

*Parliamentary Employment and Staff Relations Act*

well. You cannot hide behind Bill C-45, it is transparent. It does not do a thing to cover you up. You are showing you do not give a hoot and you do not respect the workers on the Hill when you bring Bill C-45 into this House and ask us to pass it. That is why we are opposed to it. I want to hear some Conservative debate. We are entitled to hear it and I think the workers are entitled to hear where you stand because you are going to ask them for your vote on election day.

**The Acting Speaker (Mr. Charest):** Question?

[Translation]

**Hon. Donald J. Johnston (Saint-Henri—Westmount):** Mr. Speaker, I am pleased to have this opportunity to offer you a few comments on Bill C-45, especially because in the course of my career here in Ottawa, I have had the honour to serve as President of the Treasury Board. In this capacity, I have had a great many occasions to deal with issues raised and considered in this Bill.

[English]

Over the time, Mr. Speaker, had the honour, and the privilege of that responsibility as President of the Treasury Board, to address in my own mind, along with my colleagues, and in dialogue with the citizens of Canada, the rights of public employees generally in terms of collective bargaining, the right to strike and, of course, in the latter days, the rights of those public servants who serve us so well here on the Hill. The bottom line is that our employees be treated fairly, that their rights be protected, but not in a paternalistic way. That is why it is essential that certain rights be extended to them.

Today in the very few moments allowed to me I want to address one of the rights which is not extended, and what one must do to ensure that right, in the absence of that very important right in labour-management relations to strike, to withdraw services, and that is the right of the employees to meaningful arbitration. There must be a mechanism for the settlement of disputes which is objective and fair. There is no room for paternalism in these relationships. The employees must be protected, but in a way which protects the public interest at the same time.

Without digressing, let me recount for the benefit of the Members of the House two experiences which I had as President of the Treasury Board which influenced me to a considerable degree in arriving at the conclusion that in many circumstances the right to strike is inappropriate, not in the interests of the employees, not in the interests of the employer, the Government of Canada, and certainly not in the interests of the public. Let me explain why, and why I believe that experience is important in excluding that particular right in this piece of legislation.

At one time I was faced simultaneously with strikes of employees who had a direct impact upon the public interest. Postal workers, of course, are a classic example. Now, the bargaining chip in the case of a strike by postal workers is not the Government of Canada; the bargaining chip is the public

interest. It is the holding of the public hostage which becomes the principal trading chip in negotiations. That is not what collective bargaining in the public sector should be designed to accomplish. The employer is not hurt, except perhaps politically, but the people of Canada are hurt. The same is true in the case of air controllers, where there is a public outcry, and the Members of the House would immediately have to be called upon to legislate these workers back to work. That is the very denial of any right to strike which has been granted.

On the other hand, I recall a strike of the translators. There was very little disposition on the part of the public to be generous, if I can use that term, with the translators because the public interest was not affected. In that case the right to strike was not serving the interests of the employees, and in the other case it was not serving the interests of the public. When I look at the circumstances of employees on the Hill, clearly the right to strike is inappropriate. It would be curious indeed if the operations of this institution were to be shut down by reason of a strike of employees. Even if the powers of designation which exist under the relevant public service legislation were to be used, so that those employees essential to the safety, health and security of the public were required to work, there would still be picketers and picket lines. Members of the House would be called upon to cross those picket lines in the interest of discharging the very important responsibilities that they have assumed as Members of the House.

[Translation]

Mr. Speaker, these comments deal only with a few aspects of the legislation now before the House. However, I wish to emphasize just how essential it is for the rights and interests of all these employees to be protected effectively and in a way which is not, as we say in English, paternalistic.

• (1240)

[English]

Therefore, I am pleased that movement is being made in some directions. I believe from the debate that I have heard, the commentary on the Bill and my analysis of it, that this probably can be improved substantially in terms of providing employees the protection they require. At the same time, however, there must be the overriding consideration for the public interest.

**Mr. Jim Fulton (Skeena):** Mr. Speaker, I am pleased to have an opportunity to participate in the debate on Bill C-45. I am sure you would like to have an opportunity to express your views; I am sure that you would not support this piece of government legislation.

The employees on the Hill and those in the trade union movement who have studied this Bill realize very well that the Government does not really support collective bargaining. My colleague, the Hon. Member for Nickel Belt (Mr. Rodriguez), pointed out that the mother of Parliament in Westminster has had full union rights for many years. In Canada, these rights exist with the Supreme Court, the Privy Council, the Governor