

*Labour Dispute*

business would compel the parties to reach their own solution. This parliamentary intervention in the affairs of the Maritime Employers Association and the longshoremen would not have been necessary had the longshoremen restricted their activities to their own industry and allowed employees of other organizations who were not on strike to do their jobs without hindrance. I am referring particularly to those employees not on strike who are engaged in the movement of grain at elevators on the waterfront.

As members of this House well know, I support the right to strike as a basic freedom of Canadian workers, and I certainly supported the right of longshoremen in this dispute to strike. But I cannot and do not condone illegal activity by strikers and I do not support activity which impinges on the rights of other workers. The actions of certain individuals created an intolerable situation for the feed grain industry and employers and employees not involved in the strike, and placed in jeopardy the livestock industry of an entire province.

● (1520)

I should like to make it clear that labour solidarity is a respected and desirable practice among members of the trade unions. Workers who join longshoremen in peaceful picketing should not be criticized, but it is unacceptable to me and to the government for workers on strike or workers who sympathize with those on strike to engage in acts of vandalism or intimidation. All such activity places the trade unions and collective bargaining in disrepute.

It will, I hope, be accepted that, under the unfortunate circumstances that prevail, the government has no option now but to consider such legislation as is proposed. Let there be no mistake about the government's intentions: while this is the second occasion in recent times that back to work legislation has been or will be passed by parliament, in so doing there is not, of course, the least intention on the part of the government to start a trend or a pattern of government intervention. Indeed, such a trend would be repugnant to this government. I say this so there can be no doubt whatever.

My hon. friend from Hamilton West (Mr. Alexander) mentioned the railroads. May I remind him that they voluntarily came to settlement earlier this year, ensuring peaceful negotiations during the whole of the term of the collective agreement and ensuring continued operation of the railroads. I think this is evidence of how free collective bargaining can work constructively when both parties have a willingness to do so. As I say, it is repugnant for the government to order back to work legislation and to constantly intervene. I say this so there can be no doubt whatever that the course of action which this government has embarked upon is a course of action thrust upon it by the particular circumstances and demands of this dispute situation.

It should also be made clear that this bill is by no means intended to establish a precedent. I want to serve notice on the parties in this dispute, and on the parties in any dispute that may take place in the future, that there is no certainty as to this government's course of action with respect to intervention or the nature of the legislation itself. The parties should not look upon parliament as

[Mr. Munro (Minister of Labour).]

being part and parcel of the bargaining system, the place where they go to get an extra concession which they could not negotiate at the bargaining table. This is far too often the attempt of one side or the other. Those who attempt to use parliament in this way will be sorely disappointed.

The principal subject matter of this legislation is the dispute between the Maritime Employers Association and the International Longshoremen's Association, specifically local 375, Montreal; local 1739, Quebec City; and local 1846, Trois-Rivières. I will refer later to the secondary dispute which this legislation also concerns. The parties to the principal dispute have been unable to negotiate revisions to their three collective agreements, which expired on December 21, 1974, in Montreal and on January 15, 1975, in Quebec City and Trois-Rivières. The total number of longshoremen involved stands at some 2,400.

It would be pertinent for me to briefly recapitulate the sequence of events that have led to the present situation. The parties met in direct but unsuccessful negotiations on a number of occasions prior to the expiry of their old collective agreements. Consequently, on December 24, 1974, I appointed Judge Alan B. Gold of Montreal as conciliation commissioner under section 164 of the Canada Labour Code. At that time I also authorized Judge Gold to commission an independent study into the matter that is primarily responsible for the present dispute: the longshoremen's job security plan. I will refer to this later.

Between December 30, 1974, and February 24, 1975, Commissioner Gold met separately with the union and the employer and held a number of hearings. Commissioner Gold's report was received on March 14. This report was, as we know, accepted by the Maritime Employers Association but was rejected by the union membership at all three ports. Some two weeks later I appointed Charles Poirier as mediator in the dispute, pursuant to section 195 of the code. But despite Mr. Poirier's best efforts, the longshoremen began legal strike action on March 31, a strike which is continuing to this moment and which is unacceptably damaging not only sectors of the local economy, particularly the agricultural sector that is dependent on the importation of feed grain, but the national economy as well.

It will be noted that the second part of this legislation involves the Maritime Employers Association, local 1657, Montreal, and local 1605, Quebec City, of the ILA—the latter representing some 320 checkers and cargo repairmen. In this instance, the parties were also unable to negotiate revisions to their two collective agreements which expired on December 31, 1974. On March 10, I appointed Judge Gold as a conciliation commissioner and he handed in his report on April 9. As with the other dispute, the Maritime Employers Association accepted the report and the union did not. The union struck on April 17 and remains on strike as of today.

Before referring to the proposed legislation itself, I would like to add some appropriate observations concerning the conciliation commissioner, Chief Judge Gold, on whose reports the legislation is founded. Judge Gold's knowledge in the field of industrial relations is unquestioned; and, equally important, his expertise in industrial relations as practised at the St. Lawrence River ports is unequalled. It is unnecessary for me to provide a detailed