

*Labour Conditions*

I think this question was raised during the discussion on second reading of the bill. It was pointed out that section 56 of the Industrial Relations and Disputes Investigation Act, which has to do with the appointment of an industrial inquiry, makes it clear that the commissioners appointed under that act are appointed purely for the purpose of making an investigation and reporting upon the facts. I should like the minister to at least make an attempt to explain this obvious inconsistency to me, the making of a reference to a commission in a measure of this kind which, in my view, is being employed for a purpose which is contrary to the principles embodied in the Industrial Relations and Disputes Investigation Act.

**Mr. Nicholson:** There would be no necessity for this Bill No. C-215 if it were not to complement the Industrial Relations and Disputes Investigation Act. While technically this is a substantive measure, it is, in effect, an amendment to that act.

**Mr. Bell (Saint John-Albert):** I know the minister made reference to other ports, but I should like to get a quick answer about the effect of this legislation on other ports that may come under its jurisdiction. For example, if the federation or the I.L.A. in the port of Saint John were dissatisfied with these agreements, do we have to go through this whole business again?

**Mr. Nicholson:** Not at all: this measure relates to these three specific ports. If, as a result of this legislation, the collective agreement between the unions in those ports and the Shipping Federation resulted in better conditions for the union, then I understand that with regard to Halifax the people would automatically get the benefits of any improved benefits in Montreal. I cannot say definitely about Saint John.

**Mr. Bell (Saint John-Albert):** In other words this agreement, as it affects Montreal, would probably set the pattern for the others?

**Mr. Nicholson:** It is not a case of setting a pattern. I believe there is a definite agreement with the unions in Halifax, and a partially negotiated agreement with Saint John, that any additional benefits that might be granted to the unions in the three ports on the St. Lawrence would automatically apply to Halifax, and I believe Saint John, but I cannot say definitely.

Clause agreed to.

On clause 3—*Incorporation in collective agreements of recommendations of commission.*

**Mr. McCleave:** I should like to point out a problem to the committee which I hope the minister will be able to correct by a simple amendment. There is here a possibility of error when one person is entrusted—

**Mr. Barnett:** I rise on a point of order, Mr. Chairman. Are we still discussing clause 2?

**The Chairman:** No, clause 3.

**Mr. Barnett:** When you were asking about clause 2 carrying, I said no.

**The Chairman:** I apologize to the hon. member, but I did not hear him.

**Mr. Bell (Carleton):** And nobody else did, either.

**Mr. McCleave:** I was pointing out that since this is a one-man operation there is a danger of human error in the report. However, on the happening of certain events set forth in clause 3, the findings of the commissioner automatically become part of the collective bargaining agreement.

• (10:30 p.m.)

I suggest to the minister that he might put in the safeguard that the parties would have, say, a period of ten days to state objections to the report of the commissioner to give him the opportunity to revise his report within that framework, or to reject their contentions. I think that that is the only way we can avoid the possibility—I am not saying it is a great one but it is I think there—that there could be a mistake in his report and that it could be incorporated, by the bill we are now considering, into the agreement between the two parties.

**The Chairman:** Shall clause 3 carry?

**Mr. McCleave:** I think the minister was going to reply to the point I was making.

**Mr. Nicholson:** Mr. Chairman, the clause says:

Forthwith on the receipt by the Minister of Labour of the report of the Commission, the Minister of Labour shall cause copies...to be furnished—

And so on. It is not to be presumed that the minister is going to defy a statute, but certainly the fact the bill provides for the presentation of the report to the minister implies that he will be given time at least to