

The bill stipulates that all longshoremen coming under the terms of the collective agreement must, when required, return to their duties. Union officials are enjoined from impeding or preventing longshoremen from returning to work.

The bill prohibits further strikes or lockouts under the terms of the collective agreement.

Clause 7 of the bill provides for the suspension of the job security plan in the collective agreement, subject to the decision of an arbitrator at an unspecified future date. The arbitrator may decide when the job security plan should come into effect, and he may modify the terms of that plan, which must necessarily be the case in that the fixing of a new date will alter the plan as drawn up in the collective agreement. The government has not asked Parliament to fix this date. The government does not wish to involve Parliament directly in one of the issues in dispute. Furthermore, we are not in possession of the economic factors involved. The establishment of a date is a very complicated matter and the Minister of Labour decided and recommended that it would be wiser to leave that for the decision of the arbitrator after he has heard all the evidence and has considered the merits of the case.

The job security plan in the collective agreement provides, as honourable senators know, for 37 guaranteed weeks of pay to the longshoremen, regardless of whether or not they are working. The difficulty arises in the case of men reporting to work for whom there is no work at this time. Under such circumstances, the employer is not in a position to honour the guarantee in the collective agreement.

The bill also provides, under the terms of clause 8, that the Minister of Labour may in the future refer matters in dispute to arbitration in the event that the parties fail to do so within a reasonable time.

Finally, the bill requires that work recommence at the St. Lawrence ports on the day after enactment. The act will expire when the collective agreement terminates on December 31, 1974, unless earlier rescinded by proclamation.

Although no specific penalty is attached to failure to observe the terms of this legislation, I would point out to honourable senators that under the terms of the Criminal Code, failure to observe the provisions of a statute of the Parliament of Canada carries with it a penalty of imprisonment of two years or fines in lieu thereof. It is, however, to be supposed that the will of Parliament, formally expressed in statute, will be respected and will meet with full compliance.

Honourable senators, these, in general, are the terms of this bill which I commend to the house. If it is desired that the bill should, after debate on second reading has taken place, be sent to the Standing Senate Committee on Health, Welfare and Science, there will of course be no objection. I commend this bill to the house. This is the sixth time in Canadian history that legislation involving an action by Parliament in respect of a labour dispute has been introduced. We all recognize that it is a serious matter, but we are also confident of the necessity of protecting the public interest.

[Hon. Mr. Martin.]

**Hon. Mr. Flynn:** Honourable senators, I think you will agree with me it is most difficult to completely digest legislation which was introduced only yesterday in the other place. We do not know enough about this bill to permit us to assess its implications. Since it is quite obvious this bill cannot receive royal assent this evening, and since, I am sure, it would be our desire to refer it to committee—at least this is my desire—to enable honourable senators to put questions to the Minister of Labour, I move that we adjourn until tomorrow morning. If the Leader of the Government agrees, I suggest we adjourn until 10.30 a.m. This will give us time to study what was said about this bill in the other place.

**Hon. Mr. Martin:** I agree.

**Hon. Mr. Flynn:** Before I move the adjournment of the debate and resume my seat I want to leave no doubt in the minds of honourable senators that we on this side of the house are willing to do everything within our power to provide for the speedy resumption of operations in the ports of Montreal, Trois-Rivières and Quebec. We support the objective of the bill, but we think there are some matters which should be put on record in connection with this kind of legislation.

I assume from discussions I have had with my colleagues on this side of the house, and from the discussion I had with the Leader of the Government, there will likely be no speeches other than mine on second reading. I am not trying to prevent any honourable senator from speaking. I am just suggesting that if such is the case the bill could probably go to committee around 11 or 11.30 tomorrow morning. It would then be ready for third reading, and royal assent tomorrow afternoon.

• (2140)

If my forecast and assessment are correct, honourable senators, I move the postponement of the debate until tomorrow.

**Hon. Mr. Martin:** I take it that you would prefer to leave the other items on the Order Paper until tomorrow morning.

**Hon. Mr. Flynn:** I think it was already decided that they should stand.

**Hon. Mr. Martin:** Honourable senators, in my opinion the arrangement suggested by the Leader of the Opposition is satisfactory. If any honourable senator has views on the matter, of course, he is free to express them. If there are no other comments to be made respecting the procedure to be followed in connection with this bill, I shall move the adjournment of the house until tomorrow morning at 10.30.

**Hon. Mr. Flynn:** May I ask, before we adjourn, if the Leader of the Government has information pertaining to other legislation that may come to us?

**Hon. Mr. Martin:** The House of Commons will adjourn tomorrow at 5 o'clock, subject only to obtaining royal assent to this bill. If the bill is ready for royal assent, then that house will adjourn at 5 o'clock. In the meantime they will resume discussion of the family allowances measure. If that is completed they will continue with the foreign takeovers bill. They have greater optimism over there than I have with respect to these two measures.

On motion of Hon. Mr. Flynn, debate adjourned.