

Government Orders

I think the Bloc member did not understand the fact that I already have a report that was sent to my predecessor. We have already tried conciliation at a previous step in this process. There was a conciliation commissioner who submitted a report, not only to the minister, but to both parties involved who took cognizance of it.

The conciliation commissioner did an outstanding job. He examined in detail all the problems involved and came up with some answers. His report was handed down not only to the minister, but also to both parties involved. The bill before us provides for the appointment of a mediator-arbitrator, that is to say that the emphasis will be put, first and foremost, on mediation.

This is in line with the wishes expressed by members of the Bloc Québécois who demanded a mediation process. This bill will ensure that such a mediation process takes place. If the parties cannot reach an agreement, the mediator will become an arbitrator and will then act in such a capacity. So, in that sense, the bill before us addresses the concerns of both parties who, unfortunately, could not come to an agreement.

As I said earlier, a Minister of Labour is always reluctant to introduce back-to-work legislation. It is always better for the parties to come to an agreement by themselves, but since this was not possible, we must act to protect the entire economy of Western Canada.

Mr. Duceppe: Mr. Chairman, I think there is a big difference with this bill. This bill provides for a back to work order which we agree with and do not wish to amend. What is proposed here is a mediation process as a result of the pressure tactics used by the union or a lockout declared by management, and we agree with a back-to-work legislation.

What we say, however, is that it would be much better for the mediator to do his or her job in a setting different from that which existed before the pressure tactics, the lockout and the special back-to-work legislation. This bill contains all the elements needed for the parties to adopt more realistic attitudes, which was not the case when an investigation commissioner was chosen even before any pressure tactics was used by the parties, something they will no longer be able to do after this bill is passed.

Mrs. Robillard: Mr. Chairman, I think that the Minister of Labour can act according to the Canada Labour Code. If I understand correctly, what is wanted is that the bill require a return to work and the appointment of a mediator who would report to the minister.

• (2045)

But what would happen afterwards? How would we make a decision? How would we reach a collective agreement? It is not incumbent on the Minister of Labour to make the final decision

and to decide on the clauses of the collective agreement. It is exactly for that reason that the Canada Labour Code gives us the possibility of naming an arbitrator. And therefore it seems to me very appropriate to have a mediator-arbitrator who will be able to play both roles.

The Chairman: Before recognizing the hon. member for Kamouraska—Rivière-du-Loup, I think that I must give some explanation to the House.

[English]

We are having a general debate on all of the amendments so that any member can get up at any time on any amendment. It should be understood by all members that is the case.

[Translation]

Mr. Paul Crête (Kamouraska—Rivière-du-Loup, BQ): Mr. Chairman, I rise to provide some response to the question the minister asked and to draw attention to what I see as a contradiction between the bill and the excellent decision to set up a board of inquiry. There have been a lot of problems in this sector of labour relations for a number of years. The minister says it is time to clean things up, understand what is going on, change the rules and take the appropriate corrective action.

At the same time, the bill repeats the same old traditional pattern of making special laws for ports, as has been done for a number of years. The practice has always been to decide for the parties. We would expect, and this is the focus of our amendments rather than the elimination of the notion of arbitrator, that the minister would want to change the way things are done, just as the board of inquiry should bring about effective changes in practices and ways of operating.

We must remember that they got to this point because they knew from the outset that this was the way it worked in the sector. Therefore, from the outset, they negotiated knowing that, in the end, they would reach this point and that there might be special legislation because of what has happened in the past. What we must give them is the message that this longstanding pattern no longer works and must be changed.

Therefore, adopting a special law is no solution. We are telling them to return to work and to their bargaining responsibilities, to resume negotiations with a mediator so that they are not relieved of their responsibility, but are rather confronted with it, and will have to reach an agreement as they are the interested parties. This is the meaning of the amendments we made.

Hon. Lucienne Robillard (Minister of Labour, Lib.): Mr. Chairman, I now understand more clearly the intent of the amendments brought forward by the Bloc Québécois, but I want to say to the members of this House that we have to solve, in the very short term, a problem that exists at this very moment. At 8.45 p.m. tonight, we have a problem in Western Canada and the