

SECOND READING

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

Hon. Wishart McL. Robertson: With leave of the Senate, I move that the bill be read the second time now.

Honourable senators, I am sure that the interest that has been displayed and the mass of information which has been available from one source and another removes the necessity and indeed makes it highly undesirable for me to delay the house unduly in presenting the reasons which led up to this bill being presented for our consideration. The purpose of the bill, as honourable senators well know, is to deal with what amounts in effect to a national emergency that has arisen in this country as a result of the circumstances surrounding the present railway strike. That is the chief reason for the assembling of parliament at a period somewhat earlier than originally had been intended. Even in normal times a prolonged interruption of rail service in Canada would cause very vital disruptions in our economic life. I am sure all will agree that especially in times such as these the deterioration of the vital interests of all the Canadian people caused by the strike cannot continue, and that immediate resumption of railway services is highly desirable.

On the other hand, how to accomplish this has been a very difficult problem to solve. The right of labour to organize, negotiate, and, if necessary, to strike, is a primary concept and principle in our idea of democracy. In the present case all parties have exercised what all of us realize are their legal rights. However, the exercise of those rights has caused a situation whereby a great many Canadians may be materially harmed and the public interest may suffer. To allow this to continue would create, I submit, a situation that this house would wish to avoid if at all possible.

The present demands by the unions began on June 16, 1949. Negotiations between them and the railways continued until September 1949, at which time conciliation officers were appointed by the Department of Labour. As a result of their report a conciliation board was appointed, under the Industrial Disputes Investigation Act. This board made its report in April of the present year. The recommendations contained in the report were not acceptable to the unions, who indicated that it was still their intention to strike. Since that time the representatives of the unions and the railways have met at various times without success. When it became apparent that no settlement could be reached before the strike deadline, the government appointed a mediator, with the consent of all parties. His

attempts to bring about a settlement of the issues involved were also not successful. The Prime Minister then requested that the strike be postponed for thirty days, to allow further negotiations between the unions and the railways. This offer was not accepted, and the strike occurred.

After the strike began the Prime Minister met with leaders both of the unions and the railways. He did not suggest any terms of settlement, but pointed out the severe emergency that the strike was creating. He said he knew the strike was not intended to injure the economy of the country, but that in fact its continuance might cause a serious disaster. The unions and railways extended him every courtesy and consideration, but still found it impossible to come to terms.

The government then drafted the bill which in the main is the one before us. It is intended to deal with only the present special situation. I should like to emphasize that the legislation is not designed or intended to establish a precedent for the future but deals with this emergency and nothing more. The measure is a regrettable necessity, which I sincerely hope will cause no malice or misunderstanding among Canadians. Let us hope that it is received in the same spirit in which it was conceived.

The bill provides, honourable senators, that the railway operations must be resumed within 48 hours of its becoming law, and that every employee who is on strike will return to his duties with the railway company by which he is employed. The 48 hours will start to run from the beginning of the day on which the measure becomes law.

During the negotiations it appeared at all times that the railway companies were prepared to offer a wage increase of at least four cents per hour to most of the employees concerned. The government at first thought that it would not order the hotel workers back to work, as there seemed to be some doubt as to whether such drastic action was necessary in the national interest. However, it was pointed out that all the unions concerned had banded themselves together and pledged their support to one another, and that action which might seem to distinguish among them would create a difficult situation. Therefore, it was decided to order all the strikers back to work, and to increase all their rates of pay by four cents per hour, rather than make any distinction. For this purpose the bill provides that the collective agreements that were under negotiation when the strike took place—these are listed in Schedule B to the bill—are amended by increasing all rates of pay contained therein by four cents per hour. With this one exception the agreements under