

these proposals were tabled with the parties for their consideration.

● (1120)

The first proposal called for the application of the mediation-arbitration process in the resolution of the dispute. That process would involve the agreement by the parties to refer the dispute to a mediator-arbitrator who would seek to mediate all outstanding issues originally referred by the Public Service Staff Relations Board to the Conciliation Board chaired by Mr. Courtemanche. This process would also require the parties to further agree that the mediator, should he not be successful in mediating the whole of the collective agreement, then make an arbitration finding on all remaining unresolved issues. The parties would agree to be bound by the arbitration awards rendered. The mediator in this process would be appointed by the Acting Minister of Labour and would submit his report to the parties not later than 90 days following the date of his appointment.

The second proposal put forward by the minister would require that the employer and CUPW return to the bargaining table with full authority to settle the issues under the auspices of a special commissioner appointed by the minister to mediate the dispute. The issues to be dealt with would be those that were referred by the Public Service Staff Relations Board to the Conciliation Board chaired by Mr. Courtemanche.

The Commissioner would be required to attempt a resolution of all such issues within two weeks of his appointment. If at the end of the two-week period any issues remained unresolved, the Commissioner would then report to the Minister of Labour, stating, in his opinion, what further steps or procedures would be required to reach a final agreement.

Both of these proposals that were presented to the parties on Monday evening would also include the stipulation that, during either of the processes accepted by the parties, the union would agree to withhold any strike authorization and direct its members to return to work forthwith and to cease any work stoppage activity.

It should also be pointed out that the Assistant Deputy Minister of Labour and the minister met with the president of the union and with an Executive Vice-President of the Canadian Labour Congress on Friday, October 13, in an effort to foster acceptance of the proposed voluntary procedure of mediation-arbitration for the resolution of the dispute. Unfortunately, the National Executive Board for the union rejected both these proposals for the resolution of the dispute, and called a national strike Monday night.

It will be seen that every effort has been made to resolve the dispute through a negotiated settlement in a spirit of conciliation and compromise. It appears that there are now only two courses left open to the government: either allow the work stoppage to continue with no hope of settlement available to the parties, or legislate an end to the work stoppage and bring about a resumption of postal operations while providing for the resolution of the dispute.

It is evident that serious socio-economic consequences of this work stoppage now make it very clear that, in the interests of all Canadians, prompt and decisive legislative action should take place. Hence, Bill C-8 that is before us now.

I assume that most honourable senators have by now had an opportunity of reading the bill, and I am sure most senators followed its course through the other place yesterday. Regrettably, the debate there took longer than was anticipated.

The bill, in most respects, is similar to earlier bills of this type. It provides for the continuation of postal operations, making the present work stoppage illegal. The appointment of the mediator-arbitrator is not in the same form as we find it in many previous bills. The person to be appointed will adopt the two roles, that of mediator and that of arbitrator.

The term of the new collective agreement to which the bill applies is extended until December 31, 1979. The Public Service Staff Relations Act is made applicable to the mediation-arbitration proceedings. I have some doubt in my own mind as to whether it is required to be made applicable, because it may be applicable in any event. At any rate, the effect of making certain sections of the Public Service Staff Relations Act applicable is to clear up any doubt that there may be on that point, to counteract any argument that may be made to the contrary, and to make it clear that the function of the mediator-arbitrator is regulated by the relevant clauses of the Public Service Staff Relations Act.

Honourable senators, when we come to the clauses dealing with offences and penalties we realize that some of the earlier legislation provided for much lighter penalties than those provided for in this legislation, but I would point out that the penalties set out in this bill are based on recommendations contained in the report of the Joint Committee of the Senate and the House of Commons on Labour Relations in the Public Service. The penalties recommended by that committee in its report presented a year or so ago have been adopted.

Honourable senators, without further ado, I commend the bill to your favourable consideration.

Hon. Martial Asselin: Honourable senators, I listened very carefully to what Senator McIlraith said this morning in moving the second reading of this bill. He has not said anything new. We heard the same argument this morning that we heard in the past when we were asked by the government to deal with emergency legislation of this kind.

I think the main point to be raised this morning is the fact that the right to strike granted to these workers by this government is now being removed. But why single them out? Why take the right away from this group only? The government is trying to play on both sides of the fence. It is trying to pretend it is the great defender of the working man, and so to all public servants it has extended the right to strike. But the moment things go wrong, and the government is likely to be criticized because of yet another strike in the public service, that right is temporarily removed. Why doesn't the government come clean? Why, honourable senators, doesn't it decide