

In July, 1965, the final report of the Committee, containing detailed proposals for a system of bargaining and arbitration, was handed down and made public. In the period since that time, the Government has had the experience of a rather severe strike in the postal service and an opportunity to receive representations from all of the major employee organizations. One can assume, I think, that Bill C-170 represents the product of a good deal of thought and discussion.

Under the proposed system, bargaining rights would be available to all public servants except those carrying managerial responsibilities and those serving management in a confidential capacity. The inclusion of employees engaged in professional tasks, which would represent a significant departure from the prevailing norms of industrial relations law as it applies to private industry, is a reflection of the pragmatic position taken by the Preparatory Committee when it said in its report:

Professional employees in the Public Service ... have had a long and responsible history of organization and have played a significant part in the developing processes of consultation over rates of pay and conditions of employment. Although some groups ... may not at this time want to make use of the proposed system, there seems to be no good reason why they should be denied access to it.

The system would be administered by a staff relations board, similar in composition to the labour relations boards that operate in the different jurisdictions across Canada. The board would have the power to define bargaining units and to certify employee organizations as bargaining agents, and would also provide an administrative umbrella for the other "third party functions", including the arbitration of disputes and the adjudication of grievances.

For a period of about two years, bargaining units would have to be defined in such a way as to coincide with the occupational groups identified in the new classification structure. This provision also flows from recommendations of the Preparatory Committee, which was satisfied that, without some predetermination of bargaining units at the outset, the problems of achieving an orderly introduction of bargaining rights would be almost insurmountable.

Under the proposed legislation, bargaining would take place between the Treasury Board, representing management, and each of the certified bargaining agents, representing employees. Agreements reached would be binding on the parties. Arguments about their interpretation would be subject ultimately to independent adjudication.