

*Postal Services Continuation Act, 1987*

stamp, and at the same time providing a vast range of services that would introduce new revenue to Canada Post. The Post Office is not doing that.

Let me go to the Bill itself and talk about a couple of things in it. I want to express my concern about the imbalance in this Bill. It is clearly a Bill weighted heavily in favour of Canada Post and heavily against the workers and their union. For example, setting aside the monetary penalties which are very severe for someone who violates this law, let us take a look at the responsibilities for the union leadership and the responsibilities for the management leadership and the respective penalties.

As we know, either a union officer who defies this law or a company official who defies this law is forbidden from holding office or employment for five years. When one looks farther in the Bill one finds in relation to "Obligations of union" the following:

The union and each officer and representative of the union

(a) shall, forthwith on the coming into force of this Act, give notice to the employees that, by reason of the coming into force of this Act, postal operations are forthwith to be continued or resumed, as the case may be, and the employees, when so required, are forthwith to continue or resume, as the case may be, the duties of their employment—

The union officers have to tell their members that they have to go back to work, but the company is not forced to bring them back to work until it wants to. We saw during the rotating strikes where Canada Post management made a point of delaying in bringing those workers back. They said that the scabs had to finish their shifts.

In Thunder Bay we had the ludicrous situation at the mail sorting plant where the workers were kept out an extra day; and, yes, there were scabs in there attempting to sort the mail. But at the main post office where the wickets are, and where there were no replacement workers, no scabs brought in, only management employees, they were kept out for an extra day.

Canada Post has shown already its irresponsibility in this matter. Yet here in this Bill we are giving it the right to delay calling back the workers. But the leadership of the unions, whether at the national level or the local level, have to jump. Are they required to have a telex out within one minute of the 12-hour point when this law comes into being? This is hunting season up in northwestern Ontario and conceivably some of the leadership may be out enjoying the recreational life that is offered in northwestern Ontario. Will they be prohibited from holding office because they took a weekend off and did not jump when the Government said that they should?

What right does Parliament have, what right does the Government of Canada have, to tell the rank and file of CUPW, whether it is at the local in Thunder Bay or at the local in Atikokan, or the national union, who should be their leaders? That is up to those men and women. They are the ones who decide. Think of the position that they are placed in.

● (1140)

I suspect that there is a mythology in the Conservative ranks on how unions function, they really believe that orders flow from the top to the bottom, and when Jean-Claude Parrot says, "Do it", they do it. It does not work like that in the real world. Through a secret ballot the membership of a local of CUPW could decide that they were going to remain on strike. As a body they would suffer certain penalties, of which they would be aware. They would know that their local or their national would be fined. They know that as individuals they would be fined. But by giving that direction to their leadership, they would also be saying that, because of this Bill, the leadership would not be able to continue as the leadership for five years. That is an extremely difficult position to put anyone in. I would not want to be one of those labour leaders under this Bill; it is so Draconian.

This is why we wish this part pulled out, why we have been pushing the Minister of Labour (Mr. Cadieux), who hopefully has enough clout to convince his Cabinet colleagues to back off on this Draconian measure. It goes beyond rationality.

I have some background in labour relations as a member of the Canadian Union of Public Employees, and I have some understanding of the difference between mediation and arbitration. I know that the two are not one and the same. The mediator learns a lot from both sides in confidence in order to try to pull them together and find that middle road that will allow an agreement to occur. But if that same person then becomes the arbitrator, who then decides to pick from this and pick from that, it places both parties in a very difficult situation. It means that mediation will not and cannot work. Both sides must have faith in that mediator.

If the two were split, and if within the framework of this Bill the mediator was given  $x$  number of months to attempt to come up with an agreement, and for those parts where he was unsuccessful to turn them over to a different arbitrator, one who was not privy to the confidential talks in mediation, then that would make this bad Bill slightly better.

I will be brief, Mr. Speaker, because I see that my time is running out. The third item is the reference to the Foisy report. Once again, this is another example of the manner in which this Government chooses to favour management. During the back-to-work legislation for the railways we argued that the arbitrator's report should be included because it was favourable to the unions. The Government said it did not wish to do that, it was not appropriate to put those things in legislation. Because this report is favourable to the management of Canada Post it wishes it included.

We can see the game, and it is consistent with the game that has been played all along by the Government. It is anti-worker, and anti-union. This is clearly not a Government that is in favour of an efficient Post Office, and services to the community. It is doing its best to reduce the services. It is doing its best to attempt to break the union. Quite frankly, it is desperate to win something, anything. It thought it could win