

which is no nearer to a settlement in most regions due in large part to the intervention of the federal government's Anti-inflation Board which has rejected a wage settlement arrived at between the union concerned and the Irving Paper Company of New Brunswick, an intervention which has given paper companies elsewhere in Canada an excuse not to negotiate realistically and in good faith, and which has caused provincial governments, under whose jurisdiction labour matters normally fall, to leave this dispute in the hands of the federal board which to date, through the Administrator, has not made a definitive ruling in the Irving settlement, and the necessity that this matter be debated in parliament.

Some hon. Members: Hear, hear!

Mr. Speaker: Order, please. The question which has been put forward in the form of a proposed motion by the hon. member for Sault Ste. Marie (Mr. Symes), pursuant to Standing Order 26, is one which has given the Chair considerable difficulty. The hon. member gave the Chair notice of his proposed motion yesterday, and consequently the Chair has had some time in which to reflect on the consideration which should be given to it pursuant to Standing Order 26.

First, may I say that the subject matter would appear to have all the necessary ingredients to qualify it for consideration under the Standing Order. It certainly is one of extreme importance. If for no other reason than the length of time during which the situation referred to has endured, it certainly has severity of impact. Moreover, it transcends parochial considerations. Its scope extends across several provinces; indeed, over the past several weeks many members have taken occasion to put questions on it. Those questions were not restricted to members from any particular party or to any particular region. In addition, of course, it is well known—and this has been pointed out—that the hon. member for Fort William (Mr. McRae) raised the question as a possible subject for debate prior to the Christmas recess but the proposition was rejected, primarily on jurisdictional grounds.

As I say, the subject would seem to lend itself ideally to consideration under Standing Order 26 except for two very serious problems. The first is, again, one of jurisdiction. The fact is that the subject matter really concerns a strike in the private sector affecting private companies and private unions. To this extent, really, it is totally beyond the jurisdiction of parliament. On the other hand a new ingredient has now been introduced by the hon. member, one by which he proposes to connect the dispute with the federal jurisdiction—that the strike, which has now been continuing for some time in the private sector, is being prolonged as a result of the introduction of a federal policy and the creation, existence, actions and decisions of the federal Anti-inflation Board.

Some hon. Members: Hear, hear!

Mr. Speaker: That, I may say, is not an easy question to resolve. It has been extremely difficult and, frankly, after much consideration, I find myself unable to reach a decision on it. If such a proposition were accepted it would be, for example, most difficult to resist the tendency for this

Paper Workers' Strike

parliament to get into a discussion of a decision respecting, for instance, the recent difficulties with the Toronto high school teachers, which is clearly a matter of provincial jurisdiction but which is, or was, affected in its progress by a decision of the Anti-Inflation Board. The Chair has to wonder from a jurisdictional point of view, on the basis of that argument, if this particular strike is accepted for discussion in this Chamber, whether or not it would open up the possibility of discussing every strike in the private sector that might have been affected either by the guidelines or by the board in one way or another.

● (1510)

That may, on some sides of the House, be desirable, but the fact of the matter is that a precedent like that could be dangerous. As I have indicated, I do not in the circumstances find it necessary to resolve that particular point, at least not at this moment.

I might point out that the changes made in 1969 to the procedures of this House removed by design—and I certainly do not disagree with that removal—debate on the application itself made under Standing Order 26. It is, in other words, no longer possible for the Chair to entertain a discussion of whether or not this House has jurisdiction to look at the proposed motion of the hon. member. That is, I think, a better procedure than the previous one, but in this instance, on the jurisdictional question, it does leave the Chair short of some advice and discussion that it would very much seek from members of the House. Therefore while the matter is under further consideration, in remarks I will make in a moment I propose to invite comment by the House leaders, and in fact by any other members who are interested in bringing to my attention matters or points of view that might affect the jurisdictional decision. Perhaps that might take place while this other matter is under consideration.

I said that there were two very difficult problems. The second is that by the very description of the hon. member's proposed motion the Administrator, pursuant to the anti-inflation legislation, is involved in the follow-up, as is the ordinary procedure envisaged in the legislation, after the decision by the board. The intervention of the Administrator, in other words, is in accordance with the legislation.

I would have to take the view at this moment that, if we could eliminate the jurisdictional problem in hypothesis, it would seem to me the situation is very similar to that of a strike, which would fall within the jurisdiction of this House clearly, in which the parties, after a prolonged work stoppage, had agreed on the nomination of an arbitrator or mediator, as the case might be. I think the Chair ought always to take the attitude that while some process within that bargaining system had the capability of resolving the dispute, this House ought not to address itself to the problem pursuant to Standing Order 26. The actions or presence of the Administrator at this time seem to me to be the beginning of the work that is envisaged by the legislation. Therefore, if it has the effect of resolving the dispute, it seems to me that while there exists a reasonable opportunity for success in that particular area we ought not to take the matter under consideration pursuant to this Standing Order until that reasonable possibility has run its course.