

Canada Labour Code

Because of the time that has elapsed it will be necessary to put forward the date of coming into force of parts I, II, III and IV. I shall therefore be proposing that the date of coming into force of these parts, specified in clause 54, shall be changed from January 1, 1965 to July 1, 1965, and that the dates specified in other clauses be changed accordingly.

In explaining these changes, particularly with respect to hours of work, I would like to point out that the purpose of the hours of work part is still an important and significant portion of the bill. It is our purpose to have the standard hours met where possible and appropriate, and to have the necessary flexibility for time for reaching these standard hours without seriously affecting the welfare of employees or detrimentally affecting the federal undertaking.

Members of the committee will recall the enthusiasm with which this bill was received by the House of Commons on second reading, and I trust that as we enter into specific discussion of various industries we shall not overlook and lose sight of the general objectives of the legislation and the important contribution it will make to the working conditions of employees under federal jurisdiction.

Mr. Starr: Mr. Chairman, when this bill was first introduced I expressed my complete satisfaction particularly because it was, as I termed it, a good, nice package deal. However, it has been brought to my attention since then that it could have been introduced as four separate bills because any amendments introduced to any particular part of this bill will naturally cause the whole labour code to be thrown open for discussion and observation. Nevertheless I think administration in this area, covering the complete bill, is a better idea; but I am not going to deal with that aspect of it.

I wish to deal in particular with the objections that have been raised, more especially those concerning part I which deals with hours of work. We know the trucking industry has made most strenuous objection to this provision. The grain elevator people, particularly those in western Canada, have also made objection, and the railway running trades, headed by Mr. Frank Hall, have also objected because it would affect them adversely.

I do not know how many other industries have made representations and objections but I believe it would be very satisfactory to members of the committee if the minister would outline all of the industries which will

be affected by part I and which have made representations and protests.

The minister has outlined the amendment he proposes to move to clause 51, affecting part I of the bill, but the question which comes to my mind is whether he has communicated to the people who have protested about part I, and ascertained whether his proposed amendment is acceptable to them. As I see it now, any industry or any group of employees affected by the labour code must make two applications or submissions, if these are found necessary. The first submission will have to be made immediately upon the coming into effect of the bill, a submission for a deferment of 18 months. Then during that period of 18 months, if they find they cannot comply properly, profitably or otherwise with the provisions of part I, before the 18 months are up they must apply to the minister under clause 35 to have an inquiry conducted into their particular industry. Should the minister find, having received the report of the commission, that a proper case had been made out, he could by order in council except the application of this part of the bill to the industry concerned either in whole or in part.

I intend tonight to deal with only one of the industries for which this bill has created a great deal of unfair competition, namely the trucking industry, particularly in the province of Ontario. The trucking industry was entirely under federal jurisdiction until 1954 when an act was passed giving the provinces the right to license transport trucks. Of course, transport industry operations wholly within a province came immediately under provincial jurisdiction. The only part of the industry affected by this bill will be that which crosses provincial boundary lines in the course of its operations. This measure affects the entire operation of any particular company even though only 2 per cent of its operations may be interprovincial. As much as 98 per cent of the operation may be wholly within a province, but if only 2 per cent of the traffic crosses provincial boundary lines the whole of the operation of the company is affected by the bill before us. It does not, of course, affect companies which operate strictly within the boundaries of a province. Nor does it affect those trucking companies which hire self-employed owners of tractors who must buy licences to pull these vans across provincial boundary lines. Those who operate such tractors will not be affected.

As I say, there is a great deal of unfair competition in this very industry. That is why I should like to know whether the