

Air Traffic Control Dispute

this report "Throw it through the window; we know better. We do not want it because the judge has not recommended what we hoped he would recommend." This is a judge, I point out, who has experience in labour matters, and who has had discussions on many such matters. This is the judge who brought forward a report based on his experience.

Mr. Turner: Would the hon. member permit a question? Would the hon. member be willing to show the house where in the terms of reference, there is jurisdiction given to the commissioner to determine rates of pay.

Some hon. Members: Oh, oh.

Mr. Starr: Mr. Speaker, I listened to the terms of reference yesterday. I am not a lawyer and I am not trying to protect myself in that respect. Believe me, if the government's terms of references have been worded in the same way they run this country, then no one can understand what the heck they mean. I am sure that not even the judge was able to understand them. He read the terms of reference and he felt that he was entitled to make these recommendations.

Mr. Pickersgill: Mr. Speaker, I wonder if the hon. gentleman, who is always very reasonable and fair would mind reading paragraph 3 of the order in council appointing the judge. That is to be found at the beginning of the report.

Mr. Starr: By asking me to read that I think the Minister of Transport is degrading the judge.

An hon. Member: No.

Mr. Starr: The minister is saying that the judge did not understand his terms of reference, that he has stepped beyond the bounds of the terms of reference drafted by this government. I rely on Judge Robinson, as I have always done in the past and as many others have done. I would rather take his interpretation of what the terms of reference mean than the interpretation of the Minister of Transport or the interpretation of the President of the Treasury Board.

Mr. Woolliams: Or the interpretation of the Minister without Portfolio.

Mr. Starr: There is no question about that. This government appointed a special investigator in the person of His Honour Judge Robinson. They asked him to do certain things. He read into the terms of reference

[Mr. Starr.]

what he considered were his duties, and he performed those duties. On November 7 he brought down the first part of his recommendation, the part that the whole situation hinges on now, the part on which the strike vote was taken. That vote was taken because the government refused to accept the recommendations. The date has been set for Tuesday, December 20.

I urge the government to change its mind. Unless the government is frank with us in putting forward valid and just reasons for failing to implement that part of the report submitted by Judge Robinson on November 7, grave consequences will follow. Is the government trying to convince the members of this house, representing the people of this country, that its judgment in this matter is better than the judgment of Judge Robinson? I do not think the government can maintain that view. I urge the government, in the interest of the Canadian economy and the people of this country to come to its senses and to be fair to its employees. I urge them to accept the recommendations of Judge Robinson and avoid the disruption that is viewed with apprehension across the country. Every week when people in different parts of the country pick up their newspapers they read about impending strikes in industries under federal jurisdiction. This does not help the morale of the people. I urge the government to mend its ways and to think this matter over. Do not bring in this repulsive legislation which will force men back to work in the government's employment. Rather, let the government see light and reason and accept the report and recommendations of His Honour, Judge Robinson.

Hon. E. J. Benson (Minister of National Revenue and President of the Treasury Board): Mr. Speaker, the traditional position of civil servants in dealing with the government of Canada has been that their pay has been determined by the government arbitrarily. It has been determined on an arbitrary basis through a minute of the Treasury Board. Such a salary settlement was then imposed on civil servants.

Changes have taken place in this process since we became a government, and greater changes will take place in the future when we move into collective bargaining through the three bills presently before a joint committee of this house and the other place.

I have been berated by the hon. member for Ontario (Mr. Starr) for being small and meagre. One of the most interesting things I