

LIST OF RECOMMENDATIONS WITH PRELIMINARY COMMENTS

<u>NUMBER</u>	<u>SUBJECT</u>
1 to 5	Maternity and Parental Benefits
COMMENT:	These recommendations could require significant changes to the Treasury Board's maternity allowances (with large costs to the employer) and parental leave without pay policies (perhaps to the detriment of employees).
6 to 9	Mandatory Retirement
COMMENT:	These recommendations could require the fundamental redesign of the Disability Insurance (DI) Plan and the Long-term Disability (LTD) portion of the Public Service Management Insurance Plan (PSMIP), both of which provide neither coverage nor benefits after age 65. No obviously preferable structure for the Public Service disability insurance plans has yet been discovered. They would also require changes to the current retirement severance pay provisions. Recommendation 9 is set in the context of "the <u>benefits</u> of flexible retirement" rather than changes "mandated by Section 15". Present proposals for the redesign of public service pension plans do fit a "flexible retirement" criteria, though not necessarily all of, or only those, identified in the report.
10	Sexual Orientation
COMMENT:	This recommendation could, by implication, require reconsideration of what constitutes a family and an eligible dependant for the purposes of the Public Service insurance plans and other personnel policies dealing with family-related responsibilities. This is a highly controversial area.
16 & 17	Marital or Family Status
COMMENT:	These recommendations would require revisions to the definition of a spouse under the various federal superannuation Acts and also for the purposes of the Public Service insurance plans and other personnel policies with which Treasury Board is concerned.
22	Equality Issues in Pensions
COMMENT:	Treasury Board staff are very concerned about this recommendation for a variety of reasons which will be reported on further.
23	Equality Issues in Pensions
COMMENT:	There will be a need in federal superannuation plans for flexibility to deal with competing claims (common-law and legal).

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<u>NUMBER</u>	<u>SUBJECT</u>
26	Equality Issues in Pensions
COMMENT:	This recommendation would affect the definition of eligible dependent children for the purposes of the Group Surgical Medical Insurance Plan and the Public Service Management Insurance Plan, as well as the federal superannuation Acts.
27	Equality Issues in Pensions
COMMENT:	This recommendation could require the adoption of unisex premium-rate tables for life and dependants' insurances under the Public Service Management Insurance Plan and certain of the provisions of the regulations made under the federal superannuation Acts.
39	Religious Observance
COMMENT:	This recommendation would affect the policy on designated holidays now applied to the Public Service.
40	Religious Observance
COMMENT:	This recommendation would affect current day-of-rest provisions in the Public Service.
43	Access by the Physically Disabled
COMMENT:	The recommendation that there be a federal co-ordinating agency responsible for supervising the implementation of program for disabled people could result in a potential conflict of legislative authority given that the Treasury Board, as the employer, has the responsibility under the Financial Administration Act for personnel management, including directing and monitoring programs to help disabled persons.
44	Access by the Physically Disabled
COMMENT:	Depending on the "statutory recognition" given to this proposed agency, the authority of Treasury Board, as the employer, could be encroached upon.
51	Mental Disability
COMMENT:	This recommendation could affect the provision of disability benefits under the DI Plan and the LTD portion of the PSMIP.

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NUMBER SUBJECT

54-56 & 58 Part-time Work

COMMENT: There is concern that these recommendations would require the creation of a different set of vesting and portability rules as between part-time and full-time plan members. There is also the problem of what standard should be used under pension legislation. The recommendations would also lower the eligibility threshold for the participation of part-time employees in the Disability Insurance Plan and the Public Service Management Insurance Plan from more than one-third of full-time hours to 8 hours per week. The employees working within these parameters would also become eligible for representation in collective bargaining. While the principle of pro-rated benefits for part-timers has been Treasury Board policy for 6 years, the proposed threshold is something the Board may not be able to accept.

59 & 60 Employment Equity

COMMENT: The extension of Employment Equity legislation to all employers under federal jurisdiction would have at least one major implication for Treasury Board. At present, Treasury Board has general authority over all personnel-related matters in the public service, in accordance with the Financial Administration Act. This includes the implementation and control of Employment Equity initiatives within the public service. Employment and Immigration Canada will be responsible for administering the Employment Equity Bill C-62, once passed.

