

*Parliamentary Employment and Staff Relations Act*

[Translation]

I would like to ask him this: Those people who are covered by this legislation, what are their rights now? Do they have the right to collective bargaining? Are they allowed to join an employee organization? Or will the Bill give them for the first time a chance to join an employee organization?

[English]

**Mr. Rodriguez:** Mr. Speaker, the Hon. Member prefaced her question with some remarks, but we are debating principle here. In all honesty, we have been trying to put forward the kinds of principles we stand for as a Party and we are trying to exchange ideas about where the Bill is lacking. I hope to hear from members of the Conservative Party as to whether they agree that some of these things can be improved so that we can, in debate on principle, at least go into committee knowing that there is a meeting of minds. At the present time the cafeteria and restaurant employees, the messengers and bus drivers, are not covered by any collective agreement. In fact this Bill would give them collective bargaining rights but because it is based on the Public Service Staff Relations Act there are shortcomings which have created a great deal of hardship where it applies at the present moment. Bill C-45, because it incorporates that Act, would in fact create the same problems for employees on the Hill. How can we say to workers: "You cannot grieve occupational health and safety complaints"? That is their main—

**Mrs. Maily:** It's covered under the Canada Labour Code.

**Mr. Rodriguez:** When Bill C-45 comes into effect, they are covered—

**Mrs. Maily:** Part 4 puts it under the Labour Code.

**Mr. Rodriguez:** But the grievance procedures are under Bill C-45. What the employees can grieve is outlined in—

**Mr. Deputy Speaker:** Order, please. could I ask the Hon. Member to conclude as we have passed his allotted time?

**Mr. Rodriguez:** I will conclude by saying the same thing about other issues. I invite Hon. Members to participate in debate. I would like to go into committee with a meeting of minds in terms of broad principles.

[Translation]

**Mr. Jacques Guilbault (Saint-Jacques):** Mr. Speaker, I would also like to speak for a few minutes in the debate on Bill C-45, especially since the amendment we are discussing now was presented by my hon. colleague from Hamilton East (Ms. Copps), an amendment aimed at obtaining a 30-day postponement, which makes perfect sense. In fact, my hon. friend from Hamilton East has a long record of protecting unionized employees, who represent a substantial part of the workers in the steel town she represents so well in Parliament. In fact, she presented this amendment so that there would be time to examine the Court ruling we have just received today.

The Canada Labour Relations Board had decided that employees of the House of Commons had the right to organize for the purpose of setting up a union. It had recognized that right, and in fact, certain steps had been taken.

Strangely enough, the Government appealed this decision before the court. Actually, the Government should be asked to clarify its attitude, because by tabling Bill C-45, it seems to want to allow the employees to organize. So why appeal the decision of the Canada Labour Relations Board, which had granted the employees this right or rather, recognized their right to do so, since I believe the employees have had this right for a long time but never used it.

Mr. Speaker, I think I can say why the Government acted this way. It is because if the employees had availed themselves of the right given them by the Canada Labour Relations Board, they would have organized in their own way and would have tried to negotiate with the Government on the basis of what they believed to be reasonable. But that is not what the Government wanted. The Government preferred to have the employees organize according to the formula defined in Bill C-45, and that is the crux of the problem. Because I think that Bill C-45, and I am not alone in this, will not give House employees sufficient protection nor sufficient means to get their point of view across when they face the employer at the bargaining table.

This is why I would suggest that the amendment of my colleague for Hamilton East (Ms. Copps) is quite justified. Negotiations were already under way when the Canada Labour Relations Board made its ruling—I respect the judgment of the court, it was made by a court because Canadian legislation is interpreted by the courts. I respect the ruling, but I must emphasize it came after negotiations had begun, and in a way it throws a monkey wrench into the works.

Therefore I think it would be useful if we were to defer debate on this Bill for a few days—my colleague from Hamilton East recommends two months—so as to consider the full impact of the court ruling and analyze its consequences. We would then be in a much better position to hold a meaningful debate on Bill C-45.

Strangely enough, most back-benchers on the Government side appear unwilling to take part in the debate on this measure. Earlier this morning, I am told, the Hon. Member for Willowdale (Mr. Oostrom) resorted to the *sub judice* argument to explain why very few of his Progressive Conservative Party colleagues would join today's debate on Bill C-45. Ridiculous, the court ruling is out and the issue is no longer before the courts. In fact, any Member who feels that the question of labour relations on Parliament Hill is important ought to seek the floor and speak out. Besides, Bill C-45 has a number of shortcomings and could stand some improvement.

Mr. Speaker, I would like to call your attention and that of the House to some of the deficiencies in this Bill. For instance, Clause 5(3), which deals with classification would prevent any