

Hon. Senators: Agreed.

The Chairman: Shall clause 2 carry?

Hon. Senators: Carried.

The Chairman: Shall clause 3 carry?

Hon. Senators: Carried.

The Chairman: Shall clause 4 carry?

Hon. Senators: Carried.

The Chairman: Shall clause 5 carry?

Hon. Senators: Carried.

The Chairman: Shall clause 6 carry?

Hon. Senators: Carried.

The Chairman: Shall clause 7 carry?

Senator MacEachen: Honourable senators, on clause 7, I want to ask whether there is an agreement between the parties as to the matters in dispute. Have they already agreed what exactly is in dispute? That is my first question. My second question is: Will the minister formulate a statement constituting the matters under dispute for the arbitrator?

Mr. Cadieux: The parties do agree on the questions that are at issue in this particular dispute, and the arbitrator appointed will work according to the clauses in this particular bill.

Senator MacEachen: In addition to this clause 7, will a statement be provided to the arbitrator by the minister listing the matters in dispute, or will he derive that from the parties or from his own researchers?

Mr. Cadieux: The matters in dispute are indicated in that particular clause and, of course, the arbitrator will be speaking with the parties, and obviously he could be guided by the proposal that was made by Mr. Kelly when he was active in this particular dispute.

Senator MacEachen: The clause is general. I am not going to pursue this, but it does say, "... all matters relating to staffing ...", and I would take it that there would be some precision required to list the matters. I am really asking whether the arbitrator will determine that for himself, based upon his discussions with the parties, or will the minister provide him with a statement of the matters in dispute as has been undoubtedly garnered in the course of the work of the Department of Labour and, particularly, by Mr. Kelly?

• (1620)

Mr. Cadieux: I am sure that the arbitrator will read clause 7 of this bill, will be meeting with the parties, and will establish the specific questions at issue within these guidelines; that is, this article and what the parties are going to tell the arbitrator.

Senator MacEachen: The minister's answer raises an interesting point—that, really, the matters in dispute are not known now but will only be known when the arbitrator determines them by discussions with the parties. I take it for granted that a series of questions has been discussed between the two parties, that these questions are identifiable, and that, indeed,

it would be reasonable for us to ask now what these matters are.

Mr. Cadieux: The matters in dispute are staffing at the Grain Centre, job classification and security personnel. At the time of the appointment these questions are in dispute between the employer and the union. I am sure that the parties will be more than happy to explain to the arbitrator, if need be, specifically what they have been arguing about for the past four years. The issues are very well known to the parties. The arbitrator has enough to arbitrate on concerning the issues in dispute, which, again, are staffing at the Grain Centre, job classification and security personnel.

Senator MacEachen: That is right, but the minister will note that the clause says, "matters relating to staffing ... job classification and security personnel." Presumably there are matters relating to staffing under dispute. What are those matters? What are the matters relating to job classification that are under dispute? What are the matters relating to security personnel that are under dispute? I would like to know now rather than having to wait for the arbitrator to find out.

Mr. Cadieux: With respect to staffing, the matter under dispute has to do with the number of people, as I indicated to another honourable senator earlier on. With respect to classification, I will seek the advice of my deputy minister so as to give you the specific information. Those matters are well known to the parties and will be well known to the arbitrator, I am sure. Perhaps you will just give me a moment.

With respect to classification, the matter in dispute is the type required in highly automated plants. With respect to security personnel, the matter in dispute is whether they are within the bargaining unit or whether they are within the management disposition.

The Chairman: Shall clause 7 carry?

Senator Olson: Honourable senators, I have a question on clause 8, but it is partially related to what was discussed with respect to clause 7.

Senator Doody: Mr. Chairman, we have not yet carried clause 7.

The Chairman: Shall clause 7 carry?

Hon. Senators: Carried.

The Chairman: Shall clause 8 carry?

Senator Olson: Honourable senators, I would like to raise this question now. Clause 8 begins by saying, "When the arbitrator has decided all matters ..." Could the minister explain how the process is terminated when the arbitrator has reached a conclusion? I do not understand what happens. Is the matter referred to cabinet, and does cabinet make it legal? Is it perhaps merely necessary that the arbitrator declare that he has reached a decision, after which it becomes part of the law? Perhaps I could also ask who the arbitrator is obliged to listen to. Is he obliged to listen only to representatives of each of the two parties, or will other interested third parties have any right to intervene? I know there is some reference to the