

employees had to wait days and even weeks before being called back to work.

That action stemmed partly from the attitude of the railway companies to further—I apologize to the hon. member for Winnipeg North Centre for splitting an infinitive—penalize railroad workers. I do not think this parliament should stand for that sort of activity. I do not know if that was an oversight in 1966, but that was the result. Inasmuch as the wording in this clause is identical to the wording in the 1966 bill in part, I think we should insert a provision that says that not only shall the railways resume operations on the coming into force of this act, but that the employees who were on strike and those who were laid off as a result of the strike should not be further penalized but should be called back to work at the same time, immediately. The companies should not allow this matter to drag on for weeks.

I apologize to the minister, to the Chair, to members of the official opposition and others who may be concerned, for my having only one copy in handwritten form of my proposed amendment. I prepared it as I was looking at the clause and thinking of what happened in 1966. Perhaps I could read it slowly so that the minister can grasp it. If the amendment is acceptable, perhaps we could set it aside for further drafting. The amendment proposed is as follows:

That subclause (1) of clause 4 be amended by inserting between the words "suspended" and "and" in line 5 thereof, the following:

"and shall call back for employment every employee as soon as the operation of the railway is resumed—"

Please notice that I use the word "employee" as distinct from "non-operating employee" who might have been laid off as a result of the strike. The subclause, if the amendment were accepted, then would read:

Forthwith upon the coming into force of this act, every railway company shall resume operation of the railway and subsidiary services the operation of which is suspended—

Now comes the amendment.

—and shall call back for employment every employee as soon as the operation of the railway is resumed—

Now I revert back to the clause as it is.

—and non-operating employees shall resume the duties of their employment with the railway companies.

If the minister would accept that amendment, I think it would alleviate any sense of frustration and feeling of antagonism on the part of people who were put out of work. They feel that they are being further discriminated against just as they were in 1966.

● (2130)

Mr. Munro (Hamilton East): Mr. Chairman, clause 4(3) directs the company to take back all those who have been on strike and allow them to resume their duties. It requires that they be given their jobs back. Even if their job is guaranteed, however, it does not say that they will be able to commence work immediately the act comes into force. If we insist on being that specific I think we will find that a great many employees whose jobs are guaranteed will be idle. I might add that not only now, because of the act as it is, is the job of the striker guaranteed, but in the amendment that is coming with respect to lay-offs the company must call all of them back and not lay them off

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again if the lay-offs have any connection with or are a consequence of this strike.

There is protection now in terms of jobs for all those who were laid off, and all the strikers. The only difference here is that the company would not be required to call the men immediately, but gradually, while under the proposed amendment every employee, whether laid off or on strike, is to be called back immediately. All the evidence that is at our disposal and that, I am sure, is within the knowledge of the hon. member and his party, indicates that there will be a tremendous number of men standing around for a few days with nothing to do until things get rolling again. I think that could lead to a somewhat ludicrous result.

Mr. Howard: I know the minister wants to accept the principle that I am suggesting, Mr. Chairman. He talks in terms of a few days, but in 1966 we saw that stretched into a few weeks in many cases. Examination of the attitude of the railway companies in 1966 showed that at the community level, where the railroad workers dwell, there were cases of discrimination by the company; they delayed the resumption of duty by some of their employees who went on strike, just to penalize them. That should not be permitted this time.

The minister says that it may not be possible for the railroads to commence operating completely the day after the act comes into force. He mentioned "a few days". I wonder if he could spell that out as a number of days and put something in the clause to ensure that it is a reasonable length of time. If it is left wide open as it is now in the act, I can foresee the same situation developing—and things are going to be difficult enough as it is. Could the minister go along with that idea?

Mr. Munro (Hamilton East): Yes, if the hon. member is—

The Deputy Chairman: Order, please. Before the suggested amendment is put, I think I should put the debate in order procedurally by reading the amendment as it would be before the committee officially, not only in the words of the hon. member for Skeena. I shall read the amendment to the committee so that it will be in the name of the Chair instead of in the name of the hon. member for Skeena. It is moved by the hon. member for Skeena:

That subclause (1) of clause 4 be amended by inserting, between the words "suspended" and "and" in line 5 thereof, the following:

"and shall call back for employment every employee as soon as the operation of the railway is resumed"

The hon. member for St. John's East rises on a point of order.

Mr. McGrath: Mr. Chairman, we do not have a copy of the amendment before us, and consequently cannot address ourselves to it except to suggest that perhaps the minister and the hon. member for Skeena could get together on this matter. Our position on the original amendment moved by the NDP is that we believe that no employee of the railways should suffer punitive action or reprisal as a result of this strike.

Mr. Munro (Hamilton East): Mr. Chairman, I would point out to the hon. member for Skeena that we have already an amendment that guarantees jobs for those laid