

Canada Labour Code

With respect to the practice in other jurisdictions, it is true that there are jurisdictions which are adopting right to work legislation. In the United States, for instance, in the current legislation respecting rights of employees, the national labour relations act, section 7 provides:

● (1630)

Employees shall have the right to self-organization, to form, join or assist labour organizations; to bargain collectively through representatives of their own choosing, and to engage in other concerted activities for the purpose of collective bargaining or other mutual aid or protection, and shall also have the right to refrain from any or all of the above activities except to the extent that such right may be affected by an agreement requiring membership in a labour organization as a condition of employment . . .

The same holds true for the U.S. railway labour act and the Norris-Laguardia act.

There have been pieces of legislation passed in terms of controls on union coercion and discrimination. That particular legislation is to prohibit the situation where unions have demanded of employers that they fire labourers who fail to pay their union dues. At the same time the legislation has also protected the labourers to ensure that unions, in an effort to get rid of particular employees, should not impose on them certain labour dues or certain entrance requirements in excess of the usual requirements. In effect, that would provide some kind of reverse discrimination.

I am certain there are others who would like to join in this debate this afternoon, and I am sure they have matters which will add to the problem. The matter I would like to highlight today is that, in my view, this legislation signals a difficulty we all recognize, and would be a regressive piece of legislation because of the damage it would do to the principles enunciated by Mr. Rand when he settled the Ford strike. Those principles, which are recognized by all labour management forums, nationally and internationally, have indicated that this is a formula which should not be toyed with; is something which should be held in high regard; and should be seen by us as a signpost of the hope we are working toward, and that is labour-management peace.

Mr. Stanley Knowles (Winnipeg North Centre): Mr. Speaker, the hon. member for Prince George-Peace River (Mr. Oberle) will not be surprised at my saying that I do not support his bill. I am afraid I cannot even indulge in the nicety that is sometimes suggested in private members' hour about a member having rendered a service by bringing the matter before us. As far as I am concerned, the sooner we can get rid of this bill, the better.

Mr. Ellis: Stanley, that is 21 minutes.

Mr. Knowles (Winnipeg North Centre): As a matter of fact, I do not think hon. members need to talk the bill out. I would be quite happy for it to come to a vote and find out what the House thinks about this measure.

Mr. Oberle: Call in the members.

Mr. Knowles (Winnipeg North Centre): I hope the hon. member for Vancouver South (Mr. Fraser), who is the labour spokesman for the Progressive Conservative party, will have a few words to say and will let us know where he stands on this issue.

As the hon. member for Kent-Essex (Mr. Daudlin) has just said in his speech, which I endorse wholeheartedly, it took labour a long while to win the right to collective bargaining. If collective bargaining means anything, it includes the right to reach agreement on certain matters.

An hon. Member: It includes the right to intimidate.

Mr. Knowles (Winnipeg North Centre): The Canada Labour Code enshrines that right in giving to the parties to collective bargaining—labour on one side and management on the other—the right to draw up certain kinds of agreements. One of those is a closed shop, another is a union shop, there are maintenance and membership provisions, and the new development in our generation is the Rand formula to which the previous speaker has referred. It is clear that all of this is all voluntary.

Unions are not required by law to make any of these provisions or any of these agreements, but these are the options which are open to them. The hon. member for Prince George-Peace River would take away one of those options or one of those rights, and if he were to succeed in doing that, I suggest it would throw the whole business of employee-employer relationships into a tailspin. From my point of view, his comments on trade unions reveal a complete lack of understanding of how trade unions operate, just as I thought he was dreaming a bit when he told us about the virtues of those on the other side and what they do with their profits. The viewpoint of my hon. friend is that labour unions are bad and management is all good. I disagree. As I say, I would be quite happy if the motion for the second reading of this bill could come to a vote and we could get rid of it. To deny the right of a union on a voluntary basis, if it can get agreement with management, to get whatever kind of contract can be worked out, is a thoroughly regressive step.

As for the second part of the bill, which has to do with the payment of dues, the hon. member who has just taken his seat has gone into that at some length in his discussion of the formula produced by Mr. Justice Rand. I submit it makes sense that those who benefit from what an organization does on their behalf should not be given a free ride.

I do not happen to approve of or support the government we have in Canada today. Therefore, does that mean I should be excused from paying taxes? Actually, there are benefits, which all of us enjoy, because there is government in a civilized society providing certain protections, benefits and so on. The fact that I disagree with that government does not give me the right not to pay taxes and not to pay my share of what that government does for the country as a whole. By the same token, those who get better wages, shorter hours and better working conditions, because of a union organization working on their behalf, should be required to pay their share. If they