

TELE-FACTS

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Alberta's Human Rights Act

AN ADDRESS BY
Hon. Ray Reiersen
March 26th, 1966



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Hon. E. C. Manning:

Good Evening, Ladies and Gentlemen:

Welcome once more to another of our weekly "Tele-Facts" programs. First of all, I do want to express our thanks for your letters and the interest that you are taking in the subjects we are discussing together on this program from week to week. As I have indicated to you before, we are glad to deal with any matters of public interest that you would like to hear discussed, and to endeavour to answer any questions that you care to ask concerning the conduct of your public affairs in this Province.

I am sure that you are keeping in touch, through the news media, with the progress of the present session of your Legislature. A great many important matters are being dealt with. We hope you will follow these closely from day to day. Do not hesitate to make your viewpoints known to your representatives in the House. As we have told you so often before, we want to make Alberta a model of a working democracy; and this can only be done if you, as the people, take an active interest in your public affairs and keep your M.L.A.'s informed so that they, in turn, can accurately express your views in the Legislature.

Tonight, we have a matter of particular interest and importance to discuss with you. In the eventful days in which we live, there is a growing awareness of the importance of the rights of individual citizens. We need always to remember the truth of the old assertion that 'eternal vigilance is the price of freedom'. In keeping with this very proper concern, your Legislature, at the present session, is giving consideration to an Act

respecting human rights. This Act, if it is approved by your Legislature, will be administered by the Minister of Labour, the Hon. Mr. Ray Reiersen. Because of the widespread public interest in this piece of legislation, I have asked Mr. Reiersen to discuss it with you tonight. Ladies and Gentlemen, here is your Minister of Labour, the Hon. Mr. Reiersen . . .

Hon. Ray Reiersen:

Premier Manning, Ladies and Gentlemen:

I am particularly happy this evening to outline the Alberta Human Rights Act, now before the Legislative Assembly; but before doing that, I would like to give a little of the thinking and purpose in bringing forward this type of protective statute. The idea is not new, as the Federal Government has had such a law for many years, and we are now the eighth Province to introduce such a code.

In Western Canada, we pride ourselves with the fact that people are readily accepted without prejudice or class distinction. This, by and large, is true, and for this reason, it was not thought necessary to hurry to be among the first to bring in Human Rights legislation, as far back as 10 or 15 years ago. Unfortunately, we have situations from time to time, in which people are denied employment, turned away from hotels, or refused service in shops or eating places, because of the colour of their skin, racial origin, or religious beliefs. Even though discrimination in these fields is not rampant, we believe that it is necessary, in the interest of human dignity, to have recourse in law for this type of abuse. We have recourse in law for physical abuse and violence to our person. The scars of callous prejudice may well

be more lasting and more difficult to heal.

We feel too, that it is necessary, as a Government and a Legislature, to let all our people know that we do not accept this form of conduct as proper human behavior. If we are to develop our human resources simultaneously with scientific progress, and not have human values completely set aside for material values, the keynote must be recognition of human dignity, and the instilling of human pride and confidence.

Perhaps our own native Indians and Metis suffer more indignities and discrimination than any other group of our people. In examination of the whole application of opportunity for our natives, it seemed necessary to us to do a number of things to encourage a greater awareness of citizenship and its obligations. The privilege of voting in Provincial elections and its attendant responsibilities, has been extended to Treaty Indians. Full privileges under the Liquor Act, with its attendant responsibilities, are now in the process of being established. It is our firm belief that our natives will respond to opportunity, more and more, in the years ahead, if given the education, full rights in every respect, and a measure of protection from rejection through prejudice and bigotry.

