (Ms. Raymonde Folco):** Thank you.

Madam Duquette.

**Mrs. Anne Duquette:** I have similar views to what Jim has just said. But to be able to have the contrast of being at home with one baby for the first year on my own, versus being with Megan.... I did have that year of experience by then, but just the contrast in how the kids were, and how we as a family bonded and grew stronger, is proof right there in itself that it should be changed.

Thank you.

**The Vice-Chair (Ms. Raymonde Folco):** Before I go on to Monsieur Lessard, I would just like to inform everyone that given the limited time we have for this, there will be only one turn, so each one of you will have only one question to ask.

[*Translation*]

Mr. Lessard, you have the floor.

**Mr. Yves Lessard (Chambly—Borduas, BQ):** Thank you. Madam Chair, I want to thank you for what you said at the beginning of the meeting. I think it reflects not only the desire but also the intent of every member of the political parties here today.

I would also like to extend a very warm welcome to Mr. and Mrs. Duquette, and thank them for being kind enough to share their experience with us.

**The Vice-Chair (Ms. Raymonde Folco):** One moment, please.

[*English*]

We're having problems with the translation.

[*Translation*]

**Mr. Yves Lessard:** Did Mr. Duquette hear that?

[*English*]

**The Vice-Chair (Ms. Raymonde Folco):** Were you able to hear what Mr. Lessard had to say?

Oh, he was doing fine in Kabul, but we're not doing fine right here in Ottawa.

[*Translation*]

**Mr. Yves Lessard:** If I talk like this, can you hear me? Are you hearing the translation? Fine.

[*English*]

**The Vice-Chair (Ms. Raymonde Folco):** Okay, let's go on then.

[*Translation*]

**Mr. Yves Lessard:** I have been in the House of Commons for six years now. I want to start by saying that this is the first time that a consensus on a bill has been reached so quickly. When Mr. Poilievre came before us to explain it, about a month and a half ago, every party immediately supported it. In addition, a suggestion was made to ensure that military personnel who are entitled to parental leave but who are assigned to certain fields of activity are not overlooked. Mr. Duquette said earlier that he fervently hoped that this bill would be passed. I want to reassure him that it is looking good.

In our view, this should have been done earlier, of course. Anything can be improved through the lens of experience. You have given us that lens. I think we all agree on the meaning and scope of this bill.

Where are you right now, Mr. Duquette?

[*English*]

**LCol James Duquette:** Can you please clarify that? Are you asking where I am in my relationship with my family, or where I am in terms of my outlook, or...?

[*Translation*]

**Mr. Yves Lessard:** I want to know where you are located right now.

[*English*]

**LCol James Duquette:** I work within the ISAF joint command located in Kabul, Afghanistan, sir.

[*Translation*]

**Mr. Yves Lessard:** When was the last time you saw your wife in person?

[*English*]

**LCol James Duquette:** We were lucky enough that we had my mid-tour leave in February. And I just found out today that I'll be returning in 10 days—or, sorry, I'll be departing theatre in 10 days.

• (1600)

[*Translation*]

**Mr. Yves Lessard:** Okay. What is the temperature there? Here, the weather feels like we are in Kandahar today.

[English]

**LCol James Duquette:** There is a thermometer just outside the door and today it was 37 degrees in the shade. Bear in mind, Kabul is in the mountains so down in Kandahar it's typically about 10 degrees hotter.

[Translation]

**Mr. Yves Lessard:** I cannot thank you enough for what you are doing. I also want to thank Mrs. Duquette.

Ms. Beaudin, do you have anything to add?

**Mrs. Josée Beaudin (Saint-Lambert, BQ):** Yes, I think I will take you up on that.

I have a question for both of you. Do you think that the extended period for these benefits should apply only to military personnel who are required to participate in an overseas mission and who do not volunteer to go? Should the extension also apply to other members of the Canadian Forces who go voluntarily?

[English]

**LCol James Duquette:** I will jump into it first.

Regardless of whether you say it's voluntary or non-voluntary, we've all joined the forces because it's essentially a calling, ma'am. It's what we do. There are times when people are very anxious to go on tour, and you could call that voluntary, but that's just because we're doing what soldiers do, ma'am. We're doing the duty we've been trained to do. That's why we joined the forces in the first place.

So in terms of voluntary and non-voluntary, there's no definite definition. I believe it should apply to all members of the military deployed in operations, whether they be international or in support of Canada within Canada. If we're doing our duty, we're doing our duty.

[Translation]

**Mrs. Josée Beaudin:** Thank you.

[English]

**The Vice-Chair (Ms. Raymonde Folco):** Thank you. *Merci.*

Now I'll go to Mr. Martin. You have seven minutes.

**Mr. Tony Martin (Sault Ste. Marie, NDP):** Thank you very much.

I appreciate your taking time today and coming to speak to us about this improvement in the way we deliver EI. I think it's important for us as government to continually review the scope and the take-up of employment insurance and whether it's in fact doing the job it was set out to do in the first place, particularly if someone has paid into it expecting to qualify and finds they don't for one reason or another.

