

Legislation Respecting Railway Matters

Mr. Fulton: May I ask the minister a question?

Mr. Speaker: Order, please.

Mr. MacEachen: The one proves them wrong because a settlement was reached without compulsory arbitration.

Mr. Fulton: Will the hon. minister say where—

Mr. Speaker: Order, please.

Mr. MacEachen: Mr. Speaker, the one precedent—

Mr. Fulton: I should like to ask the minister where—

Mr. Speaker: Order, please. The minister has the floor. If the minister wishes to permit a question perhaps he will indicate his permission.

Mr. Fulton: Will the minister indicate where in the context of the statute of 1958 he finds a provision for compulsory arbitration by governor in council? There is provision for the appointment of a board of arbitration, but not for the acceptance of an order of the governor in council.

Some hon. Members: Oh, oh.

Mr. MacEachen: Mr. Speaker, clause 7 of Bill C-42 as passed by the house in 1958 provides that:

The governor in council may make regulations for carrying out the purposes and provisions of this act and, without restricting the generality of the foregoing, may make regulations.

(d) for referring to a board of three arbitrators appointed by the governor in council such matters relating to the revision or amendment of an existing collective agreement as the parties thereto may request or as the governor in council may deem expedient, including the fixing of the term during which the new collective agreement shall operate—

Mr. Fulton: Surely that is by arbitration. That is very different from what you said.

Mr. MacEachen: If I have misled the opposition I apologize. What I am suggesting is that this bill gave authority to the governor in council to refer matters to a board of arbitration, the result of which arbitration would determine the collective agreement.

Mr. Fulton: That is not what you said.

Mr. MacEachen: That is exactly what is provided for in this present bill with respect to arbitration, except that we respect the parliamentary authority by giving parliament

[Mr. MacEachen.]

the opportunity, if it sees fit, to revoke any order established under this bill.

Some hon. Members: Hear, hear.

Mr. MacEachen: I do not understand why hon. gentlemen opposite pound their chests in all righteousness about this bill, in view of the fact that the 1958 bill included precisely the same provision for compulsory arbitration except for the fact that it did not provide for parliamentary revocation of any order in council made by the governor in council. So I do not know that conclusion you draw from that. You draw one conclusion, that this bill is just about as good as any bill produced by the opposition; and for hon. gentlemen opposite to describe it otherwise is an act of hypocrisy.

In 1960, which is the other case, the Leader of the Opposition produced a bill in the house ordering the men back to work.

• (9:40 p.m.)

Mr. Diefenbaker: Before the strike began.

Mr. MacEachen: Before the strike began. He ordered the men back to work empty-handed, with no wage increase whatsoever.

Mr. Diefenbaker: We did not make any offers such as were made this afternoon by the Prime Minister.

Some hon. Members: Zero.

Mr. Diefenbaker: There were none of these under-the-table deals.

Mr. Winkler: No 30 per cent deals, either.

Mr. MacEwan: Read on.

Mr. MacEachen: I think the point has been driven home.

Some hon. Members: Hear, hear.

Mr. MacEachen: The Leader of the Opposition brought in a bill to stop a strike before the right to strike had been exercised. He ordered the men back to work and he sent them back empty-handed, without a red cent. I do not know why today he left everything to free enterprise and is asking us not only to fix the wage rates for 1966 and 1967 but to fix fringe benefits, to establish the recommendations contained in the Freedman report and to legislate a total settlement covering every aspect of these collective agreements, when the course he followed was to legislate on not a single item; and he sent the men back to work.