

Canada Labour (Safety) Code

surely an area wherein the government might show some initiative in bringing in the kind of amendment suggested by the hon. member.

As I have said, it is very difficult for Members of Parliament to do much in the way of research work, in view of our limited facilities. Those of us who preach that we should have larger offices, executive assistants and the like do so not so much to make a small empire for ourselves as to better perform the services we were elected to carry out, namely, to conduct research on bills, particularly the sort of bill we are dealing with today. In the research I did I was able to find a paper or treatise—I am not sure of its proper appellation—prepared by Mr. A. A. Evans. It has to do with the ILO and is headed "Technical and Social Changes in the World's Ports". In chapter 8 of this work he refers specifically to safety and welfare and he has this to say:

One of the new trends affecting dockers is the increasing attention paid to their safety and welfare.

Safety and welfare considerations are embodied in some of the over-all new settlements—

It is incumbent upon union representatives to see that this kind of protection is afforded. If it is not provided by legislation, certainly it should be provided under settlements or agreements. This chapter continues:

—on the United States Pacific coast both parties to the agreement have accepted a special safety code to supplement the federal regulations.

I do not wish to usurp the position of the government, but it must be recognized that there may be particular areas of expertise where unions and workers would have the kind of ability, intelligence and knowledge to supplement what federal legislation must deal with more or less on a universal basis. Mr. Evans continues:

—the employer may choose methods of work and there is a proviso that "longshoremen shall not be required to work when in good faith they believe that to do so is immediately to endanger health and safety". In order that advantage should not be taken of this clause merely to obstruct work, the memorandum of agreement—

That refers to an agreement in 1960.

—provides that "only in cases of bona fide health and safety issues may a standby be justified. The union pledges itself in good faith that health and safety will not be used as a gimmick".

I think this is the kind of message that, unhappily, the unions have not been able to get across to the general public. We only hear about the kind of work that is done in marine safety when it is highlighted in a message like this. Most of the time we hear about striking longshoremen, damage done to cargo, shipping that is held up and money lost. But here the union is obligating itself to act in good faith and not to use this particular section as a gimmick. Mr. Evans continues:

In the settlement covering the St. Lawrence ports it is stipulated that employers and employees shall comply with the longshoring safety code, which contains improved safety regulations and which has become a part of the whole agreement enforceable by law.

On page 186 of his treaties, Mr. Evans has this to say about safety:

[Mr. Cullen.]

The inland transport committee, in agreeing that it was desirable to accept new types of mechanical equipment, specified that they should be safe.

How many of us can remember that the sort of thing that used to be said was that some new machinery would be brought in but very little was said, if anything, about how safe the particular piece of equipment was. Here it is suggested that consideration should be given to making it safe. He continues:

This points to the importance of examining thoroughly, with the help of experts, what new risks may arise when new methods of work and new equipment are being introduced. This should be standard procedure.

Those of us who are not particularly concerned with east or west coast ports may not be interested in this, but Sarnia is midway along the Seaway and has a fairly large number of ships passing through from Japan, Great Britain and other countries which I will not list because it would take too long to do so. Therefore, I have some concern for the safety of marine workers.

One of the matters about which we have heard lately is containers. From the little reading I have done, I understand that Halifax has taken the lead in this area, recognizing that it has to compete with the Seaway. As I say, from what I have read Halifax seems to have done very well by adopting containerization. Mr. Evans' treatise suggests that the use of containers will reduce the number of accidents for any given tonnage of cargo handled, if for no other reason than that the number of man-hours of exposure to risk will have been substantially reduced. He goes on to say:

It is almost certain that the accident rate measured against the actual man-hours of exposure will also decrease, because dockers' accident statistics show that a high proportion of accidents occur while cargo is moved by hand.

This is an important subject and other hon. members wish to speak. There is still over half an hour before the end of private members' hour and I feel I have left them adequate time. I felt I should put on the record the point the hon. member is trying to make, namely, that this is an area of federal jurisdiction that should be highlighted through addresses in this chamber.

Mr. J. M. Forrestall (Dartmouth-Halifax East): Mr. Speaker, I appreciated the comments of the previous speaker even though I could not relate them to the amendment before the House. I thank him for his kind words about containerization. The points he makes about safety on the docks and about containerization are very true. But those matters are not before us now. The difficulty that has been recognized by the hon. member for Moose Jaw (Mr. Skoberg) who introduced this amendment to the Canada Labour (Safety) Code is one of jurisdiction and the application of jurisdiction. In other words, it is a problem first of recognition and then of acceptance of responsibility.

In and around the docks and ports of this country a continuing debate has been raging for a long time as to who has jurisdiction, in what situation and under what circumstances. It is to this that I think the amendment is directed, and in recognition of the problem here on the