In your answer to Madame Beaudin, you suggested it should apply to all personnel who go to places such as Afghanistan on behalf of our country. We discovered in looking at this bill...and we appreciate that it was brought forward by Mr. Poilievre, and that the parliamentary secretary, Mr. Komarnicki, is carrying it for the government. What we discovered, as we looked at this and decided together that it was a good idea, is that there are still some people left out. And they are primarily those who go—maybe I'm wrong in this,

and perhaps somebody could correct me—to Afghanistan for example as police, such as the RCMP who are assigned to Afghanistan for various duties. We're told they won't benefit by the change we're making here. I heard you say earlier that this is probably the most important mark you will leave as a soldier in terms of benefit to other soldiers. And I thought I heard you say to Madame Beaudin that it should apply to everybody.

I will ask you specifically, should it apply to those who attend in places like Kandahar, who go on behalf of our country as, for example, the police and RCMP? If children were to come into their families, should they be given the same benefit, particularly, as you said, since they pay into it? People who find themselves in jail actually qualify, and these people now, we discover, don't either.

Should we be amending this bill, in your view, to include those people as well?

• (1605)

**LCol James Duquette:** Sir, thank you very much for bringing that up. It's something that's been weighing on me since I've been deployed here to Afghanistan.

To back up a little bit, in previous deployments it was strictly military that I was surrounded by and that I was interacting with for the most part. The fundamental difference between my previous tours in Bosnia and the Golan Heights is that the primary way we're bringing civility to the country of Afghanistan is through building security, building governance, and working on development. Good governance, development, and true stability within the country of Afghanistan have to be done in the hands of the Afghan National Police and the Afghan National Army.

One of my staff's main goals is to support the Afghan National Police. There are a large number of international police here from many different countries throughout NATO. We had 43 different countries, and we just added a couple the other day. We have many different international police from both the federal and the municipal levels serving here in Afghanistan.

At the time I discussed this matter with Mr. Poilievre, based on my experience, I did not have insights into the policies surrounding the RCMP. I wasn't really in a position to speak honestly on what their provisions were. That's why I focused strictly on soldiers throughout the lead-up to this, but having served here in Afghanistan, I understand that their policies are very similar to ours.

Yes, I definitely think that applying it to police serving internationally would be very important.

**Mr. Tony Martin:** Thank you. That's my question.

Thank you very much. Thanks for being here today.

[Translation]

**The Vice-Chair (Ms. Raymonde Folco):** Mr. Poilievre.

[English]

**Mr. Pierre Poilievre (Nepean—Carleton, CPC):** I'd like to reiterate the gratitude that all the parties have shared with Major Duquette and his wife, Anne, for championing this cause originally.

Had you never brought this issue to my attention and had you not had the diligence to follow up with additional legislative research that you conducted independently, I'm not sure we would have gotten this far. Thanks also for being here today to help us to continue to push over the finish line.

If I could say one more thank you, it's to the committee members from all parties, who have been very supportive in making this happen. I'm hoping we can all work together to get it done as soon as possible.

First of all, Jim, I noticed that when you saw your wife for the first time in some months here on the screen, your face lit up. I know that the time I knocked on your door, I was interrupting you; you were about to head out on a date. I stopped you and nabbed about five or six minutes off your otherwise romantic dinner time. I apologize for that.

**LCol James Duquette:** That's okay.

**Mr. Pierre Poilievre:** It's been weighing on my mind for a while now.

I'd like to give you the chance to expand further on the human impact that these changes would have for some of your comrades who might be contemplating having children in the years ahead. That's a question to both of you.

**LCol James Duquette:** Anne, do you want to go ahead?

**Mrs. Anne Duquette:** The impact would be huge. Whether it's the mother or the father who is overseas, to give them the chance to bond with their child when they come home would be incredible. There's no other way to say it.

Would you comment, Jim?

**LCol James Duquette:** When I came home after that year, to be perfectly honest with you, one of the biggest fears I had was that Jacob would play strange—who's this weird guy who wants to hug me? We started from being strangers. I knew him through pictures. I knew him through Anne's stories on the phone. We needed time. I have no doubt in my mind that we needed time.

After seeing the benefits of that time together when I took leave for Megan, it absolutely solidified that on a personal level, as a father, as a member of our family, I needed that time. Luckily, now things are really great. I mostly credit that to the time I was able to get off with Megan when Jacob was still relatively young.

It really hit home that this will make a difference in people's lives when the *Ottawa Sun* ran an article not too long ago on this issue. Of course, I'm kind of curious, so I looked at the comments that readers made. The very first one that I read was from a guy in Kandahar who returned last month and his wife was due right when he returned. His benefits had been shortened due to his deployment. He personally thanked me on that posting. It felt amazing to know that we could make a difference for one family, for 100 families, for families who are affected by this from now on.

● (1610)

**Mr. Pierre Poilievre:** I will just conclude by thanking you again. This is why we all come here to do this job. We're here to ensure that the rules are fair and to ensure that families like yours, who are sacrificing so much, are given the benefits you paid for. Thanks for sticking with it and working with me on it. I look forward to pushing it over the finish line.

