

the purpose of this legislation is essentially to end an employers strike. The fact is that employees are the ones who are locked out. My Party finds it interesting that we are seeing a capital strike by the Maritime Employers Association who are looking for more benefits. The fact is they are being ordered to open their doors.

My concern about Bill C-24 is that it is essentially an apple containing a razor blade. I say that because there are a number of matters that have to be addressed very carefully, including the process of selecting the referee, the final terms of reference for the industrial inquiry commissioner, who it will be, and how the much bandied about Clause 13 is finally handled.

Before I move on to the specifics, I want to comment on what the Liberals have been saying today. I found it interesting that today they are proposing many amendments and finding many things wrong with the legislation, yet only 45 minutes after they received it yesterday their House Leader stood in the House to demand that it go through all stages in one breath so that the lock-out can end immediately. They did not want a full debate to take place in the House of Commons.

Another concern, which I address to the Minister of Labour (Mr. Cadieux) as much as to anyone else, is that it was unfortunate that even as Members of the House received copies of this Bill the ILWU and members of the MEA on the West Coast had not received a copy of the legislation. They did not receive a copy until we vaxed one over the telephone at 10.15 yesterday morning. I recognize that the Minister had time constraints, but I think that when any legislation affecting employers or employees comes before the House, there is a responsibility of the House to ensure that those who may be directly or indirectly affected by the legislation are given copies before a debate takes place.

It is clear that this legislation is to order employers to open their doors because the situation on the West Coast is a lock-out. I have read the press clippings and I am amazed at the number of journalists, not only in the print media, but on radio and TV, who have called this a strike by longshoremen. Nothing could be further from the truth. It is the employers who have been involved in a lock-out.

Let me deal with Clause 13, particularly Clause 13(2). The Minister moved quickly on the suggestion made in the speech by my friend, the Hon. Member for Regina West (Mr. Benjamin). He agreed in principle that what is being applied to union officers must be applied to corporate officers as well. I am sure that everyone involved would have preferred that Clause 13(2) simply be deleted. I find no comparable precedent in the last decade of legislation before the House that was solely directed against a union. That is why the criticism directed against Bill C-24 as it now stands is correct. It is clearly anti-union. Because of the speed with which the Minister of Labour moved, I think he was intending to send a signal to the Maritime Employers Association as to where this process is going to go rather than simply taking a smack at the ILWU. The reason I say that is because there are two big

*Maintenance of Ports Operations Act, 1986*

sleeper sections in this Bill. The first section is the referee clause which is for the implementation of the Larson Report which touches on many different things. It requires the referee, who is acting directly for the nine locals of the International Longshoremen's and Warehousemen's Union and the 65 shipping and stevedoring companies to deal with various things, some of which are not fully delineated in the Larson Report as it stands. They are; recognized holidays, vacation with pay, the welfare plan, taking into account the effects of the unemployment insurance carve-out and the effect it will have on many workers. I would encourage Hon. Members of this House to take a look at the pension section of the Larson Report because I do not see how a referee, no matter how fair minded—and I understand from the Minister the referee will be chosen from Labour Canada—would be able to implement that with the kinds of wording and recommendations which have been left by the Larson Report.

• (1210)

There is automation protection. The public should be aware that the section on wages provides for no increase in 1986, which means an absolute freeze, 2 per cent starting January 1 of next year and 3 per cent on January 1 of 1988. All three of those increases run far behind the consumer price index or inflation. Therefore, the longshoremen are being asked to take a drop in wages for each of the next three years in terms of real pay.

There are sections on deep sea ship gangs, hours of work, despatch to rated classes, on-site training, continuous operations, transportation and travelling time and employment on the job. A previous speaker from the West Coast pointed out Clause 12 allows for the two sides, the ILWU and the MEA to come together to find common ground if they can find contractual language on any of these matters they find more satisfactory than the implementation of the Larson Report and its recommendations.

I would like to spend a moment on the other big sleeper. It concerns the industrial inquiry commissioner who is to be appointed by the Minister to deal with the container clause, the famed provision in Article 26.05, and such related other matters as the Minister deems appropriate to the container clause. This commission will have all the powers under the Inquiries Act and I, therefore, think Hon. Members of the House should keep in mind that that inquiry commissioner or commissioners will have the power to subpoena witnesses and documents, to cross examine, to take sworn evidence and so on, and perhaps for the first time on the West Coast really dig to the bottom of the container clause. But some kind of process should have been agreed upon in advance in terms of the appointment of the industrial inquiry commissioner. Other speakers have proposed that a short list be put forward and someone who is jointly acceptable to the two sides be chosen or that perhaps a short list of names be brought before a committee of this House, or the House Leaders, so at least there is a process to protect both sides.