

I think the House and the committee which will study this bill would be well advised to look at the collective bargaining system in depth, especially in relation to the alienating effects of today's work situation, and to recommend that the government and all who are responsible for the just development of societal life tackle this mammoth task before we are faced with either a workers' revolt that will make a shambles of our present, wholly inadequate collective bargaining schemes, or the public is forced to take action against this situation in a way that none of us want. I sense that public opinion will not stand for what is going on or for the palliative type of methods that we are trying to express in this bill.

**Some hon. Members:** Hear, hear!

**Mr. Thompson:** I do not think that a man's daily work should be considered a mere economic necessity or a commodity like wheat or steel, to be sold to the highest bidder in the marketplace. I believe that work is an integral part of a man's lifelong mission to develop and create. Both organized labour and the efficiency experts should stop repudiating these basic principles which belong as a right to every individual, and they include his right to choose his work. I think it should be recognized that the workers ought to be consulted and should have qualified representation which will have a real, co-deciding voice in regard to the system of work.

I am convinced, Mr. Speaker, that there are certain basic rights which belong to the union worker but which he is not being given today. I think the worker should insist that the machine be tailored to meet the needs of man, instead of our system trying to fit the man to meet the needs of the machine. That is what is happening today. We in this House should demand that something fundamental be done as far as correcting the situation in the whole collective bargaining system. I think it is wrong that labour should be forcing the workingman to be cut to fit the bed instead of the bed being designed to fit the man. They should not just benefit the few but should be universal in application, because when they are not they are repressive and cease to be just. It seems to me that the government has a long road to travel before it can say that Canada is truly a place in which to stand, to choose and to work in freedom.

I think this principle is vital as far as bargaining rights are concerned. Let us go back briefly to the Woods task force report which says at pages 138 to 140 that the bill extends collective bargaining rights to professional employees who do not perform management functions or are employed in a confidential capacity in matters relating to industrial relations. Section 125(4) states that the Canada Labour Relations Board may decide to include in a bargaining unit employees "whose duties include the supervision of other employees." While the extension of bargaining rights to groups previously exempted as supervisory and junior managerial employees has been generally well received, and while there will be wide discretion on the part of the Canada Labour Relations Board, this bill does not improve the definitions that were criticized in its predecessor, Bill C-253.

The government should attempt to sharpen such potentially ambiguous and contradictory definitions such as

those contained in section 125(4) which allow collective bargaining for "employees whose duties include the supervision of other employees" and section 107(1)(b) which excludes a person "who performs management functions or is employed in a confidential capacity in matters relating to industrial relations".

One suggestion of the Ontario Relations Institute regarding professional employees has been included in this bill. It allows the CLRB to establish separate collective bargaining units for professional employees. I suppose there has been improvement on some of these points, but we are still just scraping the surface and not getting down to the problem with which we pretend to deal.

Now we come to the closed shop question. The Woods report, at page 149, urges that in a unit for which a union is the bargaining agent a member must pay the regular and reasonable dues of the union, whether he takes out membership or not, as an "agency fee". This is widely known as an agency shop and is recognized in the bill. What I am concerned about, Mr. Speaker, is a person who does not meet the requirement to belong to a labour union. To say that a person does not have the right to work because he does not carry a certain membership card is to deny that person a right that belongs to him.

**Some hon. Members:** Hear, hear!

**Mr. Thompson:** I am thinking particularly of a nurse who for personal reasons refused to become a member of a union. She was employed in a hospital in St. Catharines and was forced to give up her job because she did not carry a union card. Where is the right or freedom to work for this young woman that is so carefully outlined in both the Bill of Rights and the Declaration of Human Rights? This troubles me.

This bill goes beyond what was recommended in the Woods report and provides for legal acceptance of the closed shop principle which is regarded as increasingly indefensible in the Woods report and has been actively criticized by the Prime Minister (Mr. Trudeau). Section 161 expressly states that collective agreements may contain an agreement requiring, as a condition of employment, membership in a specified trade union or preference of employment to members of a specified trade union. This section, along with section 125(3), creates the possibility of the very kind of closed shop which the Prime Minister has been urging the provinces to move against. Therefore, it is inconsistent with that which the Prime Minister has been advocating in his speeches.

This bill will allow professional employees—doctors, lawyers, engineers, scientists, accountants, etc.—to establish separate bargaining units and to exclude from employment other professionals who are not members of their union. The government is therefore inviting the kind of uneconomic and unjust employment restriction that is far too prevalent at the provincial level. Taxpayers and university graduates need fewer, not more, impediments to employment.

**Some hon. Members:** Hear, hear!

**Mr. Thompson:** While no action has been taken by the federal government or provincial governments to roll