

The Ontario Labour Relations Act (Section 63) places an obligation on unions conducting a strike or ratification vote to ensure that "ballots are cast in such a manner that the person expressing his choice cannot be identified with the choice expressed". The Ontario Act does not protect the rights of all members of the bargaining unit to vote.

Your Committee recommends:

65. *That where a bargaining agent conducts a strike vote, or submits a proposal for a collective agreement to its membership for approval,*

(a) *The vote should be carried out by secret ballot in accordance with procedures prescribed by regulations of the Public Service Staff Relations Board; and*

(b) *A breach of the regulations of the Board in this respect should constitute a contravention of the Act, and the union or persons concerned should be subject to the appropriate penalties;*

66. *That where a bargaining agent conducts a strike vote or submits a proposal for a collective agreement to the members of the unit for ratification, every member of the unit should be entitled to vote, and any act by a union or union official, or any other person, to prevent a member of the bargaining unit from voting should constitute an offence under the Act.*

Recent events have also aroused great public concern with respect to the role of conciliation boards and their reports in the resolution of strikes in the Public Service. We have considered at length how to ensure that the contribution which a conciliation board makes might be enhanced. A conciliation board report, whether it is unanimous, a report of a majority of the board, or a report of its chairman, contributes to a settlement.

Your Committee recognizes that, following the publication of a conciliation board's findings, the employer may make an offer which is an improvement over the conciliation report.

The question facing your Committee in relation to the issue was whether or not the statute should require a conciliation board report to be placed before the members of a bargaining unit for approval or rejection, and, if so, when. Your Committee recognizes this as a problem but was not able to agree on an acceptable solution.

CASUAL EMPLOYEES

Government departments and agencies engage casual employees to help meet work fluctuations, for special short-term projects, as replacements for employees on leave or training, for seasonal requirements, and for other similar purposes. Presently, casuals are appointed by the Public Service Commission and are covered by the Public Service Staff Relations Act after six months of employment. Up to six months, casual employees' terms and conditions of employment are governed by Regulations made pursuant to the Financial Administration Act. On the whole, the benefits and the protections of the Regulations are not as generous as those provided by collective agreements.

In 1969 the Treasury Board directed departments to extend to casual employees the benefits of collective agreements from the first day of employment where it is known that the period of employment will exceed six months.

The bargaining agents in their representations to your Committee opposed the six month exclusion from the Public Service Staff Relations Act. Mr. Finkelman initially proposed a reduction to 120 days in any continuous period of 12 months and that students hired during their school vacation period be excluded from collective bargaining. Following representations by the Public Service Commission respecting the appointment process concerning casuals, Mr. Finkelman revised his recommendation from 120 days to 60 days.

Your Committee concludes that there is a continuing need in the Public Service of Canada for persons to discharge temporary duties of indefinite duration. What is left to determine is the status of casual employees; the method of termination of employment and their terms and conditions of employment.

Your Committee recommends:

67. *That students hired during their school vacation period be excluded from collective bargaining.*

68. *That the review of the Public Service Employment Act recommended at Recommendations 1, 2 and 3 determine the process applicable to the appointment of casuals.*

69. *That the matter of length of casual service and its relationship to permanent or indeterminate appointment also be dealt with by the review recommended at Recommendations 1, 2 and 3.*

70. *That the employer be able to release a casual employee without notice and without redress.*

71. *That after working 60 days in any continuous period of 6 months, casual employees be subject to the terms of the appropriate collective agreement.*

72. *That after working 60 days in any continuous period of 6 months, a casual employee will qualify for any retroactive pay due for days worked during the retroactive period.*

A copy of the relevant Minutes of Proceedings and Evidence (*Issues Nos. 1 to 40 inclusive, 42 and 47*) is tabled.

(*The Minutes of Proceedings and Evidence accompanying the Report recorded as Appendix No. 146 to the Journals*).

Mr. MacDonald (Cardigan), seconded by Mr. Andras (Port Arthur), by leave of the House, introduced Bill C-86, An Act to amend the Veterans Insurance Act and Returned Soldiers' Insurance Act, which was read the first time and ordered to be printed and ordered for a second reading at the next sitting of the House.

The text of the Message and Recommendation of the Governor General pursuant to Standing Order 62(2) in relation to the foregoing Bill is as follows:

His Excellency the Governor General recommends to the House of Commons a measure to amend the Veterans Insurance Act and the Returned Soldiers' Insurance Act to allow, in the manner prescribed, insured persons and