

Labour Conditions

Mr. Howard: That is what I am doing. I will gladly make this bill available, as I did to the Parliamentary Secretary to the Prime Minister who asked me specifically if he could have a copy. Subclause 2 reads as follows:

If at the expiration of 60 days from the commencement of negotiations pursuant to subsection (1) any matters in dispute have not been settled such matters shall be referred to an industrial inquiry commission consisting of a single commissioner—

This is a departure from the general rule.

—appointed pursuant to subsection (1) and (2) of section 56 of the Industrial Relations and Disputes Investigation Act;

I may say here that it has long been my belief that a three-man arbitration and conciliation board is a waste of time because two of the members represent their people, and when a conflict arises within the board itself concerning the matter in dispute, it invariably falls upon the chairman to make a decision anyway.

Mr. Marchand: Did the hon. member ask the labour movement what it thinks about having a single arbitrator?

Mr. Howard: I was in the International Woodworkers of America for a long period of time and in our contract we had a single arbitrator, the late Chief Justice Gordon McG. Sloan.

Mr. Pickersgill: Did the hon. gentleman say "a single arbitrator"?

Mr. Howard: Yes, in the contract that existed. When I was in the International Woodworkers of America, our contract named a single arbitrator, the late Chief Justice Gordon McG. Sloan to arbitrate in disputes arising out of collective agreements, not those dealing with negotiations which was an entirely separate matter.

May I also say to the Minister of Citizenship and Immigration that I am not representing labour; I am here to try to legislate for the good of the nation. It is my view that a single commissioner would be far more beneficial than a tripartite group in a case such as this.

Subclause 2 goes on to read:

—provided however, that in the event the union and the company fail to agree upon the person who should constitute the industrial inquiry commission the governor in council shall make the appointment within five days of the expiration of the said 60 days.

This is standard practice. Subclause (3) reads:

Immediately following its appointment the industrial inquiry commission shall inquire into the matters in dispute and shall give full opportunity to all parties to present evidence and make representations.

This again is standard practice.

The following clause is a departure from the provisions in the Industrial Relations and Disputes Investigation Act. It reads as follows:

The industrial inquiry commission shall have the authority to make reports including recommendations to the Minister of Labour from time to time on matters referred to it, but in any event all such matters shall be recommended upon not later than the first day of June, 1967.

This would allow the commissioner ample time and opportunity to study the matters involved in the dispute and to make recommendations about them, provided that by June 1, 1967 all the matters had been disposed of.

Note the key word "reports", which is taken from the Industrial Relations and Disputes Investigation Act and which the Minister of Labour used on June 23 when he announced the appointment of Dr. Picard as the commissioner, with the same implication—that he report.

Subclause (5) reads as follows:

Upon receipt of a report including recommendations from the industrial inquiry commission relating to any matter in dispute between the company and each union, the Minister of Labour shall furnish a copy to each of the parties affected and shall publish the same in such manner as he sees fit.

This again is the standard approach.

Subclause (6) reads as follows:

Nothing in this act shall be deemed to limit or restrict the rights of the parties to an existing collective agreement to agree to vary or amend any of the terms thereof and to give effect thereto.

This is the operative part of the proposed legislation.

Mr. Pickersgill: May I ask the hon. gentleman another question? Is there no provision in the legislation requiring the I.L.A. members to go back to work?

Mr. Howard: Yes, this is again standard practice.

Mr. Pickersgill: Will the hon. gentleman read that clause?

Mr. Howard: The proposed bill, patterned as it was on one passed by this parliament