

*Canada Labour Code***PRIVATE MEMBERS PUBLIC BILLS**

[English]

CANADA LABOUR CODE

AMENDMENT RESPECTING CERTIFICATION OF UNIONS

Mr. John Rodriguez (Nickel Belt) moved that Bill C-223, to amend the Canada Labour Code (certification of union), be read the second time and referred to the Standing Committee on Labour, Manpower and Immigration.

● (1702)

He said: Mr. Speaker, I suppose in these times, when inflation is as high as it is, that Canadians have been exposed to considerable propaganda that the contributing factor to high inflation in Canada has been the demands of the trade unionists in this country, the workers in Canada. One is left with the impression that indeed the vast majority of Canadian workers are unionized. The impression is left that in every work place, in every nook and cranny across this country, workers are organized into collectives and that, somehow or another, there is a juggernaut of big trade unions sweeping the country and engulfing workers, whether they are waitresses in restaurants or those people in the highest technological jobs. Maybe we ought to correct the record and set it straight with respect to the whole question of the extent of unionization in Canada.

In 1967 in Canada the percentage of workers organized into trade unions, excluding agricultural workers, was 32.3 per cent. In 1976 that figure rose to 37.3 per cent of the non-agricultural work force. As at the beginning of 1977, the latest figure indicates that 38.2 per cent of non-agricultural workers in Canada are indeed organized. So we see that the latest figures indicate a little over one third of the non-agricultural work force in this country organized into trade unions.

How does that compare with the European community? If we take 1972 figures, and remember that in 1972 34.6 per cent of non-agricultural workers in Canada were organized into trade unions, we find, for example, that Belgium had 71 per cent of its workers organized into unions; Denmark, 50 per cent; Luxembourg, 50 per cent; Great Britain, 48 per cent; Ireland, 43 per cent; The Netherlands, 41 per cent; Italy, 35 per cent; Israel, 80 per cent; Sweden, 70 per cent; and Austria and Norway over 60 per cent. So when we compare Canada to the other industrialized countries of the world we find that we are far short of the extent and development of trade union organization within those other countries.

What then should be the purpose of a federal labour code? Surely a federal labour code belongs to the workers of Canada? Surely the federal labour code ought to be for the benefit of workers, not for the benefit of employers? Employers have other statutes which provide them with certain protections in this country. A federal labour code therefore should speak of enshrining the rights of Canadian workers in law. One of the first rights is the right to organize. That is a fundamental right of a worker in this country. Indeed, it is the

[Mr. Knowles (Winnipeg North Centre).]

very basic ingredient of democracy, the right of a worker to give his labour. That is really the only thing over which he has any control.

There are countries, of course, where workers are forced to work practically at the end of a gun. But that in a free society has never been the practice. The collectivity of Canadian workers is a fundamental democratic right. It seems to me that if we allow Canadian trade unionism to be destroyed, so can the basic rights on which this truly democratic system relies be destroyed.

What does this Bill C-223 intend to do? What is the purpose of the bill? At the present moment if the workers in a work place want to organize into a trade union, cards must be signed first of all. In the present code it requires at least 35 per cent of the workers within a local work place to sign cards. Those cards must then be submitted to the Canada Labour Relations Board, the CLRB. On receipt of those cards the CLRB decides a date for a vote on whether there will or will not be a trade union in that work place. That has been a serious drawback with respect to organizing workers into collectives for the purpose of protecting workers and extending the rights and improving the quality of life for workers.

In effect because of the requirement that 35 per cent sign the cards, a considerable amount of time elapses in an effort to have this requirement fulfilled. During that period of time much anti-organizing effort is put out by the employer. That is the historical fact in this country. We have a perfect example of that today, that of the Canadian banks. I will deal with that in some detail later. But we have a case in point where the employers, the Canadian banks, and in particular the local managers, the minute these managers sense that someone is organizing within a branch, the anti-union organizing forces come into effect. It is therefore very difficult to obtain 35 per cent.

In this bill we are saying that to expedite, to assist, to encourage the organizing of Canadian workers into collectives, the minimum number required to sign the cards ought to be 20 per cent. On the basis of 20 per cent of the workers in a work place signing those cards and having those cards submitted to the Canadian Labour Relations Board, a vote of certification can be called.

In this bill we go on to say that if, in the opinion of the Canadian Labour Relations Board, there are 50 per cent or more workers signed to cards, then in effect the board may waive a certification vote for the union within that work place. Furthermore, we say within the bill that there ought to be no decertification process in the Canada Labour Code. That is extremely important.

I can think offhand of three examples of precedents in the Canadian experience where no decertification vote is allowed. I go particularly to the schools administration act of Ontario and the teaching profession act of Ontario. When a teacher is certified and obtains a job, that teacher is a member of the Ontario Teachers' Federation and belongs to one of the five affiliates of the Ontario Teachers' Federation. There is no decertification process allowed in the teaching profession act