

Canada Labour (Standards) Code

Now that it is here, we welcome it and we hope it will be passed quickly.

Mr. T. S. Barnett (Comox-Alberni): The few remarks which I should like to make on this bill relate entirely to the situation on the coast of British Columbia with which I am particularly familiar. I do not ask the minister to comment in any way on the remarks which I intend to make. I am aware, as I am sure he is, that the particular industry on the west coast which is, as he mentioned, affected by the bill has been the subject matter of a good deal of time consuming effort on his part during the course of the past year in relation to two separate situations, the most recent of which brought him to the verge of introducing special legislation to parliament.

As the minister said, the fact that this bill was necessary resulted entirely from an oversight in the original legislation which was introduced by the previous minister of labour. The point I wish to make is that, in my view, any fair-minded person reading the code as it was passed by parliament could not have failed to have understood the intent of parliament. That is to say, any worker who is regularly employed should be entitled to the benefits of the bill in respect to statutory holidays and annual vacations with pay.

• (3:50 p.m.)

The fact of the matter is, Mr. Speaker, that in my view the employers of the longshoremen on the Pacific coast showed a very narrow and archaic attitude. Using a technicality in this law they forced a situation which resulted, as we all recall, in a number of the presidents of various longshoring locals on the Pacific coast going to jail because they felt that their normal rights as Canadian citizens and workers were being unnecessarily infringed upon.

I feel that this bill should not pass without someone in the house drawing to our attention the attitudes that were revealed in this situation by the employing interests on the west coast. I very much regret the minister has announced that, after investigation and discussion, he has not discovered any appropriate way to make the provisions of this bill retroactive. I believe that those workers were unjustly deprived of rights and benefits which it was the intention of parliament, when it passed this bill, to confer upon them.

In view of our discussion on this bill, Mr. Speaker, and the attitude that those employers showed at that time, I think it should not go unnoticed that in this more recent situation

which brought the minister to the verge of introducing special legislation before parliament these same employers had been bandying around rather freely such terms as "illegal strike".

Mr. Nicholson: Mr. Speaker, I rise on a point of order.

Mr. Speaker: Order. The minister is rising on a point of order.

Mr. Nicholson: Mr. Speaker, I do not think on this particular bill we should be going into items which were the subject of several weeks' serious discussion. There are two sides to every case and all the facts have not been brought out in this house. I think we should stick to the principle of this bill rather than refer to some other incidents, in fairness to both sides.

Mr. Barnett: Mr. Speaker, in reply to the point of order which the minister has raised may I say I feel I have been confining my remarks rather closely to the principle of the bill. As I understand it, the purpose of the bill is to rectify an omission in the Canada Labour (Standards) Code which resulted in certain workmen in the longshoring industry being deprived of benefits which I maintain parliament intended them to have.

Mr. Nicholson: Mr. Speaker, on the same point of order, if the hon. member would permit me—

Mr. Speaker: Order, please. The point of order which has been raised by the minister is that discussion should be relevant to the bill. I am sure the hon. member who now has the floor will want to keep that in mind.

Mr. Barnett: Yes, Mr. Speaker. I thought I was confining my remarks to the bill. I was dealing with the background to the situation and the omission in the original bill which has resulted in this legislation being introduced.

Mr. Nicholson: Would the hon. member permit me to say—I think this will be helpful—that before this recent work stoppage on the west coast occurred, and before there was any discussion of it, I had given the assurance both to the workers and to the employers on the west coast that I would introduce this amendment and would do my best to have it become law before Christmas. But that assurance was given long before this recent work stoppage occurred. There is no connection between the two except that having given that assurance it is doubly important in view of