

**Mr. Munro (Hamilton East):** I agree with that, Mr. Chairman. The act already prevents discrimination. The problem is the promptness in bringing back the people. With our ingenuity I think we can devise some wording that will be satisfactory to cover the whole thing.

**Mr. Blenkarn:** Mr. Chairman, we have heard a lot about management being the big bad guys. The real problem is that this government and this minister refused to take the responsibility of preventing this strike.

We have heard a lot about the men on strike. They may wind up not having a job. For five weeks the railways have not been in operation. Alternative methods have been found to ship goods. Do we expect the railway to take on people it no longer needs? Should it be a great big feather bed?

It is about time the government started talking about the people in this country, the lost business, lost trade, and everything else. This government did not bother with its constitutional responsibility. It has a constitutional responsibility to ensure that transportation exists between the provinces. This government has not come up with any subsidy for the businessmen, the tourist industry and others who have lost their shirts because this government could not fulfil its responsibility.

Let's get down to reason. Let's get these railways operating again, but let's not have a great big feather bed to protect everybody forever.

**Mr. Rodriguez:** Mr. Chairman, I was glad to hear the last speaker make the comments he did. They were certainly revealing to any person who stands up in this House and says he is really concerned about the workers.

I just wish to point out that the security of jobs for these men is very important. We must consider what was done in 1966 in terms of calling the men back to work. I am sure there are many things to be done to get the railways back in operation. These men have been standing around not doing anything for the past five weeks. It will be some small compensation for the company to pay these men, even though they may not be doing anything for the next two weeks, waiting for everything to get rolling again.

**Mr. Deputy Chairman:** Is it agreed that clause 4 be stood at this time?

Some hon. Members: Agreed.

**Mr. Deputy Chairman:** Clause 4 will stand at this time.

Clause 4 stands.

On Clause 5—*Terms of collective agreements amended.*

**Mr. McGrath:** Mr. Chairman, we have a very important amendment to clause 5. Our amendment is consistent with the views put forward in the House today by my leader and the views I put forward in the House yesterday on behalf of my party. Very simply put, we believe that the very least that the unions should have as a basis for operation is the real rate of inflation that exists in the country at the present time.

Some hon. Members: Hear, hear!

### *Railway Operations Act*

**Mr. McGrath:** As a consequence, I move the following amendment to clause 5:

That subclause 5(1) of Bill C-217 be amended by striking out the word "thirty" where the same appears in line 39 on page 3 thereof and substituting therefor the word "thirty-four", the word "five" where the same appears in line 1 on page 4 thereof and substituting therefor the words "six and one-half", and the word "three" where the same appear in line 6 on page 4 thereof and substituting therefor the words "one and one-half".

**Mr. Benjamin:** Mr. Chairman, I rise to speak on clause 5 and the amendment moved by the hon. member for St. John's East. It was said in this debate last night, and again today, that we are not legislating a settlement. What the government has in legislation is a minimum base package below which future arbitration cannot fall. I should like to suggest as strongly as I can that the base package proposed in the legislation is neither just nor fair. It is not sufficient. I know there is concern in the minds of many members, particularly those on my right, lest we become involved in some sort of bidding game. I want to avoid this as much as they do.

● (2150)

**The Deputy Chairman:** May we have order, please? It is very difficult to hear what the hon. member is saying. This is an important piece of legislation and the co-operation of all hon. members is desirable.

**Mr. Benjamin:** As you will recall, Mr. Chairman, the hon. member for York South gave notice yesterday of our feelings on this point. In spite of remarks made by the Minister of Transport about the difficulty of knowing what is fair or just, I see no reason why members of the House should not form an opinion for themselves and be ready to express it. We have taken on this responsibility. What we are doing is legislating at least this minimum package.

We have heard much about the national interest—how it ought to be placed above an individual interest or the right to strike in any kind of service, public or otherwise. I submit we cannot allow the principle of public interest to be subverted by legislation which is unfair, legislation which compels people to go back to work on a basis which is unjust. I assume all members of this House are reasonable men and that they wish to be fair. This is not a bidding game to see who can get the most cents an hour for the non-operating unions. I hope all of them will listen carefully to the recommendations of Professor Weldon and his reasons for making them, and then come to the conclusion that they are not unreasonable.

I submit that the Canadian public does not expect parliament, in the course of protecting the broad public interest, to be unfair to the smaller number involved in this labour dispute. I am sure my good friends in the official opposition who have sat with me on the transport committee for the last five years know whereof I speak and that they would agree with me when I say the proposals made by Professor Weldon are fair and just. They represent, I submit, the least we can do by way of a base package in our back to work legislation.

Let me remind you, Mr. Chairman, that the union demand of November 1, 1972, was 55 cents an hour for 1973 and 15 per cent for 1974, plus some premiums for shift