

Senator Grosart: It has nothing to do with the effect or anything else. It merely says that for the purposes of these sections all these things are technological change. Now it is a pretty good principle that an act of Parliament should not by its wording be stupid, and I say it is stupid to confine technological change to—

Mr. Wilson: This is merely a definition.

The Chairman: But this is the definition which starts the whole procedure and so it is very important.

Mr. Wilson: But Senator Grosart has claimed that it is very wide.

Senator Grosart: Yes.

Mr. Wilson: I have said, on the other hand, that there are actual agreements covering thousands of employees in Canada on the railways and other lines in which the definition is much wider than that.

Senator Grosart: Surely you are missing the point. There may be other acts which take into account—

Mr. Wilson: Not other acts; other agreements.

Senator Grosart: All right, other agreements which take into account things other than technological change. I am not arguing that. But what I am speaking of is the definition of technological change in this act. That is all I am speaking of, and I am saying that it is not a reasonable definition of technological change, and my objection is that it does start this whole process. We can come back to this later, but obviously if this process starts, as I read the act, the whole agreement can be thrown wide open.

Mr. Wilson: Not merely by reason of the definition.

Senator Goldenberg: No.

Senator Grosart: Well, we will see.

The Chairman: It starts the process, but it does not necessarily reopen the contract or the agreement.

Senator Grosart: What I am suggesting is that it will come to that.

The Chairman: For instance, how would you define "material"?

Mr. Wilson: Plastic, wood, glass, fibre.

The Chairman: Would the production of a new schedule for airline pilots, for instance, be material?

Mr. Wilson: No, I do not think so. If they started flying people by tubes and freezing them in containers and ejecting them by jets, I would think that would be a change in material.

The Chairman: But if they should change the type of plane?

Mr. Wilson: Well, there certainly would be a change in the method by which they operate, but it would have to be related to (2) (a) in that they were employing a different method of propelling the aircraft.

The Chairman: So a schedule or the production of a piece of paper is not material?

Mr. Wilson: That might be operational or organizational, but hardly technological.

Senator Goldenberg: One of the reasons, as I understand it, Mr. Chairman, that the trade unions objected to this definition was that it is too narrow, and they wanted to include operational and organizational change which is very important in its impact on employment. As Mr. Wilson says, in the case of the railways we included operational and organizational change by agreement. So this is a much narrower definition.

The Chairman: But I think the constant reference to the railways does not apply here because I understand that this has come as a result of an agreement between the parties, and the procedure for dealing with these changes is quite different from that which is provided in this bill. So I do not think we should constantly refer to this kind of agreement since, in my view, it has nothing to do with this bill.

Senator Goldenberg: If I may differ from you, Mr. Chairman, Senator Grosart is criticizing the definition, and all I am saying with respect to the railways is that they go further and include as technical change operational and organizational changes, and that is not included in this definition.

Senator Grosart: Mr. Chairman, may I say that I agree entirely. The definition is inadequate on both counts: it is too broad in one; and it is too narrow in another. That is why I say to have a definition of technological change which is related only to a change in equipment plus method is just unrealistic. I agree with Senator Goldenberg that technological change can be operational, it can be management or it can be marketing. These are all regarded today as technological change, so I agree there. The fact that it is too sweeping in one sense does not mean that it cannot be too narrow in another. I just say that it is a bad definition, that it is laughable and is going to cause a lot of trouble.

Let us take the position of a union leader—and I have the greatest sympathy for them—who is pressed by his members. He will be required, if he is a good union leader, under certain circumstances to look at this act to find out how he can reopen an agreement. If he relies on this definition, he can in a minor change, which by no definition that I have ever heard of could be called a technological change, invoke this whole procedure and hold up the change. And this not because he objects to any technological change or its effects, but merely because he wants to reopen the whole contract. That is why we should have a realistic definition of technological change, and I would agree that it should include operational and other matters. But somebody who knows something about technological change should sit down with the draftsmen and come up with a definition that makes sense.