

House generally, and especially those members who participated in the deliberations of the committee, will support this modification in the committee's recommendations.

Though Bill C-70 appears to be a complicated bill, it is for the most part a consolidation and reorganization of the relevant sections of the Public Service Staff Relations Act as they now read. The vast majority of the amendments are consequential amendments which flow from the combining of the jurisdictions of adjudication, arbitration and board functions into a reconstituted, full-time public member board and the provision for the appointment of part-time board members. Other changes deal with appointment procedures of the board and the facilitating of the conduct of hearings.

Finally, I would like to direct attention to the transitional provisions. In brief, they permit the board, the arbitration tribunal and adjudicators to retain their authority and jurisdiction in respect of any proceeding before them which has not been disposed of at the time the new board comes into existence. It also provides for the present full-time statutory officers—that is, the chairman, the deputy chairman, the alternate chairman of the arbitration tribunal, and the chief adjudicator—to be appointed to the new board for the period established by the terms of their appointments to the existing board. The part-time chairman and alternate chairman of the arbitration tribunal and the part-time adjudicators would be appointed as part-time members of the new board for the period established by the terms for which they have each been appointed to their respective offices under the existing legislation.

Mr. J. M. Forrestall (Dartmouth-Halifax East): Mr. Speaker, I think that in respect of Bill C-70 one or two observations should be made for our part. I will commence my observations by indicating to you, sir, that we in this party are in substantial agreement with the provisions of Bill C-70 and indeed support its introduction, although it must be said we had hoped the bill would come on Thursday or Friday when we would have the opportunity to look at the bill in greater depth. However, we will be able to look at it when it comes before the committee.

There are one or two things that should be said about it, and in part they echo the words of the government House leader when he stressed the urgency of the provisions of the bill for the present Public Service Staff Relations Board. It is true that in the last couple of years the board has been faced with an increasing number of referred matters which, within the context of the board's present structure, it has not been able to resolve. In other words, the present board was constituted some seven or eight years ago and was imbued with authority and jurisdiction to deal with the traditional problems relating to third party requirements in the labour contract process between the government and its employees. However, in recent years, because of certain procedures, the backlog of cases has grown to many, many hundreds.

The procedure followed in breaking away from one general report was not one that was welcomed by myself because it had a tendency to interrupt the flow of deliberations of the joint committee on employer-employee relations in the public service and the continuity of the flow

Public Service

from beginning to end of the Public Service Staff Relations Act and other acts relating to employment in the public service. However, the evidence brought before us by Mr. Finkelman and others was sufficient to convince all of us in the committee that something had to be done very quickly, otherwise the board would bog down in procedural matters in the resolution of hundreds of individual cases and would not, in fact, be able to deal with the ongoing work which is required of a board of this nature. For those reasons, we did depart from a general acceptance of the presentation of one cohesive report to the House, which I think all members of the joint committee were confident would be a unanimous report to the House with respect to changes that we believe should be made to the Public Service Staff Relations Act.

We have broken away from that principle and have come to the House with an interim report. It is one which I think commends itself to the House, particularly in light of the urgency today in not letting the dispute resolution process, the grievance or adjudication process, get too far behind. In order to do that, we now have in front of us Bill C-70 which substantially purports to implement the interim recommendations of the joint committee.

There are two or three areas which, on a hasty perusal of the bill—I have only had the bill for 35 or 40 minutes—require much closer scrutiny. As I mentioned, this consideration will be given them when we deal with the bill in committee. But one glaring and immediate omission that strikes me in the bill is the omission of a clause providing for the eligibility of members of the board to be reappointed after their initial appointment period. I draw this to the attention of the minister now so that he or his responsible officials will be able to consider the matter and prepare an appropriate amendment, unless in fact the government does not choose to permit the reappointment of members of the board.

I would refer hon. members to page 2 of the bill, new section 11, which deals with the board's establishment. I would draw attention in particular to subsection (2)(a) and (b) which reads:

(2) The members of the board shall be appointed by the governor in council to hold office during good behaviour for such period,

(a) not exceeding ten years, in the case of the chairman, the vice-chairman and the deputy chairmen, and

(b) not exceeding seven years, in the case of any member other than a member referred to in paragraph (a)—

I am not quite certain what that means. It is somewhat ambiguous inasmuch as it is important that there be a harmonious relationship between the government and its employees and that there be a continuity of understanding and of action with respect to the interpretation of the Public Service Staff Relations Act and the related work of arbitration, adjudication, conciliation, and so on. I would draw that point to the attention of the government House leader because it is important.

The committee felt it was important that provision for reappointment be embedded in the act. On reading subsection (3)(a)(b) of section 11, I do not see anything providing for reappointment. Our report can be found at page 583 of *Votes and Proceedings* of May 29, 1975. We indicate the following under the heading "Tenure":