

ATTEST

Robert Marleau
The Clerk of the House of Commons.

The Hon. the Speaker pro tempore: Honourable senators, when shall this message be taken into consideration?

On motion of Senator Doody, message referred to Standing Committee on Standing Rules and Orders.

PRINCE RUPERT GRAIN HANDLING OPERATIONS BILL

FIRST READING

The Hon. the Speaker pro tempore informed the Senate that a message had been received from the House of Commons with Bill C-106, to provide for the resumption of grain handling operations at the Port of Prince Rupert, British Columbia.

Bill read first time.

SECOND READING

The Hon. the Speaker pro tempore: Honourable senators, when shall this bill be read the second time?

Hon. William Kelly: Honourable senators, I move, with leave of the Senate and notwithstanding rule 44(1)(f), that this bill be read the second time now.

The Hon. the Speaker pro tempore: Is leave granted, honourable senators?

Hon. Senators: Agreed.

Senator Kelly: Honourable senators, this bill requires an immediate return to work by the 69 striking workers employed by Prince Rupert Grain Limited at its grain elevator at Prince Rupert, British Columbia.

Prince Rupert Grain Limited is a consortium of the six largest grain handling companies in western Canada. These companies came together in 1979 to build a state-of-the-art facility at Prince Rupert. This was in response to a study by the Canadian Wheat Board that forecast a shortfall in grain handling capacity.

With your permission, honourable senators, I would like to go through the chronology of the major events that have led up to this bill and the major points that are at issue. I will be brief, because the full chronological road has many twists and turns. This is not a straightforward or routine matter.

The origins of the current dispute reach back to December 1984 when Prince Rupert Grain Limited closed one of its terminals at Prince Rupert (PRG-1) and opened another (PRG-2) on Ridley Island. PRG-1 had been government-owned until it was privatized in 1980. Employees were given the option to move to the new union, Local 333 of the Grain Workers' Union, or be transferred within the Public Service Union.

PRG-2 is Canada's newest and most technologically advanced grain handling facility. It became evident that the move from PRG-1 to PRG-2, and a major shortfall in the

[The Hon. the Speaker.]

anticipated volume of grain to be moved, would result in the displacement of some workers and the reorganization of some job categories.

In particular, there was the question of who—unionized employees or supervisors—would man the so-called "Grain Centre", the central computer facility that monitors and controls virtually all the operations at PRG-2. Consequently, the union representing the employees held that the commencement of operations at PRG-2 constituted a technological change under the Canada Labour Code. What this meant was if it were found that technological change had in fact occurred, the collective agreement would be opened up to allow parties to negotiate whatever transitional arrangements might be required. In this case, of course, the collective agreement was already open.

Parallel to this particular dispute there was also a wider dispute involving the British Columbia Terminal Elevators' Association and the Grain Workers' Union. This wider dispute was settled in May 1985. By informal arrangement this general agreement was applied to PRG-2, leaving only the transitional issues peculiar to PRG-2 in dispute.

From the period February 1985 through to today a number of initiatives were taken to try to resolve the issues in dispute at PRG-2. In February 1985 Conciliation Commissioner Vince Ready was appointed. He reported on the PRG-2 issues in January 1986, but the report was rejected by the union.

In March 1986 Mike Collins was appointed as mediator, under section 195 of the Canada Labour Code, but no agreement could be reached between the parties.

Meanwhile, the union pursued its efforts through the Canada Labour Relations Board and the Federal Court of Appeal to have the scope of its bargaining unit expanded to cover PRG-2. These efforts also ultimately proved unsuccessful.

Negotiations between the parties continued intermittently between April 1986 and November 1987, with neither party showing any willingness to compromise on the fundamental issues.

On December 9, 1987, the union commenced strike action. Six days later the Minister of Labour instructed mediator J.M. Collins to reconvene the parties once again. However, by early January these discussions had reached an impasse.

On January 7 the Minister of Labour sent a telegram to the parties asking that they come to Ottawa to meet with Associate Deputy Minister Bill Kelly.

I might say at this point that there is no relationship between myself and that Bill Kelly, although I receive many congratulatory messages and telephone calls telling me what a great job I do on labour mediation. I have long since ceased to deny that I am that Bill Kelly. I simply thank those people for their comments and their compliments. As long as Mr. Kelly continues in his present role I suppose I will continue to get these messages. I enjoy them thoroughly.

Mediation sessions under Kelly began on January 11, but it quickly became clear to him that neither side was prepared to