First of all, I think it is important to ask ourselves if this bill is beneficial to Canada. Is it worthwhile? Will it improve labour relations in this industry which is vital to Western Canada's economy and that of Canada as a whole?

We, in the Bloc Quebecois, do not think so. We think that imposing arbitration will only make the conduct of collective bargaining more complicated in an industry that had bad experiences in the past. Let us bear in mind that this Parliament has already had to bring in special legislation to impose the terms of the final offer to settle labour disputes in this industry and there has been no significant change since. The climate has remained tense and continued to deteriorate for several years, precluding any compromise solution where both sides come to an agreement, which is the ultimate goal of the bargaining process.

This bill also contains ambiguous provisions. For example, clause 3 reads as follows:

> —no trade union of employees shall declare or authorize a strike, and no employer of such employees shall declare or cause a lockout, if the strike or lockout would cause cessation of work by any employee whose work is essential to any stage of the progress of grain from the premises of the producer of the grain to export.

This wording is rather vague. It could be open to interpretation as to who these employees are and whether or not their work is performed at any stage of the progress of grain from the premises to export. So, in our sense, such ambiguity is dangerous and could make labour relations more difficult instead of making them easier.

The second point I want to make concerns compulsory arbitration. A typical example people hear about every day is the situation in professional sports. Police forces in Quebec have used the procedure as well. It seems that repeated use of this procedure does not improve labour relations, which tend to deteriorate. There is also a tendency to avoid putting all one's cards on the table, which one should normally do when two parties negotiate, in order to reach an acceptable settlement.

Compulsory arbitration tends to make the parties reason along the following lines: I am not going to show my hand right away, because if I do, when we go to arbitration, the arbitrator will make even more concessions to the other party and I will be the loser in this process.

Compulsory arbitration does not seem to offer any advantages for either party and does not seem to be a satisfactory way to solve these problems.

From past experience, and I speak as a former director of personnel in an educational institution, I would say that prohibiting strikes offers no guarantee that people will not walk out just the same. In this field, for a law to be successfully enforced, justice must be done and must appear to have been done.

• (1735)

The mere fact of imposing arbitration and prohibiting strikes will not work if there is a major stumbling block for the workers or the employer. The employer insist on imposing a lockout or a virtual lockout, or the employees may decide to walk out just the same, which puts them in an illegal position. While in a normal bargaining process they would not have that problem and it would simply be a matter of letting the market decide. We must realize that sometimes good intentions do not achieve the expected results.

We must also find ways to avoid a decline in productivity. My point is, that by prohibiting legal strikes, we may encourage behaviour that is even more damaging and that without necessarily leading to a work stoppage, will be detrimental to production and create a conflict situation in the workplace, which is tantamount to giving the parties a kind of leverage that goes well beyond what is traditionally provided in the legislation.

The last back–to–work legislation passed by Parliament, in the case of the Port of Vancouver, is a good example. Wages were the only item that remained to be settled, but the parties could not agree. When the final offer was put on the table, both parties refused to budge. In this particular case, the employer's offer was accepted, but it could have been the other way around. There have been such cases in other sectors. If the union's offer were accepted because it was reasonable, theoretically speaking, it would not necessarily suit the employer and could interfere with efficient operations, so that the result could be damaging both to the company and the employer.

So these are also things we must consider, and we should realize that, with all our good intentions about settling disputes through arbitration, we may be creating situations that are far more complex. The bill before the House today is an example of the kind of well–intentioned approach that will fail to achieve what we ultimately want, which is better relations in the workplace.

Compulsory arbitration also takes away any interest the parties may have in negotiating, in finding compromises together. A period of negotiations between an employer and a union also includes periods of exploring solutions, which are not formal bargaining sessions but rather periods of exploring how solutions may be reached. Compulsory arbitration will stymie this exploration, because both parties will refrain from putting interesting solution proposals on the table, discussions will be formalized. In the end, people will be more dissatisfied than if they had been able to take the negotiations to their conclusion.