In the Bill, your Legislative Assembly affirms that our nation is founded upon principles that acknowledge the supremacy of God, the dignity and worth of the person, and the position of the family as the foundation of freedom and justice in a democratic society; and recognizes, as a fundamental principle, that all persons are equal in dignity and human rights, without regard to race, religious beliefs, colour, ancestry, or place of origin. The Act itself, is designed to prevent, by education, give redress by conciliation, and

punish only if necessary by prosecution for acts of discrimination in employment, public accommodation, shops and eating places; but to recognize the sanctity of one's home and family life, it excludes domestic employment. It also excludes religious, philanthropic, educational, fraternal or social organizations, not operating for private profit, or any organization that is operated primarily to foster the welfare of a religious or ethnic group, that is not operated for private profit. This would apply to church staffs, private schools, and similar examples. Bona fide occupational qualifications are exempt as well, such as teachers in Separate Schools, or special uniform requirements in employee specifications.

A close study of the law, will satisfy you, I am sure, that no effort has been spared to maintain all the basic rights of choice and self-determination in all things, except racial and religious prejudices.

We have had a great deal of representation to include apartment buildings, but refrained from doing so in the belief that a year or two of experience with hotels and motels would be preferable, before adding the much more complicated problems of apartments. Most other Acts include this type of accommodation in buildings containing more than three or four suites.

Recommendations to include age and sex have also been strong, to protect older workers seeking employment and recognize the equality of men and women. Some Acts have included these. We felt that time could well take care of change. Our Equal Pay for Equal Work section in the Alberta Labour Act, and our Sex Disqualification Removal Act, go a long way to meet the representation of women's organizations.

We have also been encouraged to include political discrimination, and I must say that it is

possible to recognize this as having merit; but it is sufficiently complicated to have been left out of all similar Acts.

I know too, that there are people who do not agree with the use of legislation in the area of Human Rights, who feel that education is the only solution to the problem. One often hears the phrase, "You cannot legislate morality". In answer to this argument, let me say that we legislate hardly anything else. All reforms in law seek to carry out certain social judgments as to what is fair and just in the conduct of organized society. Human Rights legislation is directed against specific acts of discrimination, in much the same way as laws are directed against stealing — not greed; against the act of murder — rather than hate. The Act establishes a procedure of investigating complaints, and endeavouring to conciliate correction if there are clear indications of fault. If unsuccessful, the matter may be referred to a Board of Enquiry for a full review and findings. There is a provision for an appeal to the courts from the findings of a Board of Enquiry, or an order of the Minister, to make clear that one's recourse to judicial review is respected.

This law is in no way designed to prevent an employer from selecting his employees with great care, on the basis of qualification, skill, character, deportment, integrity, responsibility, or any other desirable attribute. Let me stress again, there has never been a time when human resources must be recognized, more than now. Our progress, as a nation, will be directly proportional to the aggregate human virtues we develop. Some of these virtues are tangible and some intangible. The tangible ones are our levels of education and skills, knowledge and experience in industry, trade,

commerce, and agriculture, and wisdom to recognize opportunity. The intangible ones are individual stability and morality, strength of character and self-reliance, tolerance to the needs of others, and sympathy in their misfortunes, proper objectives and ambition. Perhaps more than some of these, is recognition of the worth of fellow human beings, that each is a part of the whole Canadian community, that each has a rich contribution to make to the development of this Province.

The success of the Human Rights Act, in this wide field of human relations, depends on how you, my friends, become personally committed in upholding and defending the principles of equality and social justice.

Hon. E. C. Manning:

Thank you, Mr. Reiersen.

Ladies and Gentlemen, I am sure you realize and recognize that these matters that have been discussed with you tonight are of importance to every one of our citizens in this Province. They are directly related to this whole question of the development and enhancement of our human resources that I spoke to you about a week ago. As I pointed out then, in our program for the coming year, especially as we approach our Centennial, it is our intention to make the development and enhancement of the human resources of this great Province the focal point of our program. We will have many matters of outstanding importance in this regard to talk to you about as we go along.

Again, I express the hope that you will keep in close touch with what is being done in your

Legislature relating to these matters, and do let us have the benefit of your viewpoints and opinions as these matters are under consideration. Remember, we will be delighted to hear from you, and will welcome any questions and enquiries that you send in. Join us again, next week, same time, same channel. Till then, thank you for being with us, and Good Evening.