

*Government Orders*

This is an unwarranted and unnecessary invasion by the government into the collective bargaining process. I would ask, if it is going there, the very least there should be consultation and discussions with both employer and the unions affected by the Canada Labour Code and the Public Service Staff Relations Act.

By tagging on the part I amendment to the code the minister has undermined the consultative process and cast suspicion on his commitment to reform the labour relation system at the federal level.

The minister also missed an important opportunity to bring an end to one of the most disruptive aspects of labour relations, the use of scabs. We are amending the Canada Labour Code with two major disputes in the country where the use of scabs has exacerbated the situation, has been vicious and violent, and the minister has not included anti-scab legislation. There are three jurisdictions in this country that have anti-scab legislation. We have no evidence that shows that the use of anti-scab legislation in any way interferes with or makes worse the collective bargaining process.

The major amendment that both the governments of B.C. and Ontario implemented in their labour code amendments was that of a ban on the use of scabs. The minister is fully aware of the consequences of the use of scabs. In both the CASAW-Royal Oak dispute in Yellowknife where nine people died, who would not have died if scabs had not been underground, and the CUPE-Nationair dispute in Montreal, the use of scabs has only served to prolong these disputes and to permanently damage, not only the bargaining relationship between workers and the employer, but in the case of Yellowknife to permanently damage relationships in a very isolated and what was a very closely knit community.

I would say that real reform in part I would be to follow the lead of Ontario and B.C. and add a section outlawing the use of scabs.

In part III of the Canada Labour Code the minister has addressed conditions of working life, hours of work, minimum wages, vacations and holidays, leave for sickness and injury, termination and unjust dismissal. All of these are fundamental to a fairer and more equitable work place.

In effect, this part of the labour code is the collective agreement for those workers who are in the unorganized sector. It is their only assurance of a safe and secure work place. It is the minimum standard. For all Canadians the labour code ensures that myopic and unscrupulous employers cannot take advantage of temporarily hostile economic environments to exploit workers.

The code is a statement of the Canadian commitment to minimum standards of security and dignity in the work place, standards which are necessary to the development of a trained, healthy, motivated and productive work force.

For the most part what we see in this bill reflects this underlying belief in the need to strike an appropriate balance of power between worker and employer. For that I applaud the minister. The bill improves on existing provisions so that they are more closely attuned to the realities of the modern Canadian economy.

Greater flexibility for parental leave reflects the reality of today's working families and the commitment of many women to the work place.

Maternity related reassignment puts the rights of the worker to continue her employment ahead of those of the employer to force her on unpaid leave. While this provision does not go far enough in our view as it extends for only a 24-week period, it is a very important step. The recognition in law of the health effects of the work place on the pre and post-natal child are very important and we applaud them.

There is improved wage and employment protection for those workers injured on the job. We applaud that amendment.

Curiously enough, there is a statement in this bill about the primacy of collective agreements where provisions of those agreements exceed those of the code. That is the part that we find rather odd, that this bill speaks of collective agreements, the result of the collective bargaining process, that it will prevail on issues of leave, rates of pay and qualifying period. But in this same bill we have amendments to the code and Public Service Staff Relations Act that effectively allow the minister to nullify the collective bargaining process, amendments which shift the balance of power to the employer.