

*Legislation Respecting Railway Matters*

This is a vital and pressing problem. But at this moment, Mr. Speaker, we are faced, as I have said, with an immediate emergency, and with the necessity of resolving that immediate emergency.

In this connection it is important to recall recent experience in these four parliamentary interventions in labour disputes which I have mentioned, in order to understand the present situation; indeed, to place it in the proper framework for such understanding.

The first parliamentary intervention in the period from 1949 to the present was in 1950, through the Maintenance of Railway Operation Act of that year. That was legislation introduced by the government headed by Mr. St. Laurent to bring to an end a general railway strike which had been going on for several days—seven days, I think.

By that legislation in 1950, employees were required to return to their duties, and an interim wage increase was granted on such return. Negotiations were then to be resumed, and if those negotiations failed an arbitrator was to be appointed. As it happened, an arbitrator was required, or was appointed, and a contract was signed as a result of his arbitration.

The next parliamentary and governmental intervention was in 1960 through the Railway Operation Continuation Act of December 2, of that year. In 1959 the union demanded from the railway wage increases of 17 per cent, plus 12½ cents an hour, vacation and other fringe benefits, to which at that time the railways were unable to agree, and a conciliation board was established on March 31, 1960, under the chairmanship of Justice Milvain.

A majority report was made by that board—by the chairman and the union representative, who was an hon. member of this house. That majority report was made on August 15, 1960. It was accepted by the unions concerned; it was rejected by the railways. "We are not able," so they said "to afford the increase." So, on September 20, 1960, the government was advised that a strike vote would be taken. That was September 20.

The government of that day intervened on November 19, after the union negotiation chairman, Mr. Frank Hall, had announced on November 15 that a strike would take place on December 3 unless a settlement was reached in the 19 days before that date, during which government mediation was taking place.

[Mr. Pearson.]

As a result the minister of labour and two other ministers met the parties to the dispute in Montreal on November 19. There was a subsequent meeting in Ottawa of the parties to the dispute with the prime minister and three ministers on November 26, one week later. These failed to settle or postpone the strike. So, legislation was introduced and passed on December 2, postponing the strike for six months.

**Mr. Diefenbaker:** Introduced on November 29, was it not?

**Mr. Pearson:** It was introduced on November 29 and passed on December 2. It is interesting to recall that that is about two weeks after parliament met. The Speech from the Throne two weeks before makes no mention of any railway difficulties of any kind.

As a result of that legislation the unions cancelled the strike date. They were instructed in the legislation to postpone that strike for six months, and they did so. Six weeks later, on January 23, 1961, the Prime Minister wrote, asking the parties to resume negotiations. On February 14 negotiations were resumed. Mr. Frank Hall advised the government on February 15 that no progress had been made and that there would be no further meetings. On April 21 the union advised the government that a strike would take place on May 16.

The parties then agreed to meet, and a settlement was reached on the basis of the recommendations of the majority report, the rejection of which, six months earlier, had caused the threat of the strike and the intervening crisis. One wonders why.

Perhaps one explanation of that may be found in the estimates which appeared very shortly afterwards. There was an amount of \$50 million in subsidies—

**An hon. Member:** What are the strikers worried about now?

**Mr. Pearson:**—and that explains that situation, and it also indicates the length of time it took to resolve that dispute.

There is a third intervention, in 1958, in the British Columbia Coast Steamship Service Act, which provided for a resumption of a coast steamship service operated by the C.P.R., by the appointment of an administrator who was made subject to instructions from the governor in council. This legislation required employees to return to their duties. The terms of the existing agreement were amended to increase the rate of wages by 8