

Labour Conditions

me about the speech of the minister, is that he threw down a gauntlet to organized labour.

I carry no particular brief for organized labour any more than I do for management or government, but if there was anything clear in the speech by the Minister of the Environment, or anything which rang true, it was that the free collective bargaining system has been interfered with, in some cases stopped, and in the case of the employees of the Irving Company—this is the group of employees we are talking about—certain rights have been denied them. The minister can argue that it is necessary perhaps in the public interest. He can argue that the adversary system is not working, but I suggest that what has happened here is that the collective bargaining system has in fact been interfered with.

We can talk about getting to the root causes of inflation and other difficulties, but in terms of the motion before us it was made amply clear that what the Leader of the Opposition (Mr. Stanfield) has been harping on for the last few days in the question period, and a long time ago with respect to questions in the House, is that when the Prime Minister (Mr. Trudeau) and the President of the Privy Council (Mr. Sharp) tried to tell the House that the collective bargaining system was still intact, the most charitable thing which can be said is that the President of the Privy Council and others do not know what they are talking about.

Tonight the Leader of the Opposition made a very forceful speech. It was one of the last speeches he will make in this House as Leader of the Opposition, and I do not have to tell hon. members his position in the eyes of most Canadians as a man of integrity. What he cried out for tonight, and what he asked the ministers one by one as he went along the front benches was very simple. He asked them to make a very simple inquiry. He asked them to look at that legislation and see the extreme limitations of appeal, which are referred to in the motion by the hon. member for Oshawa-Whitby (Mr. Broadbent).

The speech of the Leader of the Opposition was applauded by hon. members on all sides of the House, and he asked each member to search his heart and his conscience, and to ask himself whether it is right, fair, just or equitable that a group of Canadians, by the accident or otherwise of draftsmanship, should be denied what is really the fundamental right of citizens in a free society, the right to appeal from a decision of an administrative tribunal.

The Leader of the Opposition asked that simple question with quiet eloquence, as befits him. That is not to say he was not moved. He was very much moved about what he said. No person in this House has been more in pursuit of what could be called simple justice for Canadians than the Leader of the Opposition.

Some hon. Members: Hear, hear!

Miss Campbell: Oh, oh!

Mr. Baker (Grenville-Carleton): I ask the hon. member who just interjected to look at the bill. She is a lawyer, and probably a pretty good one. I ask her to look at section 30 of that statute and ask herself whether in terms of section 30 the working men and women of Canada, who might be caught in a similar situation as these working men and

[Mr. Baker (Grenville-Carleton).]

women of the Irving Company are caught have the same right of appeal or have a real right of appeal to some tribunal to have the matter at least heard regardless of what the tribunal may find.

Surely no one in this House, whether he is Liberal, Conservative, New Democratic or Social Credit, could deny the simple fact that the right of appeal is essential. The right of access to the court is an essential part of Canadian justice. The right to know the findings against which an appeal has been made is an essential piece of our jurisprudence.

I referred earlier to a drafting accident, and if this is a drafting accident by someone in the Department of Justice, perhaps it should be looked into. As I listened to the Minister of Labour earlier tonight, I did not think it was looked into. I am sorry he is not in the House now. He was given extended time by this House as a matter of courtesy, and he talked about a tripartite labour council. He talked about the important things upon which it has embarked, the new studies and the things which might replace the adversary system in collective bargaining and which might make the system work, make it more human, and more responsive to the twentieth century. Perhaps replacing the adversary system in some way could be the answer. All of those things may be worth-while, and any investigation would be supported by every hon. member in this House.

I want to say to the Minister of Labour—and I hope he reads this—that if he allows this opportunity to change an unjust society to go by, if he permits this polarization and removes from a segment of our society certain rights and does not give those rights which should apply to every group in Canada—in this particular case working men and working women coming under the aegis of the Anti-Inflation Board—then all the things we want this tripartite council to do will be washed away.

I cannot believe—and someone told me I am a fool not to believe it—that the government would be so foolish as to try to polarize the elements of society in order to create a situation which would call for an election. I cannot believe they would do that. Whether that is the motive, or whether it happened inadvertently, the effect is exactly the same. The peace we want in our society, the industrial peace, the productivity which everyone tells us we need, the incentives we must have if we are to grow, to build and to create a better life for other people, the justice of the just society—which was the catchword a few years ago—will be washed away if we allow this polarization to take place.

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I ask members of the House, and the government, to look at the appeal procedures in Bill C-73. A program like this requires some rough justice, and that has been admitted. That it should go on for an indefinite period is wrong, I think; but that it should go on even for a short period, defective in so far as the right of appeal is concerned, is also wrong and this government should admit that and make changes. If it does, it will have the support of all members of the House of Commons. If it does not, it will have to reap the whirlwind of denying that right to a large number of men and women who work and are in unions, unions to which the government has said they give sup-