

*Private Members' Business*

what is an essential service before the strikers go out and not decide it afterward as is suggested by this bill.

This bill in the second part gives the minister full authority to decide what is an essential service and what is not. Granted, there are certain sectors of these work places that do have essential services. There are certain areas that have to be maintained for the purposes of the workers having a job to come back to.

However, when we talk about essential service, we have to keep in mind that we are talking about services that would otherwise put the health and safety of Canadians in jeopardy. When I look at the list of corporations that I have, I wonder if we could say that the Federal Business Development Bank is an essential service when it comes to public health and safety.

We say that Lotto Canada comes under that jurisdiction. Can we say that the National Capital Commission comes under that jurisdiction? It certainly does not. Therefore I think we need further study of this bill. We must ensure that these kinds of questions are asked prior to this bill receiving Royal Assent. Further discussion is required on the whole matter.

I am suggesting that we intend to support this bill and send it to committee so that we can have further input into it and clean it up. There is no question that we need anti-scab legislation to protect workers who by law have been given the right to organize. They have been given the right to bargain and they have been given the right to go on strike, but they have not been given the right to stop someone from crossing the picket line and therefore jeopardizing the whole bargaining process.

What initiative is there for an employer to go back to the bargaining table and bargain in good faith when business can proceed as usual because scabs are being used? We must give workers the right to stop those scabs from crossing the picket line. The only way we are going to do that is with legislation like this bill, without the broad definition of the second part.

We need some form of mechanism which will ensure that employers will go to the bargaining table and bargain in good faith, knowing that if they do not they will not have business as usual.

In conclusion, I would strongly support the first part of this bill. I also strongly recommend that we have further input in the second part, which would give the minister

too broad a brush to decide what is an essential service and what is not.

**Mr. Ross Belsher (Parliamentary Secretary to Minister of Transport):** Mr. Speaker, I am pleased to have this opportunity to speak on the proposed legislation currently before this House, namely Bill C-201, an act to amend the Canada Labour Code.

• (1320)

This bill is twofold in its purpose. If enacted, the legislation would prohibit the hiring of persons to replace employees of a Crown corporation who are on strike or locked out. It would also ensure that essential services are maintained in the event of a strike or lockout in a Crown corporation. While I acknowledge the concerns of the hon. member which gave rise to the introduction of the proposed legislation, my comments are directed more toward the approach which he has chosen to follow in introducing the bill before us. I would think that in considering possible amendments to existing legislation one might want to avoid disrupting the existing broad based framework for the sake of seeking to address an apparent specific and limited problem.

In this specific case, the hon. member is proposing amendments to Part I of the Canada Labour Code which would apply only to Crown corporations. Without, for the moment, debating the merits or weaknesses of the proposed amendments, let us look at the question of what one might view as a piecemeal approach to amending legislation.

Part I of the Canada Labour Code, which deals with industrial relations in the federal private sector jurisdiction and federal Crown corporations, is a balanced and comprehensive piece of legislation covering a broad spectrum of labour relations activities. These range from union certification and employer accreditation, through the collective bargaining process and the various stages of third party assistance available, to the rights and responsibilities of the parties involved and the extent of sanctions and prohibitions which may be applied in cases where it is judged that these established ground rules have been violated.

I am suggesting that it may be impractical for hon. members to consider specific changes to the Canada Labour Code dealing with the matters of replacement workers and essential services as applicable only to Crown corporations and in isolation from the remainder