I'll turn over my time to anybody on my end here who has an additional question.

**The Vice-Chair (Ms. Raymonde Folco):** You have two minutes, Mr. Komarnicki.

**Mr. Ed Komarnicki (Souris—Moose Mountain, CPC):** This will be just a comment.

We realize it's often difficult to balance the two duties that are required of you. If you can accomplish both by serving your country, as you have admirably done, and by ensuring that your family unit is together and that you can be part of it at that critical time, that is very important. I think you will make a lasting mark on your service career and your comrades, for sure. It's a laudable goal that we all stand behind as a group. So thank you very much.

**The Vice-Chair (Ms. Raymonde Folco):** Mr. Casson, you have one minute.

**Mr. Rick Casson (Lethbridge, CPC):** Major, if I can, I'd just like to thank you again from our neck of the woods for what you do. You've been deployed to Bosnia, the Golan Heights, and Afghanistan. You're due to come home, you said, or leave theatre in 10 days.

When you get back, there's a debriefing you go through, the time it takes to get back to a normal civilian life, if there is such a thing for a military family; then, if you are deployed again you have to go through training, so there's lots of time that you are away from home other than when you're actually deployed in theatre.

Can you comment on how much time a soldier like you, who goes through regular deployments, is away from his family?

**LCol James Duquette:** My deployments have been every five years thus far. I'm a senior officer within the communications branch. The number of positions for communicators at my rank level is limited, so I don't get deployed nearly as often as a soldier would, like an infanterier, a private, a master corporal, or even as much as within the limited trades, within the logistics world, or within even the communications world where we have limited numbers of linemen. A lineman can actually be away for the majority of his time, whether deployed within Canada or internationally. So it really varies depending on the rank level and the trade.

Honestly, for me it's every five years. I'm just coming up to the two-and-a-half year point that I've been away, since Anne and I have been together, but for other people it's much more.

**Mr. Rick Casson:** Thank you.

**The Vice-Chair (Ms. Raymonde Folco):** We've come to the end of our session.

I'd like to say a few words.

First of all, Madam Duquette, I've already said how we admire you for the steadfastness and the courage that you show at home with two babies, two youngsters.

And Major Duquette, also, I'd like to add something to what my colleagues have said. When we first started looking at the Employment Insurance Act and trying to get it to be a lot more just to the different types of population within Canada, we omitted the armed forces, but I think it's about time we looked at the armed forces in a very serious way. And if there was a little levity around this table this afternoon, it's not because the subject is so funny, it's simply because I think everyone around this table agrees that something is going to be done and we're going to be pushing forward together, all parties will be pushing forward together.

As Canadians, we recognize how important the relationship between parents and their children is, how important that relationship is from the very beginning, and it's important for everyone.

You, Major, are doing such fantastic work out there in Afghanistan, and we respect and we have such pride in what you do, but there's work out there and there's work out here, as well.

So both of you, I really am speaking on behalf of my colleagues when I say that we admire you, we have pride in you. Please continue, both of you, to do the work that you've been doing so far.

And perhaps I can also add, Major, please tell your colleagues in Kabul how proud we are—all of us, all parties—of our Canadian armed forces.

Thank you so very much.

Thank you, Madam Duquette.

We'll just hold it for a couple of minutes before our next witnesses come in.

• \_\_\_\_\_ (Pause) \_\_\_\_\_

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• (1615)

**The Vice-Chair (Ms. Raymonde Folco):** I'd like to continue on until 5 p.m.

We have as our next witness, from the Department of Human Resources and Skills Development,

[Translation]

Louis Beauséjour, Director General, Employment Insurance Policy, Skills and Employment Branch. Mr. Beauséjour indicated that he did not have a presentation to give. He already handed out a clause-by-clause analysis of Bill C-13 in both official languages. It was handed out, and I believe everyone got a copy. So we will start with questions.

[English]

Mr. Savage, do you want to start off with the first seven minutes of questions?

**Mr. Michael Savage:** So we're just questioning the officials about the bill. Okay.

I guess the obvious question, in light of what we just heard from Major Duquette, is this issue of why this couldn't be extended further. As he said, he thinks it should apply to all internationally serving police.

How much of a problem would it be to have this bill apply to other personnel beyond serving members of the Canadian Forces?

[Translation]

**Mr. Louis Beauséjour (Director General, Employment Insurance Policy, Skills and Employment Branch, Department of Human Resources and Skills Development):** The purpose of the amendment was to ensure that those who have to defer their parental leave or who are directed to return to duty can have their eligibility window for parental benefits extended. Military personnel do not have a choice; they have to obey. The purpose of the bill was to extend the period that individuals are eligible for parental benefits in cases where they cannot receive parental leave for reasons beyond their control.

• (1620)

[English]

**Mr. Michael Savage:** I understand that, but there is no reason why this couldn't be applied further to internationally serving police, perhaps to people with Corrections Canada, who might miss the window too, conceivably.

[Translation]

**Mr. Louis Beauséjour:** There was no reason other than to determine what the underlying reason for the amendment was. The employment insurance program works in a specific way. Currently, the eligibility window for parental benefits cannot be extended unless the person's children are sick and in the hospital. The current EI program does not set out any other exceptions.

