

The Address—Mr. Murphy

However, there are four specific submissions which I should like to make.

First, unions should, by statute, be made accountable as legal entities, capable of suing and, subject to certain conditions, of being sued, thus placing them in the same position before the law as all other corporate and private citizens.

Second, where industrial conversion resulting from technological change which is subject to management control is likely to lead to significant labour displacement during the term of a collective agreement the union should, by statute, be given the right to negotiate the method for dealing most justly with those employees who will be displaced. In cases where there is no agreement as to whether the expected displacement is significant, and in cases where there is not agreement as to the method of dealing with those employees who will be displaced, the issues in dispute should be submitted to binding arbitration. In any event, the law should require the employer to give at least six months' notice in writing to the employees who will be displaced, to their union and to the Department of Manpower and Immigration.

Third, unions should be required by law to conduct strike votes, ratification votes and any votes to extend or continue strikes, by way of secret ballot.

Mr. Peters: Why?

Mr. Murphy: I will come to that in a moment.

Fourth, the legal remedy known as the "ex parte injunction" should be abolished by requiring any party who seeks to obtain an injunction, which would have the effect of restraining the activities of any person or persons engaged in a legal strike, to give notice of his intention to apply for such an injunction to the party or parties who would be affected by it.

There are many arguments, Mr. Speaker, pro and con with reference to the question of union accountability. On occasion, the issue has become an emotional one. Nevertheless, I firmly believe that if we view the issue coolly and objectively, we would inevitably be led to conclude that there is no logical reason for retaining the present status of unions which places them in some fuzzy, grey, legal limbo wherein the law purports to govern organizations which are not recognized as legal entities. I strongly suspect that governments have perpetuated this legal fiction only because

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they have lacked the courage to take steps which might offend the labour movement and the tens of thousands of votes it represents. However, I hope this government has the intestinal and departmental fortitude to face this issue squarely and thereby concern itself with the interests of Canadians generally and not just the special interests of select groups in our country.

I said earlier I honestly feel that the present work stoppage in Sault Ste. Marie need never have occurred. I would like to explain why I hold that belief. On July 31 this year the collective agreement between Algoma Steel Corporation and Local 2251 of the United Steelworkers of America expired. Although negotiations for a new contract had been going on for some time, no agreement had been reached at that time. However, both parties were willing and prepared to continue bargaining, and no legal strike could take place until August 27. But at midnight, on July 31, approximately 38 insurgent dissident members of the local decided to institute an illegal or wildcat strike, and these men proceeded to picket all points of entry to the steel plant.

• (3:30 p.m.)

Regular members of the local who presented themselves for work were harassed and threatened. Some of these men braved the harassment and crossed the picket line. Others, as it turned out for good reason, turned back and returned home. I asked a number of those who turned back at the picket line why they and their co-workers allowed themselves to be pushed around by as few as 38 radicals. The answer was invariably the same, "Murph, you have a wife and kids. If you were told you would end up in hospital with a busted head, or that your family was in danger, what the hell would you do"?

Mr. Peters: That is a lot of crap, and you know it.

Mr. Murphy: Just listen, Buddy. Hon. members might think that such remarks were nothing more than idle threats but, Mr. Speaker, when you consider that a similar wildcat strike at the same plant only a year earlier had erupted into violence, resulting in extensive property damage and bodily injuries, then you may understand that the fear felt by many on this occasion was real.