

Public Service Collective Bargaining

legislation referred to in the resolution, therefore, will contain no provision permitting the government in its own right to withdraw from an arbitration award. Arbitration will be equally binding on the employer, the government, and the employee, the public servant.

The great majority of organized public servants have made it clear to the government through their elected officers that they wish to be governed by a process of dispute settlement based on binding arbitration. That view is not shared by all public servants, however. Many other responsible Canadians also feel strongly that the right to strike is fundamental and should be qualified only where a clear case can be made to restrict that right in the public interest. The government believes that these strong and very genuine feelings should be respected. Accordingly, the legislation will provide for an alternative method of dispute settlement comparable with that prescribed in the Industrial Relations and Disputes Investigation Act. This method, founded on conciliation and permitting strikes in prescribed circumstances, would be available, as an alternative to the process of binding arbitration, to any bargaining agent. The proposal for this alternative process which permits strikes, however, will vary from that established by the Industrial Relations and Disputes Investigation Act in one important respect. The bill will provide that an employee subject to the process will not have the right to strike if his services are essential to the safety and security of the public. The designation of such employees would be made in the first instance by the employer, that is, the government, but in the event of objections registered by a bargaining agent such designation would be determined finally by the Public Service Staff Relations Board.

The last matter of substance, Mr. Chairman, to which I should like to refer in dealing with the resolution is the fact that the proposed legislation will make provision for the introduction throughout the service of formal grievance procedures. The lack of such procedures in most parts of the public service has made it difficult in the past for management to identify and deal with irritants in the relationship between individual employees and those who represent the government as employer.

The preparatory committee recommended that grievance procedures conforming to certain minimum standards should be available

[Mr. Pearson.]

to all public servants. The government has accepted this recommendation and has made appropriate provisions for grievance procedures in the proposed legislation.

I should like to conclude these remarks by reiterating my view that the legislation referred to in this resolution will be of very real significance in the development of the processes of public administration in Canada. It is my profound hope that it will provide a framework within which the parties, employer and employees, will be able to develop a relationship founded on mutual confidence and respect to the general betterment of the public service of Canada and to its even greater effectiveness in the service to the people of this country.

Mr. Bell (Carleton): Mr. Chairman, this day may well become an historic one in the development of personnel relations in the public service of Canada. Indeed, only two other occasions relating to the public service seem to me to have equal significance. They are the original introduction of the Civil Service Act in the days of Sir Robert Borden, the father of the merit system and of the modern civil service, and the introduction of the complete revision of that act in 1960 under the aegis of the right hon. gentleman from Prince Albert.

Mention of these three occasions will serve to remind us, as the Prime Minister also did this afternoon, that parliament should approach public service matters with a total freedom from partisanship and with one objective only—how can parliament establish and obtain the best atmosphere in which public servants can achieve the finest administration for the benefit of all Canadians? I want to express at once appreciation of the indication by the Prime Minister in his address this afternoon of willingness to consider amendments to the proposed legislation, where the merit of such amendments may become evident as our discussion proceeds.

Even those of us, sir, who are close to its work have difficulty in realizing what a vast, complex and highly organized structure the Canadian public service has become. In the youth of some of us at least, the federal government reached into our lives but little. Today the tentacles of officialdom reach into almost every facet of our daily lives, and each of us is profoundly affected by the countless decisions taken by public servants in the many departments and agencies of government.