

Government Orders

is still listening to me—who has just taken up his new duties and as Minister of Labour, must maintain his neutrality toward both parties, that in their opinion, disputes must be settled, but not so that there appears to be a bias in favour of one of the parties.

● (1640)

It seems to me that under the circumstances, the minister should give both parties the opportunity to reach an equitable settlement. I want to stress that the state of the economy is different in British Columbia than it is elsewhere. I would like for things to be this way in Montreal. This may not be an interesting problem to resolve but, just between us, I would much prefer to solve this problem than some of the other ones that are tied to the state of the economy.

Therefore, with regard to clause 10(1), I think that you should agree to my amendment since we are now at the stage of examining the dispute settlement process.

[English]

Mr. Axworthy (Winnipeg South Centre): Mr. Chairman, let me say first that throughout this bargaining and dispute, both officials of this department and myself have not taken any sides and have retained very strict neutrality, as has been the tradition of this department. I think it is wrong to suggest otherwise.

We feel that collective bargaining itself has both rights and obligations to it and in order to be exercised properly those of us who represent the third party, which in this case is the public interest, must ensure that there is no particular bias.

The fact that along the way the employer in this case sort of suggested that the final offer of selection might be one means of settlement does not mean to say that it is a bias in favour of the employer. Quite the contrary as I said to my hon. friend for Winnipeg Transcona. It was an NDP government in Manitoba, which I may say was not known as a friend of management necessarily, that proposed that as an endorsement. Similarly in the province of Ontario we have had final offer selection.

I do not think final offer selection in itself is attached to either side of the dispute, labour or management. It is just an important technique. The reason we are proposing it in this bill has nothing to do with the particular proposal of management in this case. We felt it was a better technique than arbitration which was tried in the past and failed. It has not succeeded in restoring a more legitimate useful process among the bodies.

As I outlined in my speech we had four different occasions when Parliament had to bring back the grain handlers in the port of Vancouver. In each case arbitration was used and it clearly did not have a kind of leavening effect. The chastening effect might be a better way of describing it.

[Translation]

What the hon. member for Mercier is proposing could well apply should a dispute arise at the port of Montreal. This

provision in the bill sends a message to those in Montreal, namely that they should work out a solution through the collective bargaining process.

[English]

That is the reason. I think we are trying to say to a number of parties to the dispute that final offer selection is a way of continuing responsibilities.

In this case arbitration would not work. It has proven not to have been usefully exercised in the past to gain some kind of long term new set of labour relations. That is why I would appeal to the member.

I recognize in the amendment that she has proposed, which she was kind enough to share with me, that in effect it is just another form of arbitration. It is not a variation on final offer selection. It really is a slightly revised version of arbitration itself. Therefore I think it would not serve the purpose of this act nor would it serve the purpose of the hon. member who as she expressed would hope to try to avoid a dispute of this kind in the port of Montreal or other areas.

As I said earlier in my remarks, I am quite happy to work with members to develop some propositions, policies and guidelines that we can better use, particularly in the transportation industry which is vital to this country. I would be very anxious to do that because I think we need to do it, but in this case I think it would be more effective and more appropriate if we use final selection which I believe is a fair device. Both sides have an equal right to present what they consider to be the most effective solution. Both sides have an equal right to win. Both sides have an equal possibility of losing. There are no flaws whatsoever in this proposal. It is fair to both sides.

● (1645)

[Translation]

The Assistant Deputy Chairman: Before giving the floor back to the hon. member for Mercier, I would like to rectify something I said earlier, if I may. When you first rose, you asked me if members always had to direct their comments or questions to the Chair. It would seem that I erred on the side of familiarity and that, in fact, even in committee of the whole, members must address each other through the Chair. That being said, the floor is yours.

Mrs. Francine Lalonde (Mercier): I did think there was a problem in there somewhere.

I would like to tell the minister that he seems to be forgetting an important point. When he says that the final offer in itself did not constitute an approach favouring one side over the other, I agree with him.