All the reasons for which the eligibility window for parental benefits can be extended have to be related to the fact that they are beyond the individual's control. The current act in no way allows windows to be extended for reasons arising from the individual's decision. Making an amendment of that sort would significantly change the nature of extension measures.

[English]

**Mr. Michael Savage:** Have you done any costing of extending it further? My understanding is that, as I recall, this bill will cost about \$600,000 and will apply to 50 or 60 people a year. Considering the fact that you knew there was a possibility of amendments coming, has the department costed this?

[Translation]

**Mr. Louis Beauséjour:** We have not done any costing to see what it would cost to extend the measure to other people.

[English]

**Mr. Michael Savage:** I see.

Do you have any questions, Carolyn?

**The Vice-Chair (Ms. Raymonde Folco):** Dr. Bennett.

**Hon. Carolyn Bennett (St. Paul's, Lib.):** The differentiation between somebody who is obligated to go and somebody who has gone of their volition doesn't.... I guess I don't see, in terms of fairness, that if somebody is serving in Afghanistan for the RCMP or for Elections Canada or for Corrections Canada, that.... Maybe it's just that as a family doctor, I see that sometimes people end up with babies born prematurely, or they end up with a wife with complications.

Wouldn't some flexibility in terms of when they take their parental benefits be relevant for them as well as the people who are serving on behalf of Canada?

[Translation]

**Mr. Louis Beauséjour:** Again, the idea behind this bill was to help those whose situation is beyond their control and who cannot take their parental leave because they are required to return to duty. The window was extended for those people.

[English]

**Hon. Carolyn Bennett:** But say somebody has taken an assignment in Afghanistan, their wife goes into premature labour, and they are unable to come home at the time that she needs them. From what I understand, there would be no flexibility. If you don't take it when it is available right around the birth, you don't get it.

[Translation]

**Mr. Louis Beauséjour:** Individuals can claim parental benefits during a period of 52 weeks after the birth of a child. In fact, they can take 35 weeks of parental leave during that 52-week window. There is some flexibility within that 52-week period.

[English]

**Hon. Carolyn Bennett:** The confusion around maternity leave and sick leave is also, I think, very upsetting to a lot of us, and around the fact that there have been some interpretations now that people can only get sick leave if they declare it before the pregnancy, though it was designed for postpartum depression and complications of pregnancy, as well as cancer or a car accident.

This bill is obviously intended for the military, but I am concerned that these things also apply to military families. I just hope we're looking at what the intent was, of being able to get a full 65 weeks for sickness as well as parental leave, in lieu of the, I think, rather tight interpretations that have been taken by the umpire decisions and the guidance documents, which seem quite separate from the intent of the bill.

•(1625)

[Translation]

**Mr. Louis Beauséjour:** That is not directly related to today's issues. It is important to remember that when parental leave was extended from 10 to 35 weeks, the window was 52 weeks. There was no extension.

There was a case where we wound up in court, and the government lost. A woman was seeking sickness benefits before going on parental leave. If she were entitled to receive sickness benefits first, she would not qualify for all her parental benefits.

When that was set out, the intent of the law was to ensure that if she took sick leave before giving birth, she could qualify for all her parental benefits. That was the context in which it was put in place.

Under the bill, the person must have taken at least one week of each type of leave during the 52-week period in order to receive the extension.

**The Vice-Chair (Ms. Raymonde Folco):** I think you are explaining things that everyone here understands. Thank you anyways. Time is up.

It is now over to Mr. Lessard.

**Mr. Yves Lessard:** Thank you, Madam Chair.

Someone raised an important point in this debate. We are talking about police officers. But there is an underlying principle here, and I wonder whether it is shared. The bill before us was intended to take care of individuals who were required to go on a mission and give up a portion of their parental leave, as a result. So there was a requirement. The point that was raised leads us to consider whether we should go beyond that requirement. So far, the debate has not gone there. When people talk about the situation of police officers, I always think of the requirement issue. Are there police officers who are required by duty to leave their families to go on a mission during their parental leave? If so, it would seem that the bill should apply to them as well. So far, I have not heard any such examples.

That opens up the debate. Should we investigate that? There may be other people who are called upon to go on humanitarian missions, without necessarily being compelled to do so, but because they are the only ones who would be able to intervene in such circumstances, so they may have to go on a humanitarian mission. Those individuals may not necessarily be police officers or National Defence staff.

To broaden coverage under this bill, an amendment would need to be made at third reading. Only the government could do that, as it would require a royal recommendation. If that is the case, Mr. Beauséjour, could we not also consider a provision that would extend that right and ensure that others in the same situation as military personnel could also benefit?

Is my question clear?

•(1630)

**Mr. Louis Beauséjour:** Yes, I understand your question. As I said, to our knowledge, no other group is required by law to go on an overseas mission. In the other cases, the individuals have to volunteer to go, be it police officers or other Canadians. That is why this measure targets only military personnel.

**Mr. Yves Lessard:** Your answer brings to mind another idea. If it is a matter of volunteering, as you say, that means it could apply to police officers who went to Haiti to train officers there, for example. They could argue that they were eligible.

