

*Legislation Respecting Railway Matters*

agreement might be reached which, even at this last moment, would make it unnecessary. The negotiators on both sides are Canadians who are very conscious of the national interest and the national welfare, as well as the interests of those whom they have been chosen to represent.

I conclude my remarks by giving a short explanation of the bill, as I think I am bound to do, Mr. Speaker. It will of course be dealt with in greater detail by the Minister of Labour (Mr. Nicholson) either later in this debate or during the committee stage.

The essential provision of the bill is the provision for the immediate resumption of railway services now suspended by the strike. This discharges the primary duty of the government to maintain essential services. Indeed, Mr. Speaker, this is the reason why parliament has been called into session.

Equally important, the bill provides for the resumption of negotiations between the parties and reactivates the normal procedures of collective bargaining. The bargaining will be aided by what we hope will be the passage of new railway legislation placing the railways in a more competitive earning position, and by the assurance that the study of the Freedman report is being processed to the point that there will be specific recommendations for the government and from the government before long.

Naturally, Mr. Speaker, we regret very much that there has not been legislation of this kind in effect in recent years. It would have been easier to conduct these negotiations had that been the case. The right hon. gentleman opposite must understand our difficulty, because in 1960 when he was speaking to the house about railway difficulties at that time, and a strike which had been set by the railway unions, he pointed out that it was then 1960 and that during a six month postponement of the strike it would be possible to receive a report of a commission, and action would then make it possible for the railways to meet increased charges by changes which would be made in their freight rate structure. That was in 1960. I should point out that since that time this government came into office, specifically in 1963, and proposed legislation to this effect was placed on the order paper. This was not brought before the house in 1963, but in 1964 it was debated and the subject matter of a railway bill was sent to the committee where it was very constructively debated for a considerable period of time. It was perfectly clear in 1964 that the bill, as drafted, would not pass the house.

[Mr. Pearson.]

Since that time, Mr. Speaker, this bill has been revised and a lot of discussion has taken place. These revisions are contained in the bill which is now before the house, and in legislation which I previously indicated would be brought before the house during this autumn session.

Let me return to my explanation of the bill now before us. The railways and the unions are required under the bill to continue their negotiations with a view to the settlement of all matters presently in dispute between them. The collective agreements which expired at the end of 1965 are extended until December 31, 1967.

The bill provides that the Minister of Labour shall appoint a mediator, or mediators, and he will be in a position to do that immediately this bill is dealt with by the house. These mediators shall endeavour to settle the questions in dispute between the railway companies and the unions. This mediation process will be given until November 15 of this year to bring about an agreement between the parties. A report must be received by the Minister of Labour not later than that date. There is provision, however, for the the continuation of mediation after November 15 if the report shows that favourable progress is being made in negotiations.

The bill makes it possible, as a last resort, as the 1958 bill made it possible, for the governor in council to refer any unresolved matters to a board of three arbitrators. The bill also provides that the governor in council may make regulations to give effect to the decision of the arbitration board. Any decision of this board of arbitrators would be incorporated in the collective agreement, but the parties would of course be free to agree to vary or amend any of the terms of agreement set by the board of arbitrators.

If, which I hope will not be the case, the government should find it necessary to appoint this board of arbitrators, the regulation by order in council establishing the board will be laid before this house not later than five days after the day the regulation is made. In this respect the present bill differs from the 1958 bill, which made no provision of that kind for recognition of parliamentary control over an order in council.

This regulation, as I have just mentioned, would become effective on the tenth sitting day of parliament after the day the regulation is laid before the house, unless before that day the regulation were to be revoked