

Maintenance of Railway Operation Act

Some hon. Members: Oh, oh.

Mr. Martin (Essex East): If time is taken off I will be glad to accept a question from the right hon. gentleman.

Mr. Diefenbaker: Surely.

Mr. Martin (Essex East): The Prime Minister indicates that he is willing to proceed on that understanding.

Mr. Speaker: I take it that the house is agreeing to an extension of time?

Some hon. Members: Agreed.

Mr. Diefenbaker: Mr. Speaker, the question I want to ask the hon. gentleman is this. Was not the wage provision in the 1950 legislation the amount that was agreed to by both parties as acceptable?

Mr. Martin (Essex East): The Prime Minister asks whether or not the 4 cents was not as the result of an agreement. There is some dissent from that position, but my understanding is as the Prime Minister said, that there was an agreement between the companies and the men. The point however is that that agreement was brought about as a result of the intervention of the prime minister of that day. The Prime Minister nods that that is the case. The fact is that the men were not ordered back to work without provision being made for an improvement in their monetary situation.

Mr. Diefenbaker: As agreed by both parties.

Mr. Martin (Essex East): The Prime Minister seeks to excuse not doing something positive in this bill to help the men by saying, as he did rhetorically yesterday, "Do we argue, urge, and recommend in this house that parliament shall say to an employer, 'You shall pay so much,?'" and my reply yesterday was "Of course"; and that is precisely what the hon. gentleman and the government did in the Canadian Pacific Steamships case in 1958.

In 1958 there were some 900 employees involved in the dispute with the Canadian Pacific Steamships Company. An agreement had been signed by the company with about 500 of the striking employees, and that agreement provided for an increase of 8 cents. The government of my right hon. friend brought in legislation ordering the men back to work with an increase in pay of 8 cents, so what my hon. friend says we should not recommend—something that he says he could not do now—he himself did in 1958.

The Prime Minister may shake his head, but that does not change the facts. Those are the facts, and the record is there in proof. I invite the hon. gentlemen to examine the words of the Minister of Labour in relation to that dispute—

achieve something in the nature of an assurance that the Canadian people will be preserved from the awful recourse of a strike at this time, and at the same time will have maintained inviolate the rights of conciliation.

Hon. Paul Martin (Essex East): Mr. Speaker, I have followed carefully the remarks made by the Prime Minister yesterday, his observations over television last night, and the third instalment of his speech in this house this afternoon. I wish to say at the outset that the position stated by the Leader of the Opposition yesterday was clear and precise.

We say this strike should have been prevented. We would have made sure that a strike would have been unnecessary instead of implementing a minority report, as the government is doing. We would have provided a settlement based on the majority report of the conciliation board which was accepted by the railway workers. For these reasons, if we had been in office, there would have been no strike but there would have been a fair settlement.

The Prime Minister this afternoon referred to the legislation of 1950. The right hon. gentleman mentioned that there had been incorporated in that measure the principle of compulsory arbitration. He neglected to say that in the bill introduced not by the Minister of Labour but by the Prime Minister himself, in 1958, provision was likewise made for the principle of compulsory arbitration.

Mr. Diefenbaker: And supported by the opposition.

Mr. Martin (Essex East): What the Prime Minister failed to indicate today was that while there is no compulsory arbitration in this bill there is compulsion without arbitration.

When the Prime Minister spoke of the measure of 1950, he failed to point out the difference between that measure and this one. That measure ordered the railway companies to resume operations and ordered the men to go back to work, but they went back to work with an improvement in pay. Under this measure the men are ordered back to work—

Mr. Diefenbaker: As agreed to by both parties.

Mr. Martin (Essex East):—without anything being done whatsoever. The Prime Minister excuses himself by saying—

Mr. Diefenbaker: Mr. Speaker, would the hon. member permit a question?

Mr. Martin (Essex East): I will at the end of my speech.