**Mr. Louis Beauséjour:** If the government had intended or does intend to extend the measure to individuals who volunteer to go on humanitarian or other missions, I would think that is the sort of thing we could try to study to see how it could be done.

**Mr. Yves Lessard:** I am not sure whether Mr. Komarnicki and the other members of the government are in favour of that, but can we, as a committee, agree to study the possibility of having the amendment take that aspect into account, given the answer we were given? Could we examine whether there are volunteers in other fields who are required to give up a portion of their parental leave to go on certain missions?

**The Vice-Chair (Ms. Raymonde Folco):** Mr. Lessard, are you referring to people who work for NGOs, for example?

**Mr. Yves Lessard:** Yes, but provided that they pay EI premiums. That is the basic condition. It is different in the case of someone who does not pay premiums, in other words, someone who is not legally considered a salaried worker. In the context Mr. Beauséjour is describing, everyone who pays EI premiums would be eligible.

**Mr. Louis Beauséjour:** It is the context you described, in other words, if people volunteer. I said that, right now, the measure on the table consists of giving military personnel the extension because they do not have a choice: they are required to return to duty from parental leave or to defer their parental leave.

**The Vice-Chair (Ms. Raymonde Folco):** There is another problem with your suggestion, Mr. Lessard.

There are amendments before us, yes, but they still target military personnel and police officers. And none of them—I have just reread them—address the case you just mentioned, that of NGO employees, who are sent abroad and so forth.

We are bound to do the clause-by-clause study this afternoon. I can no longer receive any other amendments now. At least I do not think so, am I wrong?

**Mr. Yves Lessard:** Madam Chair, it would be inappropriate for me to try to put forward an amendment now. That was not my intention. The debate regarding the police officers calls on us to go beyond the situation of police officers or those in policing. It sort of relates back to what Ms. Bennett rightly pointed out. The rate at which we are studying this bill—and we fully support it—leads us to understand that there may be some missing aspects that could perhaps be dealt with when the government brings forward the amendment on the 104-week window. The government is in fact going to put forward an amendment on that.

If it is possible and if, of course, the government agrees, that aspect could be added. I do not get the sense that it would affect that many occupations, always keeping in mind the requirement raised by Mr. Beauséjour.

**The Vice-Chair (Ms. Raymonde Folco):** Mr. Komarnicki, do you wish to respond?

[English]

Do you wish to answer this?

**Mr. Ed Komarnicki:** I have just a general comment.

The scope of this bill is narrowed to Canadian Forces members, and there is one common theme: they are compelled to duty, while there are other classes that are not. While it may be worthwhile at some point to do a study or to engage in that debate, what we are looking for now is for this particular bill to go forward into the

House. We would not be open to entertaining a broader discussion about other groups in this context.

I think we heard Mr. Duquette testify to indicate that his concerns as an armed forces member were that there were others who were either hospitalized or institutionalized because they didn't have much choice in the matter. They had to be there, and this bill deals with that.

My information is that RCMP members are not compelled to take duty. They have to volunteer or choose to do that, given everything they know, so there's a difference.

We're not prepared to broaden the scope of this bill at this time. Whether in the future there may be some discussion is another matter.

•(1635)

[Translation]

**The Vice-Chair (Ms. Raymonde Folco):** Mr. Lessard, given that, in my opinion, we cannot do anything here, in committee—certainly not today anyways—and given that we are supposed to do the clause-by-clause study, we have to move forward.

But I would suggest that you sit down with Mr. Komarnicki and maybe other members of the government to discuss that possibility, to check with them whether...

I think it would take another private member's bill to once again broaden the scope of the EI legislation.

**Mr. Yves Lessard:** That is a smart suggestion, since we are in unfamiliar territory to a certain extent. The only group that is truly recognized right now as being required to go on a mission is that of military personnel. As far as the other groups go, we are not sure, and we cannot just improvise.

So I completely agree with you: we could study the issue further to see whether another measure should be put forward later.

**The Vice-Chair (Ms. Raymonde Folco):** Thank you.

Mr. Martin.

[English]

**Mr. Tony Martin:** I understand where Mr. Lessard is coming from and I agree with him wholeheartedly. However, today we have some amendments that have been tabled appropriately, correctly, and in a timely fashion to cover the issue of police forces who work side by side, shoulder to shoulder, with our military personnel in Afghanistan and other dangerous places in the world.

I think this whole question of one going because they're forced to and the other because they volunteer is semantic. You might make the case that a person choosing freely to go warrants the same honour and respect as the person who is told to go, because it's part of his role as a member of the armed forces, both of them serving for honourable reasons. I believe Mr. Duquette spoke to this. To suggest that now, when we have the opportunity to extend this benefit to those who serve in this way, not to at the very least cover those who put themselves in harm's way every day—whether it's training Afghan police, jail guards, or whatever, they are out there and they are at risk.... I think we owe them at least that consideration.

