

no law, no policy, no regulation and no collective agreement. The Minister himself said that Air Canada has no policy on the expression of political, religious or any other views for employees on or off duty.

Mr. Oberle: Objectionable and discourteous treatment of the customers.

Mr. Benjamin: If that is the complaint, there is certainly no allegation of that in the letter. There is nothing else I can find in writing. Perhaps the hon. gentleman knows something more than I do. Perhaps he should go to the grievance hearings.

Surely, whether it is one citizen or a group, to quote Mr. Justice Smith of the Ontario Supreme Court and the Associate Chief Justice of the Ontario Supreme Court: "You must interpret the constitutional document with a large and liberal construction". This is what we are trying to say in our motion. I know that the flight attendant's union will fight her case during the grievance hearings. If there is any follow-up action required, I know the union will fight for her. I am confident of that. Our motion does not deal with that issue. It deals with what we believe to be a bad management error in the actions taken by Air Canada and the manner in which they were taken.

There is another area currently before Members of Parliament which is in the public domain. I wish to refer to another group of people. It is a group of over 2,000 people who man ships and who, because of a bad law, have lost the right to strike. No matter which way they move and no matter what they have done, there is a situation in which over 2,000 government employees have been without a collective agreement for many months. As it is entitled to do under the Public Service Staff Relations Act, the Government can designate certain employees as essential to public safety and welfare. In this instance the Government has designated the whole group of them as essential. The union, as it is entitled to do, filed objections with the Public Service Staff Relations Board. However, as long as the negotiations are broken down and as long as objections are before the Public Service Staff Relations Board the matter cannot proceed to conciliation. Thus the union then withdrew its objections. They received a recommendation from the conciliation board in terms of a majority report. The union has accepted this while the Government refuses to do so. As a result, there were some wildcat walk-outs a few days ago. What other choice did these people have? Even the judge who handed down the injunction, Mr. Justice Muldoon of the Federal Court of Canada, Trial Division, said:

Doubtless those incidents do evince frustration in regard to the plight in which the defendants find themselves *vis-à-vis* statutory provision which, without undue exaggeration, can be termed draconian.

● (1710)

I wish the judge had gone even further. I wish that he had struck down this bad law so that the President of the Treasury Board (Mr. de Cotret) and the Government would have to bargain collectively in good faith.

Supply

Mr. Speaker, believe it or not, the Government, just like the Liberal Government before it, pays employees in eastern Canada up to \$2,000 less than it pays those who work in western Canada. Where is the equality of treatment for performing the same job? Where is the Charter of Rights and Freedoms? Where is this measure of equality of treatment in the workplace? What the devil is going on? These people work for the same Department performing exactly the same job and they cannot strike.

In closing, and in reference to the incident concerning the Air Canada flight attendant, I wish to quote the words of a judge of the Supreme Court of Ontario, Mr. Justice O'Leary, who said:

The right to organize and bargain collectively is only an illusion if the right to strike does not go with it. The main reason that the right to organize and bargain collectively is assured employees is that they may effectively bargain with their employer. To take away an employee's ability to strike so seriously detracts from the benefits of the right to organize and bargain collectively as to make those rights virtually meaningless. If the right to organize and bargain collectively is to have significant value then the right to strike must also be a right included in the expression "freedom of expression", and I conclude that it is.

Mr. Speaker, we are asking the House to agree that the management of Air Canada and not the Minister or the Department of Transport has in fact violated this person's right to freedom of speech, particularly in light of having been asked for her political opinion and having given it.

Mr. Shields: Mr. Speaker, I would like to make a comment and pose a question to the Hon. Member. How does he square the facts with the remarks he made in the House on May 27 in referring to this incident when he said:

—who was suspended apparently as a result of a request by his executive correspondence group—

That is in reference to the Minister's executive correspondence group. How can the Hon. Member say that when the facts are clear that the employee has not been suspended and will not be suspended until the grievance process has been exhausted in support of the original decision? As the Hon. Member knows the executive correspondence group is a departmental unit. It is not within the Minister's office. The executive correspondence group simply requested a response from Air Canada.

The Member said that the person involved in the dispute with Air Canada is basically facing dismissal after 13 years of service. The facts are clear that that is a complete exaggeration of the circumstances. The decision at the first level of the process was a suspension. There has been no suggestion whatsoever of a dismissal, and the Hon. Member knows that. Can the Hon. Member explain the following comment which he made in the House on May 28:

Does he appreciate that Ministers of the Crown cannot be allowed simply to forward the whims and personal letters from Tory delegates to Crown corporations?

The facts are that the Government believes everyone has the right to express his or her opinion. The Hon. Member goes on to say that this was an unjustified decision. On May 29 the Member said that if the decision is unjustified, then due