If the Employment Equity legislation were to cover the federal public service for which Treasury Board is the employer, the employer's responsibility for personnel policy and management would be subsumed by CEIC's proposed legislation, C-62. It should be noted that the federal government has, since 1975, directed departments to implement equal opportunity programs, and more recently required them to undertake a comprehensive workforce and employment systems analysis beyond that which is required by Bill C-62. Affirmative Action action plans for all government departments, including numerical targets and special measures have been approved by Treasury Board Ministers and are presently being implemented.

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<u>NUMBER</u>	<u>SUBJECT</u>
61	Employment Equity
COMMENT:	The role of representatives of designated groups should not exceed consultation. The preamble to Recommendation 61 states that many representatives of these groups felt that they were not consulted sufficiently in the implementation of various special programs. The text of the recommendation itself, however, does not define the extent of involvement, only that this involvement should necessarily take place. Clarification of the role and responsibilities of designated groups in this respect would be required.
62	Employment Equity
COMMENT:	Given the considerations raised in recommendations 59 and 60, this role of enforcement agency could create potential conflict as far as the public service population for whom Treasury Board is the employer.
63	Employment Equity
COMMENT:	There would be problems caused by imposing restrictions on contracts. For instance, who would monitor compliance with an employment equity program for private companies? What about foreign companies who provide goods and services to the government?
64	Employment Equity
COMMENT:	Creation of an improved data base for designated groups is an excellent initiative. It is essential that Treasury Board be included at every stage of development of such a system, with the authority to recommend courses of action.
65	Employment Equity
COMMENT:	If Employment Equity legislation were to provide for regular review of special programs related to designated target groups as suggested in this recommendation, this could conflict with Treasury Board's present roles and responsibilities in this area. The mandate of each organization would have to be clearly delineated.

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<u>NUMBER</u>	<u>SUBJECT</u>
67	Employment Equity
COMMENT:	This recommendation does not appear to recognize and accommodate the complexities of the equal pay for work of equal value issue. Active pursuit of Section 11 implementation will, to obviate undue delays, require the cooperation and agreement of at least three principal parties -- the CHRC, the employer and the employees or their representatives.
70	Employment Equity
COMMENT:	This recommendation could result in higher-risk employees being brought under the Public Service insurance plans, with the concomitant claims costs being passed on to employees and the Government through increased premiums.
81	The Process of Securing Equality
COMMENT:	In itself, this recommendation may prove simple to implement, but will be most difficult to apply. Systemic discrimination in the area of pay and classification is often a matter of perception. Very costly and extensive changes to the classification system could be required to address a condition that may not in fact exist.
80	The Process of Securing Equality
COMMENT:	Despite the foregoing, Recommendation 80, if implemented, should provide employers with an approach to follow. Under it, non-discriminatory systems could evolve over a period on a coordinated basis. The present legislative provisions have the tendency to effect immediate correction and in a fashion that could impose undue hardship to an employer. This is particularly so in cases where discrimination has been unintentional and existed prior to the implementation of the CHRA.

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Summary of Recommendations

Maternity and Parental Benefits

1. We recommend that Parliament amend the *Unemployment Insurance Act* to recognize a two-tier system of benefits relating to childbirth:
 - the first tier (maternity benefits), to be available to women only, during late pregnancy and the period following birth; and
 - the second tier (parental benefits), to be available to either or both parents, during the period following maternity leave. (page 12)*
2. We recommend that parental benefits (for both natural and adoptive parents) under the *Unemployment Insurance Act* be available to either or both parents, the total amount of benefits provided not to exceed the maximum available to one parent. (page 13)
3. We recommend that no distinction be made between the qualifying periods for regular benefits and for special benefits under the *Unemployment Insurance Act* and that the Act be amended so that the current eligibility requirement for regular benefits applies in respect of all benefits. (page 14)
4. We recommend that section 22(3) of the *Unemployment Insurance Act* be amended to remove the present 15-week aggregate benefit limit so that the availability of sickness benefits is separate and distinct from any maternity, adoptive or parental benefits to which a person may be entitled. (page 15)
5. We recommend that maternity leave provisions for employees under federal jurisdiction, including the Armed Forces and public service employees not covered by collective agreements, be brought into line with the provisions of the *Canada Labour Code*. (page 15)

* Page numbers in parentheses indicate where the recommendations can be found in the text.

