

*Summer Recess*

ago. He talks about those people who would pass a law to do away with the right to strike in the public service. I quote:

Jelinek's bill would allow the Public Service Staff Relations Board and the Canadian Labour Relations Board to declare any work at all to be an "essential service" and to order strikers back on the job forthwith. Great stuff, but before MPs turn aside from really pressing tasks... they should ask themselves whether legality is relevant in public service strikes. After Parliament passed the Public Service Staff Relations Act in 1967, it became possible for the first time for federal civil servants to walk off the job legally. Before that, strikes had been frequent, but had lacked the official stamp of approval. Now, for most groups of bureaucrats, they are legal. The Special Joint Committee on Employer-Employee Relations in the Public Service reported to Parliament in February 1976 that there had been sixty-one federal public service strikes since the passage of the act, eleven of which had been legal and fifty outlaw... Without it, we would have had sixty-one illegal strikes instead of fifty.

The only thing his statistics show quite clearly is that there are situations in which the dissatisfaction of people cannot be settled by the arbitrary judgment of one person acting as an arbitrator. There are situations in which strikes will occur whether they are legally allowed or not. Strikes certainly were not and are not, unless there has been a change in the last couple of months, allowed in Poland, a communist country. However, the will and the grievance was sufficiently strong that it did not stop Solidarity from being formed and strikes from occurring. It is all very easy to talk about outlawing strikes, but it is just not that easy to do.

One can argue that we would have less disruption if there were no strikes, but I believe it is better to allow strikes to occur. At the same time, we should take every possible step through mediation, improved industrial relations and the development of good health and safety standards to minimize strike situations and to have, as we have in our system, arbitration to determine the final settlement of disputes that occur during the course of a collective agreement.

The great advantage we have in the system in the provinces of Canada and in the federal government, and in much of the United States, as contrasted to that in England and much of Europe, is that we have statutes which determine where a strike can occur. They provide that a strike can legally occur at the end of a collective agreement and when efforts to renew with the help of mediation have failed. It can only happen then. This provides a period of predictable stability during the contracts. The price we pay for that system is the occasional strike, but it is a price we pay for the best industrial relations system in the world.

A lot of people are focusing attention now on the postal strike. However, we never hear anything about the strikes that are avoided or all of the collective agreements that are renewed without work stoppages. For example, when this House was sitting last December 17 and 18, some members were frightened they would not be able to get to their homes for Christmas because of the threatened strike of the air attendants of Air Canada. The mediation services of our Department of Labour settled that dispute and prevented a strike. There is not a question asked in the House as to how it was settled or why, and there is hardly a thing about it in the newspapers once it was settled.

We do not seem to realize that we have a system which brings a very high percentage of settlements without work stoppages and a very high percentage of quick settlements of those work stoppages that do occur. Occasional strikes are the price we pay for the best industrial relations system in the world.

Both unions and management must realize, and I think it is applicable to this case, that a strike is a two-edged system. When a strike occurs, it applies pressure to try to get better terms. It brings the parties to the critical point where they are sure to give their bottom line and are more likely to reach agreement. However, a strike does not guarantee success. Some strikes are lost and some are won. Some lockouts are lost and some are won.

When the postal workers go on strike, they should not feel that after a week or ten days there will be legislation to get them or the Post Office off the hook. Nor should the government feel that if a strike occurs, they can legislate an end to it after a very few days. If workers have the legal right to strike, and if they strike despite the best efforts, the matter must be settled at the negotiating table, as Judge Alan Gold will now be striving to do following his appointment. He will try to get these two parties to settle.

Back to work legislation should occur only when very serious and widespread damage is being done to society. I will give an example in that regard. I want first to say I have been fortunate that in all the years I have been involved in government, both as a minister and as a premier, I have not been involved in any back to work legislation. I have always faced the fact that a situation may arise where that becomes necessary, but in my view it is not something we should run out and do just because a strike happens to occur. We either give workers the right to strike or we do not; and if the legislation provides, as it does, that there is a right to strike, then that is the case. They should be allowed to do so, and the settlement should be achieved at the table. I think that is in the best long run interests of both parties in future negotiations.

● (1550)

What is happening here? Why is it that members of the Conservative party in this instance are taking a different position from the position they have taken while in opposition in the past? Many public service strikes have dotted the years. Never before have they taken the position that Parliament cannot adjourn until legislation is passed to end strikes. But do hon. members know what is unique? At this moment the Leader of the Opposition is under fire. We have a man whose supposed supporters—and one of them is laughing now—

**Mr. Malone:** At you.

**Mr. Regan:** —are not allowing him to leave. He is not allowed to leave. I believe he has many of the better instincts, but he is not being allowed to follow those instincts because the right wing—the red necks, as they are called—are ruling the day. He is in such jeopardy in relation to the continuation