

likely to happen in this field, so that the public, the House and the cabinet may know in advance what will be the ultimate effect if a work stoppage takes place? Should we not say in advance what will be the effect on the national interest? Surely the games we have played lately are not the only way of resolving these problems. Surely even my friends opposite are skeptical. Surely they have not lost complete faith in their ability as human beings to face facts and resolve these disputes more effectively than they are now being resolved.

My party will support this legislation; I emphasize that. There may be certain difficulties connected with the use of a conciliation commissioner's report as the basis for legislation. I have expressed my reservations and I am sure the minister knows exactly what I am talking about. I sympathize with him in this particular dispute. I doubt if any conciliation commissioner more effective than Judge Gold could be found. I also pointed out earlier that the conciliation commissioner's report is in specific terms and, indeed, amounts to the drafting of a collective bargaining agreement. As I said, my party will support this legislation. We will, of course, wish to ask the minister questions about longshoremen's wages, and so on, when we consider the bill in committee of the whole. We shall be pleased to see this debate proceed and, hopefully, end as soon as possible.

Mr. Les Benjamin (Regina-Lake Centre): Madam Speaker, for the fourth or fifth time since becoming a member of parliament I rise to take part in a debate such as we are now engaged in. All the arguments I have heard—and I include arguments which I shall put forward—are a repetition of arguments we have heard on previous occasions. My party is not opposed in principle to getting these ports back in operation. Let me repeat an argument we have made on every previous occasion: if parliament is to legislate people back to work and take away the right to strike and to continue collective bargaining, the terms of that legislation must be fair.

I listened carefully to the hon. member for Vancouver South (Mr. Fraser). He spoke about the public interest and essential services, but I did not hear him recite a list of what is in the public interest or what is an essential service. Surely, therein lies his problem. Who is to say what is an essential public service, and when? Is such a service to include longshoremen, railroaders, garbage collectors and the medical profession? I wish the hon. member for Vancouver South had presented his criterion. I am sure I have touched on the difficulty, on the conundrum which every member of this House must consider. I am sure the Minister of Labour (Mr. Munro) would welcome such a list. We have all been wrestling with this difficulty.

I heard some talk from the member for Vancouver South about identifying problems in advance and preventing strikes before they even happen. This would cause the minister some difficulty, and it is this: employers' and employees in those sectors of the economy which might be designated as essential services would say, "We do not need to bargain." One side or the other, or both sides, could say, "We do not need to bargain, because parliament will legislate." If we begin specifying all the essential services in each industry, employers and employees will

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ask, "What is the use of our bargaining? Let parliament do it." The simplistic approach taken by some people does not grab me. I do not think it grabs anyone else, either, unless it is the hon. member and his friends.

● (1610)

I said the legislation should be fair. It is true the public is upset about industrial disputes and strikes. But I do not believe anyone wishes parliament to legislate people back to work on an unfair basis; and this feeling extends to the farmers with whom I have spoken. I submit, on behalf of my party, that there are provisions in this legislation which are unfair. As I read the news reports, we can assume that the wage award embodied in this bill is acceptable to the employees because, according to one news report, an officer of the union concerned said the wage award was not bad. Since it has been accepted by the employers, I think this portion of the legislation would be agreed on by both sides. This, I submit, is about as far as a government should go in legislating specifics.

I would remind hon. members that the issue of job security is one which arises in virtually all the collective bargaining which goes on in this age of automation. It is crucial. It is of even greater importance than wages and hours of work. In this area, we are being asked to act unfairly; in fact, most employees will be worse off under the proposed legislation than they were before.

A few moments ago I suggested that the public generally, in its desire that something be done about strikes and disputes, does not expect parliament to legislate people back to conditions of work which are unfair. The Gold report makes recommendations in the area of job security which, if I read them properly, are less than equitable. I confess I have not had a chance to read the whole of the report; I have had to rely on news reports. We saw the bill before us for the first time this afternoon, and I saw the Gold report for the first time an hour ago.

From what I have been able to gather from that report, these people, who used to be guaranteed a 40-hour week for 37 weeks, will receive a minimum gross income of \$11,840 in 1977 in accordance with the pay increase recommended. From what appears in the Gold report and subsequently in the legislation, even in the case of the port of Montreal, where 1,600 hours a year is guaranteed, the award would amount to \$8 an hour in 1977—in other words, \$12,800 a year—and at that point the Montreal longshoremen will be \$1,000 a year better off than under the old agreement. The "hooker" in all this is that any hours of overtime work from Monday to Friday, excluding statutory holidays, is to be deducted from the 1,600 hours. So one can anticipate a situation in which for three or four weeks during those 1,600 hours the port is extra busy, the employees go on overtime, and at the end of the year they end up having to pay back a fairly large sum of money one way or another as a result of the hours of overtime worked. Even if they are paid at overtime rates, those hours are deducted from the 1,600 hours guaranteed in the legislation.

The situation is even worse at Quebec and Trois-Rivières. The Gold report and the legislation say the workers in Quebec will be guaranteed 1,400 hours. Mr. Speaker, they already had a guarantee of 1,480 hours. Once again,