Mandatory Retirement

6. We recommend that mandatory retirement be abolished by:
 - (a) amending the *Canadian Human Rights Act* so that it is no longer a defence to a complaint of age discrimination that an employee who is forced to retire has reached the "normal age of retirement"; and
 - (b) amending the *Canadian Human Rights Act* so that it is no longer a defence to a complaint of age discrimination that an individual whose membership in an employee organization is terminated has reached the "normal age of retirement". (page 22)
7. We recommend that those provisions of the Public Service Superannuation Regulations providing for mandatory retirement at age 65, as well as comparable regulations affecting public servants who do not contribute to the Superannuation Account, be revoked. (page 22)
8. We recommend that the *Canadian Human Rights Act* be amended so that it applies to all mandatory retirement policies embodied in legislation, regulations or orders. (page 22)
9. We recommend that Parliament and the government of Canada adopt measures to facilitate flexible retirement, so that individuals will have a greater degree of choice in the timing of their retirement, to complement the abolition of mandatory retirement. (page 24)

Sexual Orientation

10. We recommend that the *Canadian Human Rights Act* be amended to add sexual orientation as a prohibited ground of discrimination to the other grounds, which are race, national or ethnic origin, colour, religion, age, sex, marital status, family status, disability, and conviction for an offence for which a pardon has been granted. (page 30)
11. We recommend that the Canadian Armed Forces and the RCMP bring their employment practices into conformity with the *Canadian Human Rights Act* as amended to prohibit discrimination on the basis of sexual orientation. (page 31)
12. We recommend that the federal government security clearance guidelines covering employees and contractors not discriminate on the basis of sexual orientation. (page 32)
13. We recommend that the *Criminal Code* be amended to ensure that the minimum age or ages at which private consensual sexual activity is lawful be made uniform without distinction based on sexual orientation. (This recommendation does not pertain to existing sexual assault offences in the *Criminal Code*). (page 32)
14. We recommend support in principle for Bill C-225 and urge the government to enact legislation reflecting the principle of the Bill as outlined in this Committee's recommendations. (page 32)

Marital or Family Status

15. We recommend that the *Income Tax Act* be amended to extend the meaning of the words 'spouse' and 'married person' and similar expressions to include a common law spouse, and the word 'marriage' to include a common law relationship, so that the same tax treatment is afforded taxpayers in established common law relationships as now applies to taxpayers who are legally married. (page 36)
16. We recommend that when benefits are conferred or obligations imposed upon partners in a legal marriage by federal law or policies, such benefits and obligations apply in a similar manner to common law spouses. (page 37)
17. We recommend that a consistent definition of common law relationships be incorporated in all federal laws and policies that recognize such relationships, and for this purpose, we recommend that the definition require that the parties be of the opposite sex, reside continuously with each other for at least one year, and represent themselves publicly as husband and wife. (page 37)

Equality Issues in Pensions

18. We recommend that section 56 of the *Canada Pension Plan* be amended so that surviving spouses' benefits are awarded without reference to disability, age or family status. (page 41)
19. We recommend that federal superannuation plans and other employer pension plans under federal jurisdiction be required to provide benefits for surviving spouses of deceased contributors without distinctions that would offend section 15 of the *Charter*, whether the contributing spouse dies before or after retirement. (page 41)
20. We recommend the repeal of provisions of the *Canada Pension Plan* and federal superannuation plans requiring that the benefits to which a surviving spouse is entitled terminate when he or she remarries. (page 42)
21. We recommend the repeal of provisions in federal superannuation plans that require that the amount of a benefit to a surviving spouse be reduced where the surviving spouse is 20 or more years younger than the deceased contributor. (page 42)
22. We recommend the repeal of provisions in federal superannuation plans that disentitle a surviving spouse to benefits where the marriage took place after the contributing spouse retired or reached age 60. (page 42)
23. We recommend that federal superannuation plans extend surviving spouses' benefits to common law spouses who fall within the definition of a common law spouse (see Recommendation 17), in the same manner as benefits are granted to surviving spouses who were legally married to a contributor. (page 42)
24. We recommend that the value of Canada Pension Plan credits earned during the marriage be split equally between the spouses automatically upon marriage breakdown — which would include divorce, separation or the termination of a common law relationship — except when the parties agree otherwise after having received independent legal advice. (page 43)

