

appointment of a mediator. I notice that in this particular clause dealing with non-operators, shopcraft employees and operators that there is specific reference to the fact that the railways and the unions shall forthwith enter into negotiations and do so in good faith. I think we all hope that the parties will do just that by making full disclosure and, hopefully, not make unreasonable demands.

It was earlier pointed out by the Minister of Labour how important the role of the mediator could, should and will be, as well as that of the arbitrator. What is most significant is the fact that Clause 15 does not refer to a time limit in respect of the appointment of a mediator. This gives us some concern as we heard on several occasions yesterday afternoon, yesterday evening and this morning that there has been a lack of good faith and that some parties have attempted to stall, thereby defeating the purpose of that phrase "good faith" in respect of collective bargaining.

We feel that the time could possibly arrive when the Minister of Labour will have to move quickly. In this regard I would point out that Clause 15 states that:

The Minister of Labour may, upon the coming into force of this Act, appoint a mediator to mediate the matters in dispute—

In order to give some definite proposal regarding time we would suggest that within 60 days after the coming into force of this act the minister must, if the parties have not reached an agreement, appoint a mediator to look into the matter. Without carrying on further, and I think the principle I am trying to put forward is self-explanatory, I move, seconded by the hon. member for Peace River:

That Clause 15 of Bill C-217 be amended by inserting in sub-clauses (1), (2) and (3) thereof, immediately after the word "Act" where the same respectively appears in each such subclause, the words,

"and shall in any event upon the expiration of the sixtieth day thereafter".

• (0140)

**The Assistant Deputy Chairman:** Is the committee ready for the question on the amendment?

**Mr. Lewis:** Mr. Chairman, I know the hon. member for Hamilton West moves this amendment with the best intentions, but I should like to suggest to him that it is not a useful amendment. Perhaps he ought to reconsider it. Certainly we cannot support it. What the amendment means is that the minister would be obliged to appoint a mediator immediately. Obviously what the bill now implies is that the minister may decide not to appoint a mediator and go to arbitration immediately. I think it would be meaningless to go through another process.

I am sure the hon. member for Hamilton West knows, as I do, that one of the most aggravating things to the employees in a dispute situation is the continuing delays which take place in going from one procedure to another. These particular employees, the non-ops, the shopcraft and the operating employees involved in this bill have been through many months of negotiation and conciliation.

In the case of the non-operating employees there have been three or four mediators. Therefore it really would be a total waste of time merely to cause some further delays to a final settlement of the dispute if the law forced the minister to appoint a mediator whether or not he considers such an appointment is useful. I suggest to the hon.

member that if he looks at the amendment—I am sure I have read it correctly—he will see that the step he is proposing may be an unnecessary step that would merely delay the final settlement of the dispute, and result in further bitterness and frustration on the part of the people involved. I hope he would withdraw it.

Hon. members know that my colleagues and I do not like the whole scheme, but if it is to be there I hope the minister will take no step that has no chance of being useful. In most cases he will go directly to the arbitrator and therefore get a resolution of the dispute as quickly as possible. For that reason we cannot support the amendment, and I think perhaps if the hon. member looks at the amendment he will see that the suggestions I have made may have some validity.

**Mr. Munro (Hamilton East):** Mr. Chairman, my point would be exactly that made by the hon. member for York South. I do not think it was the intention of the hon. member for Hamilton West to inject a further period that would cause delay in having a final determination made. The legal interpretation of his amendment is that it would be precisely that.

**Mr. Alexander:** Mr. Chairman, possibly the only reason I intervened by way of this amendment was to give some assurance that this House is concerned about the possibility of footlagging when it comes time to negotiate. Unfortunately the clause in respect of the mediator is there. It must be there for some particular purpose. I have the greatest respect for my friend, the Leader of the New Democratic Party, but he seems to be saying that notwithstanding the fact that we have this clause we should go to clause 16 which deals with the arbitrator. If that is the case I think that is wrong in principle because we have clause 15 which gives the minister the right to appoint a mediator. However, in view of the lateness of the hour and in light of the fact that I know the position of the NDP, and also of the government, I would ask for unanimous consent to withdraw the very significant amendment I have placed before the committee.

**The Deputy Chairman:** Order, please. Does the committee give unanimous consent to the hon. member to withdraw his amendment?

**Some hon. Members:** Agreed.

Amendment (Mr. Alexander) withdrawn.

Clause 15 agreed to.

On Clause 16—*Appointment of arbitrator.*

**Mr. Knowles (Winnipeg North Centre):** Mr. Chairman, I simply want to remind the minister that he has an amendment to clause 16. I have one also, but the minister sent me a notice of one he has.

**Mr. Blenkarn:** Mr. Chairman, the whole problem that has been bedeviling labour negotiations in connection with this particular dispute and leading up to it has been the increase in the rate of inflation. This has probably resulted in the efforts of Mr. Justice Craig Munroe's intentional attempt to try to give a fair settlement. However, the problem has been that that settlement talked about a 5½ per cent or perhaps a 5.45 per cent rate of inflation.