very hard for the parties to agree on an arbitrator. It is crystal clear when we know a little about labour relations.

• (1715)

With the best offers for resolving the conflict, the union will be sure that its proposition has the same weight as that of the employer. That is why in that particular case I urge an amendment to let the arbitrator choose and if he chooses the employer's offer we will at least have the possibility to choose a mix between the two. This is why the labour minister should preserve the faith in a process which is not biased. I am not saying that the labour minister is biased, but I am saying that he should preserve the process.

I am sure that in conflicts to come he will see that the mediation will not intervene in the process. The final offer process is not normally used even in places where it is now part of the law.

Those of us who are in labour relations have to know how to proceed with it. So the process itself must not be discredited. This is my main point and this is what I want to defend in the amendment I have brought forward. Otherwise the generous speech that was made is not in touch with the law being presented.

Mr. Axworthy (Winnipeg South Centre): Mr. Chairman, I will not go back on old arguments because as the hon. member said the clock is ticking and time is whiling away. Let me see if I can deal with the hon. member's concerns.

I looked carefully at the amendment the hon. member presented. The difficulty I have with the amendment is that it is arbitration by another name. It is not final offer selection. In effect it changes the act. It would therefore not be a way of testing whether final offer selection is a useful technique. We would simply be putting it off to another time, another circumstance and who knows what charges of bias would then erupt.

I suppose what would happen is we would never have final offer selection because any party that did not want to have it would say there was a bias in that and therefore they do not agree with it. We would therefore be continuing to put off the day when we could try at the federal level to use it as an effective means of resolving some of our more difficult labour–management disputes.

If the problem is the feeling that the mediator by recommending a 65 cent level which is perfectly within his right to do if in the best interests is the way they saw a solution which could be rejected by the parties that somehow that indicates some sort of a favour on one side or the other, let me make an offer to the hon. member.

Under the legislation we say both parties can appoint an arbitrator on final offer selection if they can agree. The hon. member says that is not possible, they will not agree. I am glad the hon. member said this because it makes my point very well. We were not going to get agreement with these two parties. They were going to rely upon government intervention whatever happened because both parties, not just management but labour as well, were too used to that solution.

It then comes that it is my responsibility to choose, and the hon. member is suggesting that we want to have perceptions of fairness. How about if the first thing does not work and it comes to me to make a selection, we will put together a list of names. I will consult with members opposite to determine who they would most like to see as a fair person to put in the arbitrating procedure to show that in fact it is a fair offer. I will make that offer today so we can get on with the business of this legislation and the business of moving the grain.

• (1720)

[*Translation*]

Mr. René Laurin (Joliette): Mr. Chairman, it seems to me that this would have been a fine opportunity to settle a dispute without causing further dissension. I do not think that those involved would go along with the proposed solution, namely the appointment of an adjudicator to choose between the final offers submitted by each side. Neither side, be it the employers or the workers, has chosen to be governed by this forced arbitration process. The hon. minister will correct me if I am wrong, but thus far I do not think that either side has agreed to such a system to reach a final settlement.

To impose this kind of dispute resolution system is to add an irritant. It will cause further frustration while a final settlement has to be reached in the matter of hours.

Since the minister has no other choice but to impose an unwanted system to settle the dispute, at least could the arbitrator be granted more leeway somehow in selecting the contract proposals from either side? Considering that the adjudicator himself as well as the unions and the employers have no say in selecting the resolution system which is imposed upon them, the arbitrator should at the very least be allowed to settle the dispute by deciding what the best course of action is with regard to those unresolved issues.

I think that the hon. minister should minimize friction points and irritants if we want this dispute to be settled. I have been involved in labour relations for 20 years and that is how to find the best solution.

This is my recommendation to the minister in support of my colleague's proposed amendment.

Hon. Lloyd Axworthy (Minister of Human Resources Development and Minister of Western Economic Diversification): Mr. Chairman, I have simply said no to the amendment. I have agreed with the Bloc Quebecois to share the choice of an arbitrator if need be. That is the proposal. But I not prepared to accept the amendment because it rejects the final offer selection process. That is what this legislation is about: final offer selection. If we had decided on an arbitrator we would have