

Labour Relations

sad commentary on the state of affairs in Canada when the Chief Justice of Canada has to make such a remark under those circumstances. There is no question in my mind that the Chief Justice was saying something which he thought had not been said clearly enough by others in the community and had to be said by the highest ranking judge in the country.

One of the difficulties is that the procedures by which we have passed back-to-work legislation leaves a great deal to be desired in the wording of the clauses and in the measures used to force union members back to work. While our party supported the recent legislation affecting the St. Lawrence Seaway workers because we believed that the farmers of Quebec had to get the grain, we are not happy with the form of legislation presently being used to force workers back on the job. That legislation requires us to apply for a court order to be served on the union or union members requiring them to return to work. If they do not obey this order, then they have to be brought back to court where they are treated as if it were a traditional case of contempt. I suggest to the minister that there is good reason why this particular form of legislation ought to receive further consideration. The contempt process of the courts ought not to be used to interfere in a union-management dispute. The courts are reluctant to do this.

Mr. Deputy Speaker: Order, please. I regret having to interrupt the hon. member, but he would only be able to complete his remarks with the consent of the House as the time allotted to him has expired. Is there consent to allow the hon. member to proceed?

Some hon. Members: Agreed.

Mr. Fraser: Mr. Speaker, I thank hon. members for their generosity. I would ask the minister to consider this point. There has to be a more effective way of having the law take effect immediately, otherwise there is an inclination to delay obedience to the law. Such an example to the rest of the community is not to be tolerated. I will not be much longer, Mr. Speaker, but I want to raise with the minister another item which appeared in the *Globe and Mail* this morning. The minister or his friends must have been very busy these last few days because there is more labour news in the *Globe and Mail* this morning than there has been for weeks. One headline reads, "CLC plans talks with grain handlers on strike problem". The article begins:

The Canadian Labour Congress plans to hold talks soon with affiliated unions involved in the movement of grain to seek some co-ordinated approach to collective bargaining. The move is an effort to avoid a succession of strikes affecting grain shipments.

The article does not suggest that this has taken place as a result of the initiative of the Minister of Labour, and I am sure the minister is not so modest that if he were behind it he would not say so. If he had something to do with it, of course, I commend him and compliment him on his initiative. I also want to commend and compliment my colleague the hon. member for Lethbridge (Mr. Hurlburt) because he has been advocating this approach for a long time. On May 20, as reported at page 5905 of *Hansard*, he said:

Mr. Speaker, I ask leave to present a motion under the terms of Standing Order 43. My motion concerns the sale and delivery of our grain to foreign customers. The foreign exchange earned by our grain

[Mr. Fraser.]

sales abroad is vital to our economy at any time; these sales are especially vital when this country is running a present trade deficit which economists forecast can only worsen. Recent failures to meet our delivery commitments due to lawful strikes within Canada in grain delivery operations have seriously hurt our grain sales efforts; already foreign buyers have gone to rival producers. Not only has our whole economy been injured but our farmer-producers have had to pay millions of dollars in demurrage charges.

In a matter so important to all Canadians, we cannot afford labour-management confrontations where there are no winners, only losers. I suggest that organized labour must be made a party to our international grain sale negotiations. Therefore, I propose to move, seconded by the hon. member for Swift Current-Maple Creek (Mr. Hamilton):

That the government immediately invite organized labour to participate as a party in contract negotiations for the sale of Canadian grain to foreign buyers, to the end that grain movement is guaranteed to meet delivery commitments to foreign purchasers despite any lawful strike.

Unfortunately, as seems to happen too often, the hon. member's motion did not receive unanimous consent. It is a matter of some comfort, however, to see the headline a week later in the *Globe and Mail*, "CLC plans talks with grain handlers on strike problem". The hon. member for Lethbridge deserves credit. He nudged the minister, who in turn nudged the CLC into acting. Hopefully, we shall witness some degree of co-operation which will end the chaos of recent years.

● (1630)

Hon. John C. Munro (Minister of Labour): Mr. Speaker, I, too, welcome this opportunity provided by the motion of the hon. member for Kamouraska (Mr. Dionne) to express my views on the industrial relations issues covered by his omnibus motion.

The point that should be made at the outset is this: the hon. member's motion seems to assume that most of the troubles now besetting labour-management affairs are susceptible of legislative solution. The implications of the motion are that all problems in this field are the result of government failure to provide the right kind of legislation, and that the problems can be solved by the enactment of appropriate new laws or the amendment of existing laws. This shows touching faith in the power of legislators. I only wish it were well founded.

The fact remains that we are dealing with some very complex socio-economic developments and they do not lend themselves to quick, easy or arbitrary treatment. At most, legislation can provide a suitable framework within which the parties themselves can work out a satisfactory and constructive relationship. This is the philosophy embodied in the Canada Labour Code. Its preamble refers to "the encouragement of free collective bargaining and the constructive settlement of disputes." It declares its support for the principles of freedom of association and free collective bargaining as the basis of effective industrial relations.

This government has always supported, and will always support, these basic principles. We do not believe that in a democratic society the relations between labour and management can be determined by legislative fiat. This belief has not been shaken in the least by the disturbing increase in the number of industrial disputes and work stoppages in recent years. These signify a weakness in the collective bargaining system or, rather, its inability in its present form to cope with the increasing strains imposed on it by a