

*Labour Conditions*

was entitled by the law to make reference to the administrator. Clearly, unless a party states they are not going to abide by the moral suasion exercised by the AIB, it is not a matter of appealing because there is no onus upon them to obey anything said by the AIB until they make their reference to the administrator.

**An hon. Member:** They get fined if they do not appeal the order?

**Mr. Abbott:** For the benefit of my friends in the smoking area, the order is applied only by the administrator, not by the Anti-Inflation Board. I should like to trace the procedures which took place in the Irving case. First, an agreement was reached between the parties, as every hon. member is aware. The Anti-Inflation Board studied the settlement and then rejected the contract and set up a revised level of compensation which it stated should be more within the guidelines and should be accepted by the parties.

The Anti-Inflation Board then asked the parties whether they intended to conform with the board's decision. They also advised the parties that if they did not, the board was going to make reference, as it was entitled to by law, to the administrator. On January 23, the two parties informed the Anti-Inflation Board that they, together, were not prepared to modify their agreement. Therefore, the Anti-Inflation Board, following correct procedure, referred it to the administrator. At that point there was no question of appeal. Appeal from what? They were simply asking, "Do you accept, or reject, our suggestion?" The reply was, "No, we don't". Then the board said, in so many words, that the only alternative was to send it to the administrator.

The first part of the question put by the hon. member for Nanaimo-Cowichan-The Islands is inappropriate, I believe, because there is never a possibility for an appeal of a morally suasive decision by the Anti-Inflation Board. It is then referred to the administrator. As was indicated in the early stages of debating the Anti-Inflation bill, the administrator is, in a sense, the bulldog with the teeth who simply takes the Anti-Inflation Board's determination. Then in accordance with the act it has the right to bring in other facts, but essentially the task of the administrator is to issue the order.

Section 30(1) says that any person against whom an order has been made by the administrator may appeal, and so on. So the curious feature of the Irving case is that while both parties went through the Anti-Inflation Board, both parties went to the administrator—and both parties and in the administrator's "whereas" clauses—only one party was the subject of his order. Therefore, in accordance with the law, only one party can appeal.

**Mr. Broadbent:** We are objecting to the law. That is the point.

**Mr. Abbott:** My point is simply to say I think it is curious and anomalous that the two parties appear equally guilty of not abiding by the law. The administrator, within his jurisdiction, issued an order fining only the one party, thereby excluding the union from appealing. I share the view that there is a party to the agreement, a party who was equally dissatisfied with the agreement, a party who appeared before the administrator, who was stated to be a

[Mr. Abbott.]

party before the administrator, and by some strange logic the administrator applied his order only to the employer.

**An hon. Member:** You want the workers fined as well; is that it?

**Mr. Abbott:** No, the workers are being penalized by taking the reduced wage. That is not my point. My point, and I assume the point of the Canadian labour congress, is that they are denied the right of appeal because of this order. The due course of law that would have been theirs had they been joined in the order was denied them. I am simply saying that presumably it would be a welcome amendment to the law to say that any party who is a party to the order has the right of appeal.

**Mr. Broadbent:** That is what we said.

**Mr. Abbott:** So we have no argument, beyond that I suggest the point made by the hon. member for Nanaimo-Cowichan-The Islands, or which he implied in his question, is not appropriate in that there can be no appeal from a simple request to the parties to obey the decision of the AIB.

**An hon. Member:** That was yesterday; that was not the proposal that was made today.

**Mr. Abbott:** I am not talking about proposals. I am trying to talk about the course that was followed in the Irving case and the law, as I see it, in the statute. I am simply stating that I agree that if the administrator is not going to see fit to join both parties in his order, thereby enabling both parties to appeal, the law should be amended to provide, that both parties to an order should be permitted to appeal.

**Mr. Benno Friesen (Surrey-White Rock):** Madam Speaker, one cannot but be impressed with the sincerity of the New Democratic Party motion. I notice that as one their own speaker is addressing himself to the resolution, only half of their caucus is present. One cannot but be impressed, either, with the wave of piety in the House when we are discussing the dilemmas and problems facing the poor in our nation. I have noticed that members of the NDP really do hate poverty. We in British Columbia know that better than anyone else. As soon as the NDP was elected there, they doubled their salaries—so we know they hate poverty. We had a human resources minister there who had such compassion for the deprived in society that he wanted to work out their problems, but he needed a very expensive assistant to work with him because he hired an executive assistant at a salary of \$35,000 a year.

**The Acting Speaker (Mrs. Morin):** Order, please. I have been listening to the hon. member with great attention, and I am afraid he is getting a little beyond the motion.

**Mr. Friesen:** I am coming to that, Madam Speaker. I just want to emphasize that when you hire an executive assistant for \$35,000 and then give him a sabbatical, you are not that interested in poverty. I recognize that we are faced with a dilemma in this House. On the one hand we have a government program which is something like the captain of the *Titanic* appointing a committee to see where icebergs come from. On the other hand, the NDP resolution of the