25. We recommend that the Spouses Allowance under the *Old Age Security Act* be replaced with an equivalent benefit that is available without reference to marital status. (page 45)
26. We recommend that provisions in the *Canada Pension Plan* and federal superannuation plans that allow unmarried surviving children under 25 and in full-time attendance at an educational institution to claim benefits, be amended to permit eligibility regardless of the marital status of the surviving child. (page 45)
27. We recommend that Parliament amend the *Pension Benefits Standards Act* to require that sex-based mortality tables be replaced by unisex mortality tables. (page 46)
28. We recommend that the *War Veterans Allowance Act* and the *Civilian War Pensions and Allowance Act*, which provide for benefit eligibility at different ages for men and women, be amended to provide that benefits for both male and female veterans be available at age 55. (page 47)

Women and the Armed Forces

29. We recommend that all trades and occupations in the Canadian Armed Forces be open to women. (page 57)
30. We recommend that Canadian Armed Forces practices relating to the employment and promotion of women be monitored by the Canadian Human Rights Commission and that progress in revising policies in the manner we recommend be evaluated by the Commission at regular intervals. (page 57)

Immigration

31. We recommend that section 3(f) of the *Immigration Act* be amended to state, as an objective of Canadian immigration policy, that such policy should ensure that the Act, the Immigration Regulations and immigration guidelines contain standards of admission that do not discriminate in a manner prohibited by the *Canadian Charter of Rights and Freedoms*. (page 60)
32. We recommend that the medical standards for admission to Canada, applied pursuant to the *Immigration Act*, be made public and be reviewed and modified in order that they be more flexible in their application. (page 62)
33. We recommend that the Immigration Regulations be amended so that a permanent resident who has been in Canada for at least 3 years is entitled to sponsor a parent without regard to the age, ability to work, or marital status of that parent, as is the case if the sponsor of a parent is a Canadian citizen. (page 62)
34. We recommend that the Immigration Regulations be amended so that an undertaking of support given by a permanent resident who has been in Canada for at least 3 years confers the same benefit on an "assisted relative" seeking admission to Canada as an undertaking of support given by a Canadian citizen. (page 63)

35. We recommend that common law relationships be recognized, under the Immigration Regulations, for immigration purposes, so that a party to such a relationship may be admitted to Canada as an accompanying dependent of his or her common law spouse or may be sponsored for admission to Canada by his or her common law spouse. (For these purposes the definition of a common law spouse would be that set out in Recommendation 17.) (page 64)
36. We recommend that the Immigration Regulations be amended so that a legally adopted child is treated in the same way as a natural child and can, therefore, accompany a parent or parents immigrating to Canada or join a parent or parents already in Canada as a family class member, notwithstanding the age at which the child was adopted. (page 65)
37. We recommend that the federal government make provision for instruction in one of the official languages to all immigrants, regardless of sex, marital or family status, dependency or length of time in Canada. (page 66)
38. We recommend that the general preference in favour of Canadian citizens in job competitions in the public service, pursuant to the *Public Service Employment Act*, be eliminated so that permanent residents may compete for public service jobs on an equal footing with Canadian citizens. (page 67)

Religious Observance

39. We recommend that the *Canada Labour Code* and the federal Public Service Terms and Conditions of Employment Regulations be amended so that there is provision for a determinate number of statutory holidays to be taken by all employees and a number of floating statutory holidays that an employee may elect, upon being employed, in accordance with his or her religious observance requirements or personal beliefs. (page 74)
40. We recommend that the Minister of Justice refer to the Uniform Law Conference of Canada and to provincial ministers responsible for human rights the consideration of amendments to provincial hours of business and employment standards legislation to provide for days of rest that respect freedom of conscience and religious belief on a consistent basis. (page 74)

Access by the Physically Disabled

41. We recommend that interpreter services for the hearing impaired be available upon request at federal public hearings, including those of parliamentary committees. (page 81)
42. We endorse the recommendations of the *Obstacles* report concerning access to facilities and services and urge the Government and Parliament of Canada to take all measures necessary to implement them without further delay. (page 83)
43. We recommend that a federal co-ordinating agency be made responsible for supervising the implementation of programs designed to help disabled people, including programs designed to provide accessibility to facilities and services, and that the agency actively promote the rights of disabled people. (page 84)

