

*Civil Service Act*

will give them certain conditions of employment, wages, opportunity for advancement, holidays and so on. They want this in black and white.

We have suggested that there might be two or three stages of negotiation. We have suggested that the civil service commission itself could, in the first instance, take to the governor in council the wishes and representations of the associations representing the civil servants but that once it has made this presentation, which must of necessity be public knowledge, they should step out of the negotiations, having made their recommendation. Then the employees themselves will be able to negotiate directly with the government.

Whenever people have opposed the idea that there should be direct negotiations with the government, they have always raised the question of possible strikes. What would happen, they ask, if the employees and the government reached a stalemate and it resulted in a strike? After examining the present act I am of the opinion that if any group of civil servants wished to go on strike there would be nothing in the law to prevent them. I think it should also be pointed out that most civil servants have not asked for the right to conduct a strike against the government. They have, however, asked for the right to conduct direct negotiations with the government or its representatives, the treasury board or some other organization. Mr. Chairman, do you want me to cut off now?

**An hon. Member:** Yes.

**Mr. Argue:** You finish your speech. There is no hurry. It may be your last.

**Mr. Peters:** I realize the hour is getting late, but I should like to conclude by making a strong appeal that the government should reconsider this clause. This is the clause which will determine whether civil servants are to be emancipated or not. It seems to me that civil servants should have a collective agreement which would clearly set out both their rights and the restrictions imposed on them. There are obligations imposed under a collective agreement but there are also privileges, and both employer and employees should know exactly what these are.

Let us take an example. If we read the act we find that as part of this collective agreement the employee of the government has certain holidays and those holidays are days for which he is entitled to payment. Then we read what the Postmaster General had to say on June 27 about a holiday on July 1. July 1 fell on Saturday. It is true that Saturday is not a normal working day

[Mr. Peters.]

for most civil servants. But that is true with regard to workers throughout this country in organized labour and they do not always decide that July 1 will be declared to be a holiday on such and such a day for pay purposes. It is considered to be an inherent right that they are entitled to a number of days and if they do not work that day they get paid for it. If they work that day they are entitled to be paid twice the amount of their regular earnings, and it seems to me that this government, by using a technicality, is depriving the majority of civil servants in this country of their holiday pay in respect of that holiday. No doubt it is being done legally, but I believe that if we sit down in all honesty to negotiate a contract and it is said that the workers are going to get a holiday on such and such a day and that if they work on that particular day they will be paid with respect to it, if that day falls on a Saturday or a Sunday you should not rub your hands with glee and say: well, this is going to save the government a little money, it is unfortunate that it does not happen more often. It is true that for the next 20 or 30 years it will only happen on two or three occasions that July 1 will fall on a holiday, but I think that these should be conditions of employment which should be negotiated directly with the employee organizations. A collective agreement should be arrived at. For these reasons I hope the government will reconsider this clause and make provisions for direct negotiations.

Other countries such as Great Britain and Australia—almost every country which has had a long history of democratic dealing with its employees—recognize that civil servants have certain rights and liberties, that they have, finally, the right to apply to arbitration so that the settlement of their differences may be reached in a formal impartial manner. It appears to me that in Canada we should not wait for an evolutionary period such as took place in England before coming to this conclusion, but should take an intelligent approach taking advantage of the experience of other countries.

I completely endorse the amendment. I hope the government will give full consideration to it and that when we again discuss this matter we will be discussing a formal agreement enabling workers to negotiate with employers directly to arrive at a conclusion or agreement upon which the worker can operate. If we do not reach that stage the worker will always be under the threat of having regulations governing his conditions of work which he may never see, never be aware of, and never have the opportunity of making a decision in respect to it.