I am wondering, given that the government has come forward and very generously decided to support a private member's bill here and get it through the House, whether they might want to go just one step further and make sure that we capture at least the police as well as the military in this exercise, so that we don't have to go back and do this review and study and bring it back—as was suggested, a private member's bill usually, if you're not on the government side particularly, doesn't make it through the House anyway—and set people up and give people false hope.

What if the door that you knocked on, Mr. Poilievre, had been that of one of these police officers? Would you have offered them the same consideration, or would you have said to them, “Sorry, you're not a soldier, so we can't consider this”?

As the sponsor of this bill, would you see it as a logical thing to do, particularly given what Mr. Duquette had to say here today, that we might extend this privilege to police as well?

I am wondering if I could direct my question to Mr. Poilievre.

• (1640)

**Mr. Pierre Poilievre:** Thank you for that. I think it's a very fair question, Tony, and I understand what you're trying to achieve by bringing it forward.

The distinction I'm hearing from Mr. Beauséjour is between voluntary and compulsory, and the reason, I believe, that he's making that distinction is that if someone has a newborn child and is not being compelled to go into the theatre, they could claim their benefit. They would have the ability to claim that benefit and to volunteer later on, after the benefit has expired. That would permit them to both perform a duty voluntarily and to take advantage of the benefit that they paid for.

In the case of Mr. Duquette, he could not have made that choice. He was called into duty to carry out a highly specialized task that I suspect very few people in the forces could even do. It's a very highly skilled, technical role that he plays in Kabul. He would not have been able to exercise his discretion and opt to take the benefit immediately and then go later as a volunteer.

I don't want to speak for you, Mr. Beauséjour, but am I capturing the distinction you're trying to make when I say that?

**Mr. Louis Beauséjour:** It's exactly that.

**Mr. Tony Martin:** I understand that distinction. I appreciate your clarifying it in that way.

I guess I don't understand why, given that and given the comments by Mr. Duquette, and our wanting to do the right thing here...you know, people serving in places like Afghanistan, who choose to go and do that, perhaps leave maybe not knowing that their spouse is expecting, only to find it out later, and then having to stay longer because the job isn't complete or finished. As Mr. Duquette suggested in his comments, that's what soldiers do and that's what police officers do who commit to these kinds of missions: they finish the job, and they may not be able to get back on time, but they should, I think, be extended the benefit.

Would it be possible, in your view, for us to include this now, as a committee? Is that within our purview to do?

**The Vice-Chair (Ms. Raymonde Folco):** To include...? You said “this”.

**Mr. Tony Martin:** Sorry: it's to include the police in this amendment.

**The Vice-Chair (Ms. Raymonde Folco):** I just wanted to be sure it was clear.

**Mr. Louis Beauséjour:** I'm not sure I understand what you mean by its being in the purview of the committee. I'm not aware of all the rules of how the committee works.

In terms of the amendment, I'm not sure that the way the amendment is written will do what you want it to do, because there's always the issue of the way it is written.

Again, the purpose of the bill was really to deal with military people who have no choice, but in fact cannot take their leave. In volunteering, most of the time people can decide to volunteer later or come back earlier to take their leave, and again they will still have 52 weeks after the child is born. If the child is born during the time they are away, they still have 52 weeks after the child is born to take the parental leave, if they want to do so.

**Mr. Tony Martin:** Do I have time for one further quick question? Probably I don't.

**The Vice-Chair (Ms. Raymonde Folco):** No, but I will give you time, because I think this is part of the discussion we would be having on the clause-by-clause study in any case. This will probably shed light on what we will be discussing later, so please go ahead. But make it a short question, Mr. Martin.

**Mr. Tony Martin:** Yes.

You mentioned earlier that this would create...I think the word was “extraordinary” circumstances, or maybe it was another word you used—

**Mr. Louis Beauséjour:** Yes, I used a word similar to that. Basically what I'm saying is that right now when there are extensions to periods in the act, it's for people who have no choice. It's not based on a choice of the individual. Either the kids are, in some cases.... Particularly for the eligibility window, the only other case in which there is an extension of the eligibility window for benefits is when the child is in hospital.

• (1645)

**Mr. Tony Martin:** Thank you.

**The Vice-Chair (Ms. Raymonde Folco):** Thank you.

Mr. Poilievre.

**Mr. Pierre Poilievre:** I don't have any additional questions, but if there are others....

**The Vice-Chair (Ms. Raymonde Folco):** Mr. Komarnicki wants to ask a question, I think.

**Mr. Ed Komarnicki:** This is just to get a bit of clarification on that same issue we're discussing.

From the information I have, the RCMP have confirmed that all of their officers must apply to serve overseas, and so there is that element of choice and of not being compelled. If you were going to want to get away from the compulsion part, or the “no choice but to go”, you then include a whole series of different people. It wouldn't be just the police; there are others who may decide or choose, for whatever reason under the circumstances, to go, but it's entirely at their discretion, and they are fully aware of the circumstances and they would be aware of the length of time they would be away. So they make the decision on that basis.

Certainly it's not within the scope of this bill to go that wide.

I guess the essence, when we come to the bill itself, is to be sure that those who are deployed by way of imperative military requirement do not lose benefits or have them shortened because of the fact that they are deployed.

