

Parliamentary Employment and Staff Relations Act

improved rates of pay for workers, knows that you must have the right to strike in any collective bargaining arrangement.

I know that parliamentary employees do not want to go on strike, few workers ever do. This is only a final resort used by workers when all else fails. Nevertheless, it is a fundamental union right that workers must be able to negotiate on an equitable basis with an employer by having the right to withdraw their services. Within this are certain essential services that are defined and agreed to by both employees and employers. Without the right to strike, the impetus for failing negotiated settlements is lost. If there were terrible working conditions that could not be negotiated by any other means, I would be proud of my employees if they went out on strike.

This brings me to the crossing of picket lines. I, for one, would not cross a picket line. In other unionized legislatures, such as Queen's Park, Quebec City, Westminster and Australia, the right to strike has not interfered with the workings of Parliament. I was interested to learn that those Parliaments have a collective bargaining right to strike.

Another concern about this Bill has to do with other staff. As we said earlier, this section of the Bill excludes the 1,200 employees of Members of Parliament, Leaders' staff and research staff from collective bargaining provisions. I cannot understand at all why this is necessary. I think most of us are very concerned about the inequities from one office to another that affect staffs of Members of Parliament. There are different working hours and hiring conditions. There are different rates of pay for the same jobs and so on. Low pay, unpaid overtime, lack of job security, arbitrary management and lack of any procedure of redress are missing when we exclude certain employees from this Bill and from collective bargaining. All workers on the Hill should have the same right to collective bargaining. They should choose to exercise it as other Canadian workers have these rights. It is argued that Bill C-45 will cover Members' staffs by certain parts of the Canada Labour Code. However, this coverage provides only very minimum standards. We have concerns about that.

I think you are aware, Mr. Speaker, that we in the New Democratic caucus have had a collective agreement with our own staffs since 1977. This agreement has been negotiated three times since then. Our contract sets standards for working conditions for employees who are hired by our caucus. However, we cannot negotiate wages with our staffs because employers, Members of Parliament, do not have control over their budgets. The House of Commons has control. Although we support this organization and negotiate officially and sign agreements with our organization which is called PASS, it is not the answer. It does provide grievance procedures which include appeals of difficult problems for third party arbitration. It also provides agreed procedures for staffing of vacant positions, technological change, respect for overtime hours and standards for vacations, education and travel. These are very important questions. Again, I do not want to say that we cannot have a real collective bargaining agreement with our

staff until this is recognized under law and under the Canada Labour Code.

Bill C-45 will not help us in that regard. In fact, it will be a regressive step for our staff because our staff would not be included under this Bill. There are many other things I would like to raise, Mr. Speaker, but my time is up and I know my colleagues will be presenting other arguments.

Mr. Lewis: Mr. Speaker, I won't take up much of the time of the House because I know all Parties want this Bill to proceed. Since there was a draft Bill prepared with all Party support, including one or perhaps two members of the New Democratic Party, by the Standing Committee on Management and Members Services in April, 1984, and since this Bill goes well beyond what was proposed in that Bill, why is the Hon. Member against this Bill? Has she had an opportunity to discuss her concerns with the member or members of her Party who sat on that committee?

Ms. Mitchell: It is my understanding, Mr. Speaker, that members of our caucus never agreed that the Bill was satisfactory. I think I have already elaborated on the reasons. There are many more. The Bill is weak in many regards and there is no way our caucus would agree to it. I do not know the exact history to which the Hon. Member referred. Perhaps we can get one of our members to elaborate but I know we are unanimous in opposing this Bill.

Mr. Lewis: Mr. Speaker, rather than precipitate any further disagreement in the New Democratic Party I will not pursue that line of questioning any further.

Mr. Gauthier: Mr. Speaker, since the Member did refer to essential services as defined in law, and since I had also referred to them, I have been looking at the Public Service Staff Relations Act and Bill C-45 to try to find an interpretation of what an essential service was. I must admit to the House that I could not find it. It is possibly what we do here.

I did find in Section 79 of the Public Service Staff Relations Act a designated employee as one:

—whose duties consist in the whole or in part of duties the performance of which at any particular time after any specified period of time is or will be necessary in the interest or safety or security of the public.

It may be that I have been forgetful or have not read the proper amended article, but I do recall a discussion in committee where we added security of certain federal institutions. I think it was related through certain experiments done in laboratories and in certain other instances where one would require the people who look after these labs or essential services to be designated.

I want to ask the Hon. Member for Vancouver East (Ms. Mitchell) a question because it is important for me to understand where the Member stands. If indeed she understands designated employees as those who are in essential services, and if an essential service is defined as one which requires the maintenance, safety and security of the operations and of the public, how would she feel if certain employees of the House