

*Maintenance of Railway Operation Act*

To which I am reported to have replied:

Mr. Speaker, *Hansard* will tell the story. My recollection was that the hon. member in question did ask what action was being taken in this regard. If the hon. member says he did not ask a question of that nature I will accept his denial of his having asked such a question.

Well, I have looked up the record since and, merely for the purpose of keeping the record clear, I would point out that on November 25, 1960, at page 195, the following appears. The hon. member for Laurier asked a question of the Minister of Transport, and after some words passing back and forth you, Mr. Speaker, made this statement:

Mr. Speaker: Policy with respect to payment of subsidies to the railways to avoid a strike, as I understood his question.

Mr. Chevrier: Mr. Speaker, the first part of the question was whether the minister had received a delegation, and whether in the memorandum there was a clause complaining about the payment of subsidies. I asked the minister what his reaction was to that, because I take it that he did not have some reaction to this, one of the many representations put before him by the association. Surely the question is quite regular.

Then on November 18 there was also a reference by the hon. member, at page 8 of *Hansard* for that date. He said:

May I ask a supplementary question. Has the government reached a decision on the matter of a subsidy to meet the wage increases?

You said on that occasion, Mr. Speaker:

The hon. member is asking a broad question of policy. If the government should see fit to deal with it in this way it would be in order, but it is a question of policy.

I simply refer to these various instances to indicate that questions had been asked by the hon. member for Laurier; simply for the purpose, I repeat, of completing the record. I can say to the hon. member for Laurier that even Homer nodded on one occasion.

I am going to deal in particular with certain statements made by the Leader of the Opposition who in effect condemns the government for proceeding in a manner which will result in a postponement; in other words, that the issue should not be faced at this time for reasons which the Minister of Labour gave yesterday and to which I intend to make some further reference. The very fact that by this action we asked for a postponement was regarded by the Leader of the Opposition, in the year 1960, as being derogatory to our responsibilities and not in keeping with conciliation procedure.

I feel it is well, therefore, to go back to 1950 to see what happened on that occasion. The Leader of the Opposition was a member of the government of that day. On that occasion Right Hon. Mr. St. Laurent pointed out that a request had been made for a postponement for 30 days. He said, as recorded on page 12 of *Hansard* for August 29, 1950:

[Mr. Diefenbaker.]

I was told by the leaders of the negotiating committee for the men that they could not agree to a postponement, but in the reply they implied that they would welcome the immediate assistance of a mediator.

In other words, at that time the government of that day did ask for a postponement of the beginning of the strike, and that request was refused. In the year 1950—and it is well to recall this—the action taken by the government of that day was to wait several days, seven, eight or nine days, while the strike paralysed the country; then, having waited that long, to bring into effect legislation which provided for compulsory arbitration. We have not followed that course.

I intend to refer to the 1950 legislation so the record will be complete. The preamble to the legislation is as follows:

Whereas the operation of railways and subsidiary services serving the country as a whole has been suspended by reason of a failure of the railway companies and the bargaining agents of non-operating and certain other employees of the companies to reach agreement as to certain terms and conditions of employment;

And whereas the vital interests of the people of Canada and the welfare and security of the nation are imperilled by the suspension of operation of the railways, particularly in existing international conditions;

And whereas the railway companies and the bargaining agents of the employees appear to have agreed that existing wage rates should be increased, and the forty hour week introduced but appear to have been unable to agree as to the amount and effective date of the wage increase or the date at which the forty hour week would be effective and the terms and conditions upon which it would be introduced;

And whereas it is essential to protect the interests of the people of Canada and the welfare and security of the nation that operation of the railways be resumed immediately and that for this purpose provision be made for provisional terms and conditions of employment of employees and for the final settlement thereof;

At that time there was one matter upon which both sides were in agreement, that there was a certain level of wages that should be paid. The only question was as to the date of the commencement. There was also agreement as to the 40 hour week. What did the government of that day do? The hon. gentlemen who sit opposite me were in the cabinet of that day; the Leader of the Opposition, the hon. member for Laurier, the hon. member for Essex East, the hon. member for Trinity, and others of equal importance.

Now then, provision was made in that legislation—and I want to point this out because the very thought of what we are doing has shocked the sensibilities of the Leader of the Opposition and those associated with him—for compulsory arbitration. There is no compulsory arbitration in the legislation before you. I point out that in the 1950 act, provision was made as follows:

Within forty eight hours after the commencement of this act every railway company shall resume