Would you agree with that, Mr. Beauséjour?

I'd like to pass my time on to Mr. Lobb, who may have a question.

**Mr. Louis Beauséjour:** I'm sorry, can you repeat that, please?

**Mr. Ed Komarnicki:** The essence of what we're trying to do here is to be sure that those who are deployed under military requirement do not have their benefits shortened by virtue of their deployment.

**Mr. Louis Beauséjour:** Yes, that's exactly what the bill is trying to do. The bill basically is extending both the eligibility window and the benefit period by the number of weeks that the parental leave is deferred.

**Mr. Ed Komarnicki:** Is there extra time or not?

**The Vice-Chair (Ms. Raymonde Folco):** We have another four minutes.

Who wanted to speak?

Mr. Lobb, please.

**Mr. Ben Lobb (Huron—Bruce, CPC):** Just briefly, this is more to the discussion around the amendment and whether it's voluntary or mandatory.

I understand the department's rationale on this, because by extension there could be precedent. You could apply the same logic to an engineer who decides to go to South America to do work for a resources company, whose family is at home, and who signs a contract for over a year and then comes back. He or she would face the very same set of circumstances.

They volunteered to go down there. Not to make light of it, but that's a fact. The same could be said for an engineer who signs a contract to volunteer to go over and work in China for a year. It would be the very same application.

The amendment, while potentially in good spirit, misses the mark, because it would certainly open itself up to a very wide interpretation and perhaps a lot more significant cost than what they've investigated.

I wonder if you have any thoughts on that.

[Translation]

**Mr. Louis Beauséjour:** Obviously, as soon as we extend the measure to people who go abroad voluntarily, who are in fact totally under their own authority, it opens the door to a variety of situations. It becomes a lot harder to figure out, under the act and the regulations, which groups of people should receive the extension, as well as the conditions to qualify for the extension.

**The Vice-Chair (Ms. Raymonde Folco):** Thank you.

I think we are done.

[English]

We have finished this.

[Translation]

Thank you very much, Mr. Beauséjour, for coming and giving us your explanations. We will now proceed with....

**Mr. Yves Lessard:** Will Mr. Beauséjour be available to us if we have questions for him along the way?

**The Vice-Chair (Ms. Raymonde Folco):** Yes, he is staying here.

Mr. Beauséjour, you will be here should we need any clarification.

• (1650)

**Mr. Louis Beauséjour:** I will be available.

**The Vice-Chair (Ms. Raymonde Folco):** We are done for the time being.

There are just two points left. Before we proceed with the clause-by-clause study, I would just like to point out that a notice of motion was received from Yves Lessard today, May 26, and that we will discuss it at the committee's next meeting, that is, next week.

We will now proceed with the clause-by-clause study.

[English]

We're now going to discuss the clause-by-clause consideration on Bill C-13.

Pursuant to Standing Order 75(1), consideration of clause 1 is postponed, clause 1 being the title of the bill.

(On clause 2)

**The Vice-Chair (Ms. Raymonde Folco):** Moving on to clause 2, we have received a proposition for an amendment from Mr. Godin of the NDP, to amend clause 2 in Bill C-13 by adding, after line 18 on page 1, the following:

(12.2) For the purposes of subsection (12.1), a member of a police force who is a Canadian citizen in the employ of Her Majesty in right of Canada or a Canadian citizen under contract with the Government of Canada and who has been deployed as part of a mission outside Canada is considered to be a claimant.

Do you wish to speak to this, Mr. Martin?

**Mr. Tony Martin:** Yes, I do.

Given the opportunity, and to make sure that we complete this effort to cover all of those who go to places like Afghanistan on behalf of the government and who put themselves at risk for all the variety of reasons that they do that.... This includes soldiers, who volunteer to join the army in this country—we don't have conscription—and then end up being deployed to other places. This includes police officers, who join the police force and then take advantage of opportunities to serve as well.

As Mr. Duquette said in his presentation today, or in answering questions, these people serve beside each other, take on the same risk, and serve our country in a very distinguished and honourable way.

I believe it's within our purview as a committee—it's certainly within the power of the government, if it chooses to find a way—to adopt this extra piece that we are suggesting, so that we cover not just the soldiers but also the police who work side by side with them, particularly in this instance in Afghanistan, so that they might be covered by the same benefit and perhaps because of that be more willing to serve and to participate and to stay there longer, under certain circumstances.

I think we are splitting hairs here in the whole question of mandatory and voluntary. If the police who are serving over in Afghanistan thought for a second that we were differentiating between them and what they're owed or what they're due, after having paid into employment insurance the same as the soldiers have....

I commend Mr. Poilievre for having moved as quickly as he did, on hearing the story from the Duquettes, to bring this bill forward. I would invite him and his colleagues to join with us to make sure, given this opportunity to make this change that we've discovered, and now that we've discovered that there's further change necessary if we're going to be fair in this, that we as a committee adopt this amendment and make it part of this bill.

