

Maintenance of Railway Operation Act

been found by the board to be fair and reasonable and we would have taken that factor into account in the general review of the problem of railway finances shortly to be made.

The Prime Minister has already told the house that the total cost of the recommended increases to both railways until June, 1961—I think he said the beginning of June—would be \$13,033,000. Since the Canadian Pacific Railway's share of the cost would represent about 40 per cent of this sum, that railway company would have had to pay a little more than \$5 million. Instead of taking this course, the government preferred a course which deprives employees at this time and for an indefinite period of the amount to which the government's own conciliation board said they were entitled. Our position, then, is that the C.P.R. would pay \$5 million more in wages as recommended by the board. That would be taken into account—and I repeat this because it is important—when the general review is made, as it must be made, in 1961 when the royal commission reports, and we are told the report will be made in March.

This bill prevents carrying collective bargaining—about which we have heard so much and on the principle of which I take it everyone in this house is in agreement—to its logical conclusion after a final break-down of negotiations. We must not forget that the strike is a part of our industrial labour relations system. Although it is not a part which we would like to see brought into effect it is a part of collective bargaining to be used only when everything else breaks down. We hope the time will come when it will not be required at all.

The bill prevents that so we must ask ourselves why. Presumably the answer, as I believe was brought out by the Minister of Labour in his statement, is because the railways are deemed an essential service the interruption of which would have undesirable national consequences and they are not considered to be an ordinary business operation as I think has been pretty well established over the years. In passing, therefore, from collective bargaining, as we are doing in this bill, to the prevention of a strike by legislation by imposing a compulsory settlement—though perhaps it will be only a temporary one, it is a compulsory settlement—the government is asking parliament to take the responsibility for the scale of wages and the conditions of work of these workers. Whatever the justification may be in doing this, and we will no doubt be arguing that during the course of this discussion, the government in so doing is depriving certain Canadian

[Mr. Pearson.]

citizens of the right to strike, a right which is conferred on them by the ordinary laws of this land.

The Liberal position is that where the scales of pay and the conditions of work are determined by parliament and by government the standard should be the scales of pay and conditions of work of employees in comparable circumstances. That is precisely the standard, as I understand it, that has been used by this particular conciliation board after a long, careful and, as I believe, objective and expert investigation into this matter, and in applying that standard as they did they were following what I think may be called a jurisprudence laid down by Mr. Justice Kellock in an earlier dispute and used consistently over the last ten years.

During that time, however, it has always been possible to settle periodic differences in this field by negotiation and conciliation. To ignore the report of a conciliation board and to introduce compulsory legislation of the kind before us is to weaken and discredit the whole conciliation procedure. And yet, once this procedure has been discredited in the circumstances which are facing us now, there will be no standard left to determine what are fair and reasonable wages either by direct negotiation or by voluntary conciliation. This will certainly result in less encouragement and less support for responsible and reasonable union leadership. It may even be an encouragement for irresponsible union leadership which would certainly not be in the public interest.

In these circumstances I have just mentioned, if that attitude were adopted all labour disputes would become merely a test of strength leading inexorably either to economic chaos or compulsion by government. We believe that these dangerous alternatives—and they would be dangerous to our economic and indeed to our political democracy—can be avoided by upholding conciliation procedures and by imposing in this case a settlement on the basis of the report of the conciliation board where we have every reason to believe a responsible recommendation was made.

Therefore, so there will be no misunderstanding or mistake about the attitude of the Liberal opposition, I wish to move, seconded by the hon. member for Laurier the following amendment:

This house declines to proceed with the second reading of a bill the provisions of which establish a compulsory and discriminatory wage freeze for railway employees contrary to the recommendation for a wage increase made by a board of conciliation appointed under the Industrial Relations and Disputes Investigation Act.

Mr. Speaker: Unless some hon. member wishes to raise any point about the proposed