

Canada Labour (Safety) Code

berg) and the hon. member for Dartmouth-Halifax East (Mr. Forrestall)—this is an area of our life in Canada which merits serious and careful consideration. I refer to the area where federal and provincial labour legislation meet. I believe the hon. member for Moose Jaw, with his great experience in these matters, would be prepared to agree with me that questions of governmental jurisdiction and conflict between governments are sometimes exacerbated and exaggerated by the jurisdictional postures of different unions which may have been established under either federal or provincial aegis. In some circumstances where I have had experience in this field I have found that the situation is immensely complicated. In this type of situation it has always appeared to me there is a necessity for agreement among unions and among employers before one can go to governments for a solution.

In a way, what the hon. member for Moose Jaw is requesting here is not so much an amendment to an important statute but, rather, an attempt to have Parliament make a constitutional declaration concerning the type of workmen who are included within the ambit of federal and provincial labour legislation. I suggest this is an extremely dangerous course to follow. This interpretation of the hon. member's bill was impressed upon me when I listened to the remarks of the hon. member for Dartmouth-Halifax East. It seemed to me he spoke very little about the bill or about the Canada Labour (Safety) Code. He was concerned about workmen's compensation, which of course is something not dealt with in this statute.

Whether or not a workman who is injured in the course of his work in a shipyard is covered by the federal or provincial workmen's compensation laws is something which is determined easily in this part of the world and, I should have hoped, elsewhere. But by making this type of entry in the safety code we make no contribution to the solution of that problem.

Mr. Skoberg: Would the hon. member permit a question?

Mr. Blair: Certainly.

Mr. Skoberg: I am wondering whether the hon. gentleman realizes that today neither the federal nor provincial authorities know which way they are going in respect of this area. In my remarks I suggested this bill be considered in committee so that the federal and provincial people could come to an understanding which would benefit the shipworkers to whom I referred and so things would be better all around.

I ask the hon. gentleman whether he would agree that workers in all fields of provincial and federal regulation are covered under the Canada Labour (Safety) Code except ship repair workers.

Mr. Blair: Mr. Speaker, in response to my hon. friend I think it is important for a determination to be made concerning whether, first of all, this important working group is covered by any safety legislation and, if so, whether it is that of the federal or provincial govern-

ments. I hate to expose myself to a wrong interpretation of what I am saying or thinking, but I do not think the proposal in this type of a measure is the best forum for the consideration of this rather complicated problem. I am not sure, from what my hon. friend said, whether or not the problem is uniform across the country. I have forgotten what little I did know about the ports at Vancouver and Montreal, but it was not my impression that that kind of legislative and administrative vacuum existed there. It may well turn out that this is a problem, as I believe my hon. friend suggested, peculiar to one province and one area, which province now has a new government which hopefully can resolve many of these complicated matters.

Having made these comments about the bill proposed by the hon. member, and having to the best of my ability explained why I think it is dangerous for us to proceed with it because I believe we are working toward a point where we might expose the whole legislation to the hazard of disallowance, I should like to say a word about safety legislation in general. This is new legislation that was first enacted in the session of 1966-67. It cut across a lot of existing legislation because, as hon. members are aware, all these federal activities be they in railways, shipping, aviation, telephones or telegraph have long been regulated by other statutes.

• (4:50 p.m.)

One of the problems that the safety legislation created was in respect of new rules and regulations which sometimes cut across or added to the responsibilities piled on these enterprises by the older legislation. There has been a difficult period of digestion in the working out of regulations under the new law and applying them to existing industries which were well regulated under the old laws. That is another reason why at this reasonably early stage in the history of the Canada Labour (Safety) Code it would be highly inadvisable to consider an addition which might have far reaching consequences in terms of the operation of the legislation.

But again I think we must feel indebted to the hon. member for Moose Jaw for raising this point. I would suggest to him, as he might well suggest to me, that perhaps one useful approach to this question of jurisdiction on the margin of labour operations in Canada might be considered by the important unions which are concerned with it. They are the people who live under whatever laws are prescribed, and I fail to see how new rules can be made unless they recognize the position of existing unions and the rights they have acquired under present legislation.

Mr. Ray Perrault (Parliamentary Secretary to Minister of Labour): Mr. Speaker, at the outset I want to commend the hon. member for Moose Jaw (Mr. Skoberg) for his interest in the welfare of ship repair workers, longshoremen and all port workers. I come from one of the great port cities of Canada and although it may be difficult for some hon. members to believe, I am a former ship repair worker. I have spent a considerable time in the yards and have some scars to prove it. I want to

[Mr. Blair.]