

Canada Labour Code

were to sustain the benefits derived from a contract negotiated by a particular union, he should not get a free ride, as it were, but should be required to pay part of the costs of the union by having the union dues checked off and paid to the union notwithstanding he is not a member.

It seems to me that to adopt the second part of the hon. member's bill today would be to throw that principle out. It would say that we are prepared to allow an individual who works for a particular employer, in a place where there is a union, to accept and receive all the benefits negotiated by the union and, in essence, pay nothing for them. I think that would be both inequitable and unfair and would be a regressive step which would take us not just to the position we were in in the late 1940's, when Mr. Justice Rand reached his decision, but indeed beyond that and lead us more into the confrontation type of negotiation which we have now.

The hon. member for Prince George-Peace River (Mr. Oberle) has made a very important contribution, but his comment I am unable to hear. Perhaps when I have finished he can pose a question to me and I will answer it, but in the interim might I be permitted to continue.

It seems to me the hon. member makes good sense when he speaks of right to work legislation. I would not want to be one to deny anyone the right to work. At the same time I would not want to be labelled as having a great deal of cynicism for organized labour. I see behind this kind of legislation a tremendous amount of cynicism. I see, in effect, the attachment of blame almost exclusively—though the hon. member says he is not trying to do this—to the organized labour movement for the ills of our economic system today.

Mr. Oberle: That is not what I said.

Mr. Daudlin: I cannot buy that.

Mr. Oberle: That is what you are saying.

Mr. Daudlin: The hon. member says that is what I am saying, and he has been quite eloquent in saying that he did not say that. But if one goes beyond what he says he is saying to what he is trying to get us to adopt today, one finds that is exactly what he is saying, though he protests very much that it is not.

I think the principles laid down in the Rand decision are sound and should continue to be adopted and, indeed, be built upon. I think that is what we are talking about in terms of the 14 points which the labour minister brought forward regarding what he would like to see done by labour and management in this country. He, like the hon. member, is agreed that we want to get away from and have less of the confrontation type negotiations than we have had in the past. He, like the hon. member, wants to ensure that organized labour has a voice and is represented. But I suggest to the hon. member that it is open to unorganized labour to organize. It is open to them to form groups of their own and attach themselves to what are currently known and recognized as labour unions. If they choose not to, perhaps they may do so at their peril; but no one imposes

[Mr. Daudlin.]

on them an obligation to do so or not to do so. I see that also as a right that should be protected by members here.

I have become very concerned about where we are and what the labour unions have requested we do in order to achieve what we have been talking about. I believe one of my colleagues may be speaking about the Woods task force on labour relations of 1966. It seems to me that following that task force certain recommendations were made which were not adopted because they went too far to deny the rights of unions and members of unions to belong to labour organizations and to look for union security.

I have never been one to argue that we should have total security, that we should not have the possibility of decertification. But I ask the hon. member to consider that the democratic process is alive and well not only in this institution but surely in labour unions as well. The right still exists within those unions to elect an executive and, yes, a labour bureaucracy of the kind described by my hon. friend. If members of those unions make the determination that they are not adequately represented by their leaders, by their executive or bureaucrats, have they not the right to put them out? Have they indeed not done that? Do we not all recognize examples where that has been done over the last few years?

Are we to presume that we should sit here and disallow them that right as well, to say to them that the system obviously cannot work and that we are not going to give it a chance to work, that instead we want to pass this kind of legislation to protect them from themselves? I do not think that we should be presuming to pass that kind of legislation.

Mr. Oberle: Look around and see what the Postmaster General is saying about the system working.

Mr. Daudlin: The hon. member discusses the situation in the Post Office and asks me to consider what the Postmaster General is saying. I suggest to him that the Postmaster General has said that we have to put an end to confrontation; that confrontation type negotiations are not the route to go. I do not think I am saying anything to the contrary today. Neither do I think the bill put forward by the hon. member will assist that purpose. All it will do is to so weaken the ability of the work force as to preclude its being able to negotiate from any position of strength. It is abundantly clear that when the position of either labour or management is so increased in strength as to make the other side impotent, all that results is trouble in the labour force and nothing is obtained from that.

What we have to look for, is equity, and I submit that what we have now is approaching that. It is not entirely that; there are a lot of improvements which have to be made. As I said before, one has to look at the 14 point program put forward by the labour minister to see what it is we on this side of the House are supporting and trying to do better to improve the labour situation. This is our answer; this is our mandate to solve that problem. It is also a statement of our recognition that there is a problem. No one is turning a blind eye. I suppose, in short, that what we are saying is that this bill is not the way to answer the problem.