

Labour Conditions

read it and discuss it with the commissioner, if necessary before it was finalized, so as to guard against the situation mentioned by the hon. member.

Mr. McCleave: I do not think the minister is correct in his conception of the operation of this report. This is clearly set out in the clause. The actual words are:

—cause copies of the report to be furnished to the Federation and to the Union, and thereupon each collective agreement—

And so on. So that at the magic instant that the report is furnished the collective bargaining agreement becomes fastened with the report of the commissioner.

Mr. Nicholson: All I am saying is that at least the minister should read the report before he sends it on. He will have a chance to look at it.

The Chairman: Shall clause 3 carry?

Some hon. Members: No.

Clause agreed to: Yeas, 52; nays, 32.

On clause 4—*Form in which conclusions to be set forth.*

Mr. Bell (Saint John-Albert): Mr. Chairman, how many collective agreements are apt to be included? I understand there is the one basic collective agreement that was signed on that fateful Saturday night. Will there be others?

Mr. Nicholson: Terms of settlement were signed by representatives of the six unions involved. It is contemplated that there will be, in the terms of settlement, agreements with each of the six unions.

Clause agreed to: Yeas, 55; nays, 36.

On clause 5—*Saving provision.*

Mr. Peters: Mr. Chairman, I notice that the title of this clause is "saving provision". I should like to know whether the minister is being facetious in putting this in. If this clause can apply, then surely, should it not be the first clause in the bill? The clause appears to say that if there is voluntary agreement on the parts of both employees and employer, then the agreement will be added, under this clause. This, I think has been the crux of a large part of the argument, namely that if this clause would work, if there is any possibility of its working, then what is contained in it should be implemented, or should be carried out before the bill becomes effective,

[Mr. Nicholson.]

so that the bill does not come into operation until clause 5 has had an opportunity to work.

I think the minister should give consideration to putting a waiting period of at least a couple of weeks into the bill, so that this clause can apply, after which the bill shall apply. Doing that would eliminate what most members on both sides of the house believe may happen in a compulsory arbitration of this nature. The problem will be eliminated if the saving provision could apply. There ought to be a time lag, to allow this clause to be implemented, before the bill as a whole comes into operation.

Mr. Nicholson: Mr. Chairman, I must confess that the question raised by the hon. member for Timiskaming has been raised by one or two of my colleagues. That clause is included because you can amend an agreement by legislation, but unless there is authority, by legislation, to amend an agreement subsequently that cannot be done.

This clause is put in to permit discussion and possible variation, if the parties are able to agree on something after the reports are brought down. The justice department advises that it should be put in for that reason.

• (10:40 p.m.)

Mr. Peters: Is the minister indicating that there will be a codicil attached to the signed contract, implemented by the legislation without the signing parties being involved?

Mr. Nicholson: I can give an example. With regard to the Trois-Rivières union that is affected, its work gangs are considerably less than the 18 that are involved. There might be some report with regard to the reduction of work gangs, and it might be necessary to amend the agreement with that particular union, or with any one of the six unions concerned.

Clause agreed to: Yeas, 58; Nays, 35.

On clause 1—*Short title.*

Mr. Peters: I would suggest that the minister take out the words "it is in the national interest."

An hon. Member: Read the clause.

Clause agreed to: Yeas, 58; nays, 39.

On the preamble.

Mr. Peters: I am on the right section now. I would suggest to the minister that he withdraw the words "it is in the national interest" and substitute other more suitable words.