

Railway Operations Act

any further, except to pass or reject clause 5. It is obvious that in keeping with our position, we will support this legislation as amended.

Mr. Chairman, I would ask the House to note that I am still wondering what difference there is between our argument and that of the hon. member for Timiskaming.

The Deputy Chairman: Order, please. Shall clause 5 carry?

[*English*]

Shall clause 5 as amended carry?

Some hon. Members: Carried.

Mr. Peters: On division.

The Deputy Chairman: All those in favour of clause 5 as amended will please rise.

• (0030)

Clause 5 agreed to: yeas; 173; nays, nil.

The Deputy Chairman: I declare clause 5 as amended carried. The hon. member for Skeena rises on a point of order.

Mr. Howard: I wonder, Mr. Chairman, whether we might propose something to the committee to expedite what we are doing.

An hon. Member: Sit down.

Mr. Howard: Mr. Chairman, I think we could move matters along a little more quickly if we now take the opportunity to revert to clause 4 which we stood earlier. I had moved an amendment earlier and, on reflection, I think I would like to withdraw it.

The Deputy Chairman: Does the committee give unanimous consent to the hon. member for Skeena to withdraw his amendment?

Some hon. Members: Agreed.

Mr. Howard: Mr. Chairman, I am asking unanimous consent to revert to clause 4. We must do that in order to get to the next stage. We cannot jump over one set of procedures.

The Deputy Chairman: Does the committee agree that we revert to clause 4.

Some hon. Members: Agreed.

On clause 4.—*Railway services to be resumed.*

Mr. Howard: Earlier on clause 4 I moved:

That sub-clause (1) of clause 4 be amended by inserting between the words "suspended" and "and" in line 5 thereof, the following:

"and shall call back for employment every employee as soon as the operation of the railway is resumed".

I would like permission of the committee to withdraw that amendment.

Some hon. Members: Agreed.

[Mr. Fortin.]

The Deputy Chairman: Order, please. I must remind hon. members that we have to follow certain rules. The hon. member can withdraw his amendment only with unanimous consent. Is there unanimous consent?

Some hon. Members: Agreed.

Amendment (Mr. Howard) withdrawn.

Mr. Howard: Mr. Chairman, upon reflection upon the original amendment which I moved has now been withdrawn, and in an attempt to approach this in a better way I should like to move:

That sub-clause (1) of clause 4 be amended by inserting between the words "suspended" and "and" in line 5 thereof, the following:

"And shall call back for employment every employee within four days of the coming into force of this act".

Mr. Munro (Hamilton East): Mr. Chairman, I sent over to the hon. member for Skeena an amendment I propose to move to the present clause on page 10. That clause not only dealt with the earlier amendment raised by the New Democratic Party with regard to protection for those people laid off but added a further provision that once those people laid off are brought back to work they could not be immediately laid off again as a result of the same strike. Then the hon. member for Skeena indicated he wished to move an amendment to clause 4 which would impose a reasonable time limit on the railways to bring back both the strikers and the laid off people.

We took that into account in the further strengthening of the lay-off provisions which I sent over to him. I have sent to the official opposition a copy of the proposed amendment. Hon. members will notice that the proposed clause starts off with the words, "Forthwith upon the coming into force of this Act". That is very strong wording in terms of the immediate implementation. Really in layman's language it means as soon as possible. This can impose upon the railways a legal obligation to proceed with haste. Then it goes on in the next four lines to say:

—every railway company to which any part of this Act applies shall call back to work every employee of the railway.

So, I think this affords the hon. member for Skeena every possible protection he wants. Again I would point out that the clause I sent over refers to every employee and not just those laid off or on strike.

Mr. McGrath: Mr. Chairman, we believe the amendment proposed by the government is a much stronger amendment than that put forward by the hon. member for Skeena and consequently with some reluctance we will have to vote against the amendment put forward by the hon. member for Skeena if he intends to proceed with it. However, we make clear that we intend to support the amendment proposed by the minister.

Mr. Howard: The hon. member for St. John's East can run into a trap. Let me say first that the Minister of Labour stood up and said he sent over to me a copy of the proposed amendment to which he just referred. It arrived here while I was on my feet moving my second amendment. That was the first time I saw it. The second point I want to make is that clause 4 says at the outset: