

*West Coast Ports Operations Act*

of traffic and the amount of skilled work available to the union. From its point of view, the union has viewed the employers' claim with skepticism and is concerned that if the forecast of increased traffic predicted by the Employers Association is wrong, the union will then have surrendered jurisdiction over a substantial part of its present work with no hope of retrieving it.

Conciliation Commissioner Hope proposed recommendations to deal with the problems experienced in adequately manning the Monday to Friday day shifts in the port. In an attempt to make the day shift more attractive for the longshoremens, Mr. Hope recommended a reduction in shift differential premiums for both the night and graveyard shifts. The report recommended a reduction in the night shift differential from time and a half the base rate to time and a quarter the base rate over the first two years of the new agreement. The report also suggested that the graveyard shift premium be reduced from two times the base rate to one and three-quarters times the base rate over the same two-year period.

As an additional measure to deal with the problem of insufficient manpower during the regular weekday shift, the Conciliation Commissioner recommended that the employer have an unfettered right to train casual employees in all categories in numbers sufficient to meet the many needs of the ports as assessed by the employer. After carefully weighing the requirements and concerns of both parties on the issue, the Conciliation Commissioner recommended that a provision be incorporated in the collective agreement permitting the employers, through their association or an individual basis, to institute continuous operations after full consultation with the union and the institution of rules that would protect against the potential abuse of inadequate relief for the employees. The recommendation also provides that the parties would have the right to submit any dispute in this area to arbitration under the existing provisions of the collective agreement. In addition to increases in the skill differential premiums, the report also called for increases in the employers' contributions to the pension, welfare and supplementary unemployment benefit plans.

The Employers Association indicated a willingness to accept the report of Mr. Hope as terms of settlement for the contract dispute but the union rejected the total report as an unacceptable package, indicating some willingness to negotiate further on those items where it was not prepared to accept the recommendations put forward by the Conciliation Commissioner.

The parties acquired legal rights to strike or lockout on August 21, 1982. Over the next six weeks, the parties met several times in direct negotiations with little in the way of progress being made toward the final settlement of the dispute. The union held a series of one-day port closures to inform their members as to the progress of negotiations. In addition, it instituted what it termed a work monitoring program which effectively slowed the loading of ships to the point where several major shipping consortia began diverting their vessels to the Port of Seattle.

On October 18, the Employers Association advised the union that unless the work slowdown was brought to a conclusion, it would stop the dispatch of labour to all terminals except for grain, effective at twelve noon on October 19. On the following day, when the union did not meet the employer's demand, the employer instituted a lockout at all west coast ports with the exception of the grain operations. However, the union then refused to allow its men to report to the grain loading operations, thereby closing down all longshoring operations on the west coast.

On October 25 I sent the following telegram to the Presidents of the Employers Association and the union:

Once again all commerce through West Coast ports has been halted as a result of a labour dispute between the BCMEA and the ILWU. The history of labour relations between your organizations over the last thirteen years and resultant work stoppages is a dismal record to those who advocate and defend free collective bargaining. The BCMEA and the ILWU have always expressed a distaste for government intervention yet seem incapable of resolving their disputes without such intervention. The record indicates that not once in the past thirteen years, except during the A.I.B. regime, have you been able to arrive at a collective agreement short of intervention of high-level mediation from Ottawa or Parliament itself. The punishment inflicted on other Canadians and the economy generally is a matter of urgent concern in the best of times but in today's grave economic circumstances such action is intolerable. Grain export, an economic life-line of this country, is strangled and already massive layoffs of railway workers has taken place. I am a firm believer in collective bargaining and rights established by the Canada Labour Code. However, I feel compelled to say that such rights do not establish our West Coast ports, which belong to all Canadians, as the private poaching ground of any employer's Association or union. You have exhausted, as usual, conciliation provisions of the Canada Labour Code and now with all shipping from and to the West Coast halted apparently remain aloof not talking to each other. I strongly advise you to immediately resume negotiations. Failing an early settlement of this dispute the government will accept its responsibility repugnant though it might be to bring about resumption of vital shipping operations.

That is the end of the telex, Mr. Speaker.

Following receipt of the telegram, the parties did initiate direct negotiations on October 27. Despite these efforts on the part of the two sides, Mr. Speaker, negotiations have once again failed to result in a settlement of the differences between the parties, and I therefore stand before you today to introduce this legislation which translates this strongly worded message in my telegram into action.

Again, I must reiterate that, as Minister of Labour, I do not relish the idea of interference of this nature in the bargaining process, but I have only to weigh the economic and social consequences of this cessation of longshoring activity on the west coast to justify the action taken here today.

• (1530)

An official of the Port of Vancouver indicated that as of October 28 70 ships were waiting at British Columbia ports for loading or unloading purposes. Over 2,000 workers in other industries which rely on port operations have been laid off. CN and CP Rail, with a normal schedule of some 36 trains a day into the B.C. docks, have laid off over 1,800 workers between them. Grain companies which handle a million metric tons of export grain a month are also facing the prospect of laying off upwards of 300 workers. Mining and lumber companies, already facing depressed markets because of the current