44. We recommend that this co-ordinating agency and the Minister responsible for it be given statutory recognition and be required to report annually to Parliament, the report to be automatically and permanently referred to the Sub-committee on the Disabled and the Handicapped. (page 84)
45. We recommend that the mandate of the parliamentary Sub-committee on the Disabled and the Handicapped be expanded so that the Sub-committee is authorized to initiate inquiries and make proposals concerning programs for the disabled. (page 85)
46. We recommend that, in consultation with the Minister Responsible for the Status of Disabled Persons, all departments and agencies immediately establish priorities and timetables for implementing programs to provide access by the disabled to facilities and services under federal jurisdiction. These priorities and timetables should be tabled in Parliament and referred to the Sub-committee on the Disabled and the Handicapped. (page 85)
47. We recommend that disabled people be consulted in the development of cost-efficient programs and measures designed to provide access by the disabled to facilities and services under federal jurisdiction. (page 85)
48. We recommend that the federal government use its statutory powers under the *Canadian Human Rights Act*, the *Ferries Act*, the *Canada Shipping Act*, the *Transport Act*, the *National Transportation Act*, the *Railway Act* and the *Aeronautics Act* to secure the full implementation of standards for accessibility by disabled people to facilities and services under federal jurisdiction. (page 86)
49. We recommend that the Canadian Human Rights Commission adopt new guidelines to ensure that any restrictions on the right of access by the disabled to facilities and services under sections 14(g) and 41(4) of the *Canadian Human Rights Act* are carefully limited and clearly defined. (page 86)
50. We recommend that the federal government develop priorities and timetables, in collaboration with provincial governments, for implementing programs to provide access to facilities and services by the disabled, that the government report to Parliament, by July 1, 1986, on progress towards this end and that the report be referred to the Sub-committee on the Disabled and the Handicapped. (page 87)

Mental Disability

51. We recommend that federal laws and policies providing benefits or protection to the mentally disabled be appropriately amended so that they cover those with a mental disability in the comprehensive sense, that is, mental retardation or impairment, learning disability and mental disorder. (page 90)
52. We recommend that section 14(4)(f) of the *Canada Elections Act* be repealed so that the mentally disabled have the same right to be enumerated and to vote as all other Canadians. (page 91)
53. We recommend that the Minister of Justice bring forward amendments to the *Criminal Code* at the earliest opportunity to eliminate instances where the mentally disabled are not accorded equal protection and equal benefit of the law. (page 93)

Part-time Work

54. We recommend the adoption of a definition of part-time work that would cover all categories of part-time work, including seasonal work, as follows: a part-time worker is one who works fewer than the normally scheduled weekly or monthly hours of work established for persons doing similar work. (page 100)
55. We recommend that all federal employment standards legislation and policies be amended to ensure that part-time workers, including seasonal workers, receive the same statutory benefits on a *pro rata* basis as full-time workers. (page 100)
56. We recommend that federal laws and policies be amended to ensure that part-time workers, including seasonal workers, who work eight hours a week or more and who have worked for their employer for at least one year, contribute to and be eligible for benefits, on a *pro rata* basis, under employer-sponsored pension and insurance plans applicable to full-time workers. (page 100)
57. We recommend that the requirement that an employee work 15 hours per week to contribute to and be eligible for benefits under the *Unemployment Insurance Act* be reduced to reflect better the work schedules of part-time workers, and that the hourly limit that is set be not less than eight hours per week. (page 101)
58. We recommend that federal laws and superannuation plans reflect the particular needs of part-time workers for early pension vesting and portability rights. (page 101)

Employment Equity

59. We recommend the adoption of legislation providing for employment equity programs at the federal level and obliging employers to (a) develop and maintain employment practices designed to eliminate discriminatory barriers and (b) improve where necessary the participation of qualified women, Native people, disabled people and underrepresented visible minorities in the workplace, without necessitating the use of quotas. (page 109)
60. We recommend that employment equity legislation apply to all federal public sector employers and to employers under federal jurisdiction, with necessary adjustments being made by regulation for small businesses and agencies. (page 110)
61. We recommend that representatives of the appropriate designated groups (women, underrepresented visible minorities, Native peoples and disabled people) be involved, as the case may require, with management and labour in developing employment equity programs. (page 110)
62. We recommend that legislation on employment equity contain enforcement mechanisms providing for the review of special programs by the Canadian Human Rights Commission, and that the Commission be given additional financial and human resources for this purpose. (page 110)
63. We recommend that, to assure employment equity, a contract compliance program be established by legislation and that it apply to all firms providing goods and services to the government of Canada, with necessary adjustments being

made, by regulation, on the basis of the size of the firm or the volume of its business with the government. (page 111)

