

Canada Labour Code

for organizing the trade union movement in the Sudbury Basin, Mr. Robert Carlin. He was honoured on Saturday by having bestowed upon him an honorary doctor of laws degree. Mr. Carlin was the man who, in 1942, organized the workers of the Sudbury Basin in the Mine Mill Union. Mr. Speaker, our history is one of anti-union bias on the part of Inco and Falconbridge in the Sudbury Basin, the CIA participation in trying to use the red scare to paint everyone organizing workers in the Sudbury Basin as Communists or pro-Communists, and this history has pervaded the trade union movement in this country since the 1880s. There has been a concerted effort to try to prevent workers from organizing their collective strength in order to improve the quality of their lives, not only in the work place—

The Acting Speaker (Mr. Turner): Order, please. I regret to interrupt the hon. member but his allotted time has expired. The hon. member may continue if he has unanimous consent.

Some hon. Members: Agreed.

Mr. Rodriguez: Thank you, Mr. Speaker. I thank hon. members for their generosity, and I will not take long to complete my remarks. I recognize today the shift to the right which society is taking. I recognize that it is in times like these that governments—and this government is no exception—tend to look for bogeymen upon whom to place the blame for the problems facing society, never willing to bear responsibility for their own actions or inaction. So we find in our country a move to the right, one which has pinpointed the trade union movement as being something of a big monster. Indeed, in national polls we see the majority of Canadians expressing the thought that big labour is more dangerous to Canada's economic health than big government or big business.

An hon. Member: Right on!

Mr. Rodriguez: I see an hon. member over on the government side saying "Right on!" That is precisely the kind of example I am talking about. It paints an untrue picture of the true situation with respect to the conditions of our workers.

Do you realize, Mr. Speaker, that it was only this year that workers have had the right to refuse to work in places which are dangerous to their health and safety? A very timid step, in my opinion, and one which should have been taken a long time ago! Think of what happened up in Baie Vert. One has only to stop and think, to see just how powerful the trade union movement really is in this country. The Labour Code should be the centrepiece of trade union rights, workers' rights, and the ability of workers to facilitate their own organizations ought to be enshrined in the Canada Labour Code. That is what the bill before us sets out to do, Mr. Speaker. It is to facilitate the organizing of Canadian workers into collectives, to remove the decertification process, and to give to the CLRB the right to judge, in cases where there are 50 per cent or more signed to cards, that there ought to be no certification vote.

[Mr. Rodriguez.]

[*Translation*]

Mr. Raymond Dupont (Parliamentary Secretary to Minister of Employment and Immigration): Mr. Speaker, I am pleased to participate in this debate on Bill C-223, an Act to amend the Canada Labour Code, and particularly and more specifically union certification.

On April 7 last the House of Commons passed an act amending the Labour Code and when I refer to Bill C-223 introduced by the hon. member for Nickel Belt (Mr. Rodriguez) who would like to see a union certified by 20 per cent of its membership, Mr. Speaker, let me say that we are talking about motivation and I would have liked him to say so, and the Minister of Labour (Mr. Munro) agreed earlier when he said that labour participation was clearly necessary to the proper management of the Canadian economy. However, when you talk of certification by 20 per cent of the membership, that makes you think twice.

Mr. Speaker, I would like to refer to the explanatory notes concerning clauses 127 to 129 which read as follows, and I quote:

127. (1) The Board may, in any case, for the purpose of satisfying itself as to whether employees in a unit wish to have a particular trade union represent them as their bargaining agent, order that a representation vote be taken among the employees in the unit.

(2) Where

(a) a trade union applies for certification as the bargaining agent for a unit in respect of which no other trade union is the bargaining agent, and

(b) the Board is satisfied that not less than thirty-five per cent and not more than fifty per cent of the employees in the unit are members of the trade union,

the Board shall order that a representation vote be taken among the employees in the unit.

(3) Where the Board is satisfied that a trade union has an established practice of admitting persons to membership without regard to the eligibility requirements of its charter, constitution or by-laws, the Board may disregard such requirements in determining whether a person is a member of a trade union.

Clause 129 reads:

129. (1) Subject to subsection (2), the Board shall determine the result of a representation vote on the basis of the ballots cast by the majority of employees voting.

● (1732)

(2) Where, on considering the result of a representation vote, the Board determines that less than thirty-five per cent of the employees who are eligible to vote have voted, the Board shall determine that the representation vote is void.

(3) A vote by the majority of the employees voting in a representation vote is evidence that a majority of employees in the unit in respect of which the vote was ordered are of the opinion expressed in the vote of the majority of employees voting."

Mr. Speaker, I find the amendment to the Canadian Labour Code very liberal. In the bill introduced by the hon. member for Nickel Belt (Mr. Rodriguez), when a union applying for certification as the bargaining agent for a unit in respect of which no other trade union is the bargaining agent and when the Canada Labour Relations Board is satisfied that more than 50 per cent of the employees in the unit are members of