

PRIVATE MEMBERS' PUBLIC BILLS

[English]

Mr. Dionne (Northumberland-Miramichi): Mr. Speaker, I rise on a point of order. I think there is general agreement on all sides to proceed with Bill C-239 this afternoon.

The Acting Speaker (Mr. Ethier): Is it agreed to proceed with Bill No. C-239 and that all preceding bills shall stand at the request of the government?

Some hon. Members: Agreed.

The Acting Speaker (Mr. Ethier): It is so ordered.

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CANADA LABOUR CODE

AMENDMENT RESPECTING UNION MEMBERSHIP AND DUES

Mr. Frank Oberle (Prince George-Peace River) moved that Bill C-239, to amend the Canada Labour Code, be read the second time and referred to the Standing Committee on Labour, Manpower and Immigration.

He said: Mr. Speaker, may I read into the record the main portions of the bill I should like to see referred to committee. The language of the bill is as follows:

1. The *Canada Labour Code* is amended by adding the following immediately after section 186:

186.1 (1) Notwithstanding anything contained in this act, no provision in a collective agreement requiring an employer

(a) to discharge an employee because such employee refuses to become a member of, or to undertake to become a member of a specified trade union, or

(b) to discharge an employee because such employee is or continues to be a member of, or engages in activities on behalf of a union other than a specified trade union,

is valid.

(2) No provision in a collective agreement requiring an employer to make a deduction or deductions from the remuneration paid to an employee to be credited to a specified trade union, is valid unless such deduction or deductions are authorized by the employee.

This bill could have far-reaching implications for our traditional industrial relations and entire social order. Much is written and said these days about the difficulties encountered in our country's industrial relations process. Therefore I shall quote two paragraphs of an article Mr. Paul Johnson wrote in the *New Statesman*. He wrote:

The compulsory enforcement of the closed shop by parliamentary statute is the greatest disaster which has befallen liberty in my lifetime . . .

In his article he also referred to the decision of the mother of parliaments, the Parliament of the United Kingdom, compelling every worker in that country to belong to a trade union. He went on to say that what the Government of the United Kingdom did "is very likely illegal under the European Rights Convention, of which Britain is a signatory."

I suggest that union closed shops and certain other provisions we have included both in federal and provincial labour

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codes contravene the Canadian Bill of Rights because they offend against one of democracy's cardinal principles, the right to freedom of association. In my considered opinion we need to restructure our present system to make it work better so that all sectors of our economic community can work more closely together.

Recently there has been talk of certain tripartite negotiations which, in my opinion, would be a step in the right direction. There are two sides to the bargaining table, each side has to yield equally. The difficulties our nation has experienced owing to labour strikes are well known and need not be expanded on, for they are irrefutable fact. What alarms me more is what may happen in the future.

● (1600)

I am proposing this legislation that is Bill C-239 in an attempt to bring co-operation and harmony into the industrial labour relations process. Labour unrest is often the result of failure of our economic policy to satisfy labour, management, and government.

The present collective bargaining process is too often based on confrontation. As we were told in the last week by the Postmaster General (Mr. Blais), the postal union even has an adversary clause in their contract. The minister is engaged in his annual battle with that particular union, trying to arrive at an agreement which will fit into the context of our contemporary law and rules.

The union card is becoming more important than the parliamentary vote in the sense that it confers a greater amount of political power. This is a very dangerous development. We are moving away from a society based on the freely signed contract in which one man pledges to work for another and the other man pledges to provide him with work. We are moving to a more restricted society where a man can no longer freely sell his labour.

The principles which outline the union organization are hardly democratic. The concepts of compulsory membership, compulsory union dues, and closed shop unions are essentially a denial of individual rights and freedoms of every citizen. Union bureaucrats enjoy an enormous amount of power over the rank and file members of their organizations.

The closed shop union is a most powerful weapon. It effectively deprives the organized worker of his individual options, in other words, his fundamental rights. Unions seem reluctant to consider themselves part of the economy. More impetus is directed toward profits through wages. Little is gained in terms of co-operation and development of sensible policy goals.

The unions argue that they need this power for which they have worked hard and to which they were entitled at one time to maintain their democratic posture and rights. They need this power to achieve their collective goals. I am more concerned about the goals and the rights of the individual. If the government could make it compulsory for every citizen who achieves the benefits of what we do here in the House of Commons or what the government does to belong to the Liberal party, it would streamline the operation immensely. It