**The Vice-Chair (Ms. Raymonde Folco):** Thank you, Mr. Martin.

Mr. Martin, I must inform you that in fact it's out of the hands of Mr. Poilievre or anyone else, because I must rule that this amendment is inadmissible. The reason it is inadmissible, according to the analyst who has advised me, is what *House of Commons Procedure and Practice* states on page 766:

An amendment to a bill that was referred to a committee after second reading is out of order if it is beyond the scope and principle of the bill.

The fact that you have brought in the police means that it is beyond the scope and principle of the bill, particularly since by bringing in this other body of people, it would add to the cost of the bill itself, and that would require a royal recommendation as well.

• (1655)

**Mr. Tony Martin:** I respect that ruling, Madam Chair.

I guess I would appeal to the government and Mr. Komarnicki, who found a way, through the movement of an amendment at third reading, to make a further change that's outside of the scope of this bill, because they feel that it's necessary to improve the bill, to make it better, to make it work better for the soldiers.

I would make an appeal to him—I guess I would extend an appeal that was made by Mr. Duquette today—that we not forget the police who serve shoulder to shoulder with them in Afghanistan, so that they be covered as well; and that the government, in the same way that it has found it possible to move its amendment at third reading, consider moving this amendment as well, so that we can get this done not only quickly to close this loophole for soldiers, but close it for all those who serve in this very dangerous way in Afghanistan and other places in the world on behalf of our government and our country.

**The Vice-Chair (Ms. Raymonde Folco):** I'm sorry, Mr. Martin, I'm not going to take any more debate on this. I think this is something, as I indicated earlier with Mr. Lessard, that you may wish to discuss with members of the government at a later time outside this committee. But I have ruled on this. Whatever my personal opinion may be, there is an antecedent for what I'm saying, and our analyst tells me that the amendment is inadmissible.

In fact, not only is this amendment inadmissible, but so are the other amendments that the NDP has brought forward for this bill.

There will be no debate, no discussion on this.

On clause 2 there will be no amendment, then.

I will ask whether clause 2 shall carry.

(Clause 2 agreed to)

**The Vice-Chair (Ms. Raymonde Folco):** For clause 3, we received a proposed amendment. The decision of the chair for the amendment of the NDP on clause 3 is the same as the chair presented for clause 2. The amendment is inadmissible.

(Clauses 3 to 5 inclusive agreed to)

**The Vice-Chair (Ms. Raymonde Folco):** We will now go back to the title. You remember that for the title, the NDP had proposed an amendment. This is also inadmissible.

Shall the short title carry?

(Clause 1 agreed to)

**The Vice-Chair (Ms. Raymonde Folco):** Shall the long title pass?

**Some hon. members:** Agreed.

**The Vice-Chair (Ms. Raymonde Folco):** Shall the bill carry?

**Some hon. members:** Agreed.

**The Vice-Chair (Ms. Raymonde Folco):** Shall I report the bill to the House?

**Some hon. members:** Agreed.

**The Vice-Chair (Ms. Raymonde Folco):** That's it. Thank you very much.

May I say that this is a really important thing that we have done. All of us together around the table have worked together to right a wrong. I would certainly hope that members of government would look at some of the questions that have been raised by both the NDP and the Bloc and that you will come to some kind of agreement so that we can carry it forward to other groups.

Mr. Savage?

**Mr. Michael Savage:** I have two things, Madam Chair.

First of all, further to the point you may have just referenced and that Tony was mentioning, I believe that this amendment is a reasonable thing to do. It may be out of order. I don't challenge that. But to suggest that this goes beyond the scope of what it actually says is wrong.

The amendment suggests that it would refer to "a member of a police force who is a Canadian citizen in the employ of Her Majesty in right of Canada or a Canadian citizen under contract with the Government of Canada". It doesn't talk about engineers or businesspeople or anything else. It's very specific. I ask the government to consider that.

The other thing I'd ask is this. Mr. Komarnicki has been working with us, based on a concern that we raised in the House when this came forward and that other parties have raised subsequently. I wonder whether he would give us his sense of what he proposes to bring forward as an amendment when this comes back to the House.

• (1700)

**The Vice-Chair (Ms. Raymonde Folco):** Mr. Komarnicki.

**Mr. Ed Komarnicki:** Certainly I appreciate the involvement of the critics and obviously of members from our side as well...at the first briefing, we wanted to be sure that the coming into force of the act did not preclude those who may have had claims prior to the day when the bill came into force.

Taking those concerns into regard, we wanted to be sure that no one was left behind, and so the government will propose to amend the bill to ensure that the new measure would apply to all eligible Canadian Force members who had a newborn or who adopted a child less than 104 weeks prior to the act's coming into force. The essence of it would be that the benefits would not be shortened by virtue of the time that they were deployed.

We will work to ensure that those amendments are made at third reading in accordance and in line with the discussions we've had with the critics and Mr. Beauséjour.

**The Vice-Chair (Ms. Raymonde Folco):** Mr. Savage, did you want to come back on that at all?

**Mr. Michael Savage:** No. I thank the parliamentary secretary, and I appreciate that. I certainly take him at his word.

Thank you.

**The Vice-Chair (Ms. Raymonde Folco):** Thank you very much.

This is the end of the meeting.

We are adjourned.

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