

Halifax Operations Act

event, within 15 days following his appointment the industrial inquiry commissioner shall render an award prescribing rules of dispatch which will be final and binding on the parties and incorporated into the collective agreement, effective January 1, 1977, or as soon as practical after that date.

I must at this point, Mr. Speaker, explain why the bill before you departs, in two aspects, from the recommendations of my proposed terms of settlement. The first matter concerns the date on which I had proposed the rules of dispatch be incorporated into the collective agreement; that is, January 1, 1977. It has been brought to my attention by the legal officers of the Crown that we must guard against unforeseeable events. The severe illness of the industrial inquiry commissioner is one example of such unforeseen circumstances that would prevent the fulfilling of this obligation. Thus it is necessary to incorporate in the bill the wording "January 1, 1977, or, where in the opinion of the Minister of Labour that date is impractical, on a date after January 1, 1977, that is designated by the Minister of Labour as the earliest practical date".

The second change to the original recommendations concerns the person of the industrial inquiry commissioner. In my proposal, which was approved by the union, the commissioner charged with the determination of the four items in dispute was identified in the person of Judge Nathan Green, a provincial magistrate of the city of Halifax. Again, legal officers of the Crown have advised that the industrial inquiry commissioner should not be specifically identified in the bill, should unforeseeable events prevent this individual from accepting or from carrying out this assignment.

Having said this, Mr. Speaker, I wish to place clearly on record that the commissioner I intend to appoint is Judge Green, whose labour relations expertise and knowledge of the matters in dispute—he was, after all, the conciliation commissioner—eminently qualify him for this task. I also wish to assure all concerned that in my mind the date on which the rules of dispatch are to be incorporated into the collective agreement, whether by agreement of the MEA as submitted by local 269 of the ILA or as presented by the industrial inquiry commissioner, is January 1, 1977, and both parties have my pledge that I shall see that this is indeed the effective date, barring unforeseen circumstances of the nature I have just indicated.

In closing, may I emphasize that considerable efforts have been made in recent years to transform the port of Halifax into an efficient year-round harbour, and I look to both employers and workers, who have so much at stake here, to co-operate fully to ensure that the productivity of this port is such as to guarantee its competitiveness.

I trust, Mr. Speaker, that with this understanding, and in full realization of the seriousness of the situation that confronts us, this House will give speedy and full approval to this legislation.

Hon. Robert L. Stanfield (Halifax): Mr. Speaker, there can be no question about the importance of the port of Halifax to the cities, harbour, the region and the nation. As the minister

[Mr. Munro (Hamilton East).]

has pointed out, the port has not been in operation now for more than two months as the result of a lock-out. While I am generally reluctant to see parliament legislate men back to work, or on the other hand legislate the termination of a lock-out, I do not think there can be any question that the regional and national effects of the continuation of the tie-up of the port of Halifax fully justify this House of Commons and parliament taking action to open the port again on the terms outlined by the minister.

I think I should indicate immediately that as far as I and the colleagues in my party are concerned, we are prepared to see quick passage of this legislation. My colleagues from Halifax-East-Hants (Mr. McCleave) and for Dartmouth-Halifax East (Mr. Forrestall) may well have some comments to make at the committee stage. There may very well need to be some questions posed for purposes of clarification, and it may be that we will want to suggest the reconsideration of some of the wording in clause 8 of the bill which seems to be rather unusual. But in terms of the principle of the bill and its importance, I do not differ in any way from what the minister has put forward.

I do not mean to suggest that the lock-out or the issues in dispute, between management and labour in this instance, are in any way frivolous or lacking in importance. It is obviously of the greatest importance to the cities there and the province, indeed to the whole country, that the port be efficient and competitive. There has, as the minister has indicated, been a prolonged period of inability on the part of management and the men to agree on rules of dispatch which those on the management side have felt, I am quite sure sincerely, are necessary for the efficient operation of the port.

I am not suggesting in any way that the lock-out or the discussions or lack of agreement have in any way been frivolous or that it ought to have been easy for the men and management to reach agreement. As the minister has indicated, Mr. Speaker, those on the management side felt that they were able to accept the proposal that the bill incorporates, with the exception to which the minister has called attention. It is my understanding that the reservations of management related simply to one aspect of the minister's proposal, and that was the duration of the period that the union would have to develop and propose rules of dispatch. Management took the position that a period of three months, to January 1 next, was unnecessarily long, and it is my understanding that had the proposal been for a shorter period of time it would have been accepted. I think I would have quite a difficult time trying to convince this House or people in the Halifax area that a proposal would be reasonable if limited to 30 days, and that it would be unreasonable and entitled to be rejected if extended over a period of three months.

● (1230)

We do agree, of course, that it is one thing for us to legislate to reopen the port of Halifax, and I agree that this does not necessarily mean the port will be fully utilized. I also recognize that there may very well be a period of some instability continuing over the period of three months, or perhaps longer.