64. We recommend that Statistics Canada provide, through the census, relevant data to be used for devising and evaluating employment equity programs. (page 111)
65. We recommend that employment equity legislation provide for regular review of special programs and that they be adjusted or terminated according to changing circumstances. (page 112)
66. We recommend that federal training and education programs be made accessible to women, disabled people, Native people and members of underrepresented visible minorities to assist in achieving employment equity. (page 113)
67. We recommend that the Canadian Human Rights Commission pursue actively the implementation of equal pay for work of equal value performed by men and women working in the same establishment, as provided in section 11 of the *Canadian Human Rights Act*, in all areas under its jurisdiction. (page 114)
68. We recommend that the federal government review the present provisions of section 11 of the *Canadian Human Rights Act* to ensure that the principle of equal pay for work of equal value is not unduly restricted by the present wording of the Act. (page 114)
69. We recommend that the *Income Tax Act* be amended so that disabled people are entitled to a deduction for the cost of special aids and devices, including extra transportation costs, incurred because of their disability and necessary for their employment. (page 114)
70. We recommend that the Canadian Human Rights Commission ensure that physical and medical tests required of job applicants in employment under federal jurisdiction relate only to the ability of the individual to perform the essential duties of the job in question. (page 116)
71. We recommend that the federal government move quickly, in consultation with its provincial counterparts, to ensure that child care services across Canada are adequate, accessible and affordable. (page 116)

Further Equality Issues

72. We recommend that all federal laws henceforth be drafted in non-sexist language. (page 120)
73. We recommend that governor-in-council appointments, including judicial appointments, be made in a manner that reflects the composition of Canadian society, in keeping with the objectives of section 15 of the *Charter*, and that the criteria for the selection of judges take into account the policy role they perform in interpreting and applying the *Charter*. (page 121)
74. We recommend that the *Public Service Superannuation Act* be amended to eliminate the minimum age of 18 for contributors to the Superannuation Account so that there will be no minimum age limitation for those purposes. (page 122)

75. We recommend that the *Criminal Code* be amended so that sexual offences that can be committed only by a male person in relation to a female person be extended to cover similar conduct by a female person in relation to a male person. (page 122)
76. We recommend the government improve its monitoring of women's health care and hygiene products, including drugs, exert, through the Departments of Consumer and Corporate Affairs and National Health and Welfare, a larger measure of control over the labelling, packaging and promotion of such products, and increase the level of funding directed to research into women's health needs. (page 124)
77. We recommend that the *Canada Elections Act* be amended so that spouses and dependent children accompanying Canadian Armed Forces personnel and public servants posted outside Canada are entitled to vote, in general elections, in the electoral district where they declare themselves to be ordinarily resident in Canada. For this purpose, spouses and dependent children should be required to complete a declaration of residence comparable to that currently required of the members of the Forces and public servants whom they accompany outside Canada. (page 126)
78. We recommend that section 32 of the *Public Service Employment Act* be amended to ensure that no greater limitations are imposed on the political rights of public servants than are necessary to maintain a politically neutral public service. (page 127)

The Process of Securing Equality

79. We recommend that the *Canadian Human Rights Act* be amended by the addition of a primacy or override clause that will confirm its priority over conflicting federal laws unless they purport specifically to apply notwithstanding the *Canadian Human Rights Act*. (page 130)
80. We recommend that the *Canadian Human Rights Act* be amended so that employers are obliged to make "reasonable accommodation", that is, such special provisions as would not cause undue hardship to the employer, in response to the needs peculiar to those classes of employees that are protected from discrimination by the terms of the Act. (page 131)
81. We recommend that the *Canadian Human Rights Act* be amended to ensure that it covers systemic discrimination, that is, practices that may not be obviously discriminatory in their formulation or nature but that, in their result, have an adverse impact on those who are protected from discrimination by the Act. (page 131)
82. We recommend that the *Canadian Human Rights Act* be amended to include political belief and criminal conviction or criminal charges as prohibited grounds of discrimination, subject to the usual defences of *bona fide* occupational requirement and *bona fide* justification, as applicable. (page 132)
83. We recommend that the standing orders of the House of Commons be amended to provide for a Standing Committee on Human Rights with responsibility for overseeing the protection of human rights, including equality rights. (page 135)

84. We recommend that the annual report and estimates of the Canadian Human Rights Commission and those portions of the annual reports of any government departments, including the Departments of Justice, Secretary of State, and Employment and Immigration, dealing with human rights and equality rights, including employment equity, be referred to the Standing Committee on Human Rights. (page 135)
85. We recommend that the *Canadian Human Rights Act* be amended to provide that the Canadian Human Rights Commission report direct to Parliament. (page 135)