

persuasiveness than I. I am sure the Leader of the Opposition, who has had a great deal of legal experience, is well aware that in situations involving the actions of hundreds of human beings it is not always possible to deal with such situations strictly according to the letter of the law or, indeed, to the letter of regulations that are intended *a priori* to deal with situations.

• (1130)

No one likes to interfere in the process of collective bargaining. It is for this reason that Parliament has rarely acted in the unique situation which confronts us at the moment. Parliament does not want to interfere with the process of collective bargaining and, indeed, in this instance we are not. This is, perhaps, the one case in which Parliament has acted where there has been no interference with the process of collective bargaining as was the case in at least four of the other instances where Parliament acted.

I believe that the law has been broken and the Canada Labour Code has not been respected. The principle of the collective agreement between the longshoremen and the Maritime Employers Association has been violated and, thereby, those who have violated the act have brought this within the mischief of the punitive arrangements available under the law or under that agreement.

While all that is so, I am sure that it will be found on questioning that the Department of Labour, anxious to see if it could not bring about a settlement, at least in the stage between the middle of May and the present time, and having assessed the full situation, acted as wisely and as constructively in the circumstances as I believe it was possible to act. Now, the Leader of the Opposition does not agree with me and I understand his argument. He has made it effectively. I can only say that having listened to the Minister of Labour in cabinet, and having listened to him in private discussions, I am persuaded that the course which he and his officers followed throughout the situation has been a wise one, and that the course we are now taking becomes necessary for the simple reason that it had finally reached the stage where hope of settlement by any other process was out of the question.

Hon. Mr. Choquette: Do you have to wait that long on every occasion?

Hon. Mr. Martin: I wish the problems were as simple as the question suggests. It is all very well for my dear friend, Senator Choquette, to ask this, sitting in the comfort of his particular situation.

Hon. Mr. Flynn: Do you want to change places?

Hon. Mr. Martin: The Leader of the Opposition is suggesting that if I sat over there and he sat over here I would likely find objection to the course that the government in which he would be a distinguished member might be taking, although I suspect that he would not have the same argument for defence which I think in the circumstances is the case here today.

Clause 7 of this bill makes this particular legislative step of the Parliament of Canada essential. It deals with the problem of job security, rendered by the establishment of a fund which would enable longshoremen, in the event of unemployment, to obtain a guaranteed income for a period of time. Because of the employment situation—

[Hon. Mr. Martin.]

Hon. Mr. Flynn: You mean because of the strike.

Hon. Mr. Martin:—which arises as a result of the strike, the fund has been put in jeopardy. This provision of the bill, which gives an arbitrator the opportunity to determine when the job security provision in the contract should be resumed, is a vital one and is necessary for the men themselves and for the preservation of the principle. I am sure that this was a very important consideration in the minds of those longshoremen who admittedly have violated the law, and a very important consideration in their persistence in doing so.

In any event, no one likes to deal with this kind of legislation. We prefer to allow the parties to a dispute to work out their own arrangements. However, as the Leader of the Opposition implied, public interest is involved here. The government, whether or not it has acted as quickly as Senator Flynn would like, has acted. And because it has now acted there can be, in my judgment, no doubt about the desirability from a national standpoint of our supporting this bill as the Leader of the Opposition indicated his intention to do.

I believe there is nothing further that I wish to add. Just as quickly as we get second reading we can go to committee. The Minister of Labour and his officials will be there, and I am sure they will be prepared to deal with these questions, some of which were ably underlined by the Leader of the Opposition in his remarks a few moments ago.

Motion agreed to and bill read second time.

REFERRED TO COMMITTEE

The Hon. the Speaker pro tem: Honourable senators, when shall this bill be read the third time?

Hon. Mr. Martin: I move that this bill be referred to the Standing Committee on Health, Welfare and Science. Senator Lamontagne informs me that the committee will convene immediately in Room 356-S. In the meantime, I suggest that the house do now adjourn during pleasure to reassemble at the call of the bell at approximately 12.15 this afternoon.

Motion agreed to.

The Senate adjourned during pleasure.

At 12.35 p.m. the sitting was resumed.

ST. LAWRENCE PORTS OPERATIONS BILL

REPORT OF COMMITTEE

Leave having been given to revert to Reports of Committees:

Hon. Maurice Lamontagne, Chairman of the Standing Senate Committee on Health, Welfare and Science, reported that the committee had considered Bill C-230, to provide for the resumption of the operation of the ports of Montreal, Trois-Rivières and Quebec, and had directed that the bill be reported without amendment.