

Public Service Collective Bargaining

Mr. Benson: Mr. Chairman, I wonder whether the hon. member would permit me to ask a question? Does the hon. member realize that under this legislation conciliation or arbitration is compulsory, no matter which course is taken? If you move in the direction of the right to strike, conciliation is compulsory before there is the ultimate right to strike. If you move through the arbitration channel, you may move directly from negotiation to arbitration and skip the conciliation channel.

Mr. Langlois (Mégantic): I agree with the minister, Mr. Chairman; I go along with that. There is always a possibility that there will be a strike and therefore I have doubts about this matter. I wonder what the law would do if because of a strike people not directly affected were caused hardship? I saw this happen in 1949. There was a miners' strike in my region, and as a result of that strike the miners are extremely careful about striking again. In 1949 many families suffered hardship as a result of the strike and some bills have still not been paid. If the housewives had the vote I think the picture would be somewhat different. We may have the right as individuals to cause our own families some hardship through not providing them with the necessities of life, but if by a strike we cause other people hardship it is a different matter.

I am not reassured about the question of strike. I said it was an extreme means to be used very sparingly, if used at all. I know that in this bill there is the possibility of negotiation or arbitration, which is the normal procedure. These matters have to come to a head at some time and if we cannot solve them by discussion somebody has to make a decision. The government may always keep this one door open, but they should take the steps necessary to enact legislation that will help to solve these problems. I am talking about compulsory arbitration.

I wonder whether, rather than having a different person appointed every time to solve these disputes, we could not set up a non-political board to deal with them. If it was not a non-political board I would not want a board established. Such a board would have the same effect as a judge in a court. Its members would make decisions the same as a judge. We rely on the judgment of a magistrate or judge in other matters. In a capital murder case we rely on their decision when a person's life is involved. Therefore why should we not rely on the judgment of such a person in labour-management disputes? There would not be just one judge involved

[Mr. Langlois (Mégantic).]

but a permanent board which would be able to solve these problems to the satisfaction of the parties. In this way the government would be left as far as possible out of this type of dispute. We are legislators; we are not judges to rule on these questions after legislation has been passed. It is our duty to enact the necessary legislation, but the machinery must be provided to make the legislation effective once it has been passed. A great deal of the legislation now on the statute books is as dead as any old wood you can find along a river bank because we have never applied it or perhaps have not the necessary equipment with which to apply it.

This is the problem that we face today in strikes and labour-management disputes. We should have on our statute books very efficient legislation with the equipment necessary to keep the legislation well oiled at all times to face any emergency before the dispute becomes a national crisis. We should not have to run to parliament to take drastic action when a labour-management dispute reaches national proportions.

● (4:10 p.m.)

I have in mind what the minister has said about compulsory arbitration and negotiation, but I believe we should establish a permanent board to deal with these matters rather than having one man, and a different one every time, deal with them. The government could keep a close watch on the board. In this way we would be able to deal with problems perhaps before they arise. In other words, we could deal with the chicken before it is hatched and prevent a great many troubles that now now beset our society. The purpose is mainly to prevent social injustice. I think we should have as much confidence in a board set up to deal with some of the management-labour disputes that arise today as we have in the judges and magistrates who are appointed to our courts.

[*Translation*]

Mr. Goyer: Mr. Chairman, the speeches we have just heard show exactly how a Conservative and a Liberal mind differ. A Conservative mind wants all legislation to be tried out by others, or at the expense of others, whereas a Liberal mind is ready to take the risk and try the experiment. In fact, by saying that the right to strike is not recognized by the majority but merely by some countries in the world and that we should not therefore grant this right in Canada, people only prove that we should precisely