

INDUSTRY—DEVCO—COMPULSORY  
RETIREMENT OF MINERS

**Mr. Donald MacInnis (Cape Breton-East Richmond):** Mr. Speaker, earlier this week I put a question to the Prime Minister (Mr. Trudeau) with regard to the Devco corporation, asking that the officials take account of the situation in respect of the Crown Corporation Devco and the suggested compulsory retirement situation. I wanted to know why the minister supported the plan for this compulsory retirement at between age 60 and 65.

It has been brought to my attention that in respect of this voluntary aspect of the situation Devco suggests the employees or dependants of persons employed by the company in coal mining and related work will fall into a similar category. Surely, the minister is aware, as is the Prime Minister, that this case will wind up in court. The final solution, I suggest, will be worked out as a result of a judgment by the court. In seeking a reply to the question I requested further information from the government, but the Prime Minister again referred this matter to the minister who has some responsibility. In spite of the fact that this company has spent some \$20 million in respect of this retirement situation, and the reference of this matter to a minister who in fact has nothing whatever to do with the situation, I suggest the government should take a second look at the matter and refer it to another minister who perhaps might have some responsibility.

The Prime Minister's response was that something was being done about it, and that the responsible minister was actively engaged in doing something about the situation. However, my information is that in response to the efforts which have been made, nothing has been done. That is why I feel this situation will wind up in a court case.

I asked the Secretary of State (Mr. Pelletier) a week ago if some answers could be given to the questions posed to the law officers about his last answers in the house, in respect of this matter. He did not give any positive answer, but suggested that the committee chairman, and no one else, could perhaps deal with the answers at this time.

It was my understanding when we were dealing with Section 18 of the act to establish the Cape Breton Development Corporation which provided for the establishment of pension arrangements for the benefit of persons and dependants of persons formerly employed by the companies in connection with coal

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mining, related works and undertakings formerly operated by the companies, a permanent secretary was to be appointed to look into appropriate legislation.

It may be that Devco assumes it is looking after this obligation, but this is not the case. This has not been the case in respect of any works or undertakings formerly operated or carried on by the company. This has never been the policy in respect of the situation which even now exists. This is the substance of the matter in respect of which I asked the question.

● (10:10 p.m.)

The miners have been pensioned off by the former company since 1953. The moment they qualified for old age security payments, \$40 was knocked off the original \$75, on the basis that the coal company had contributed toward the old age security payments. This is nonsense. It should never have been done. I argued this question many times with the Minister of National Health and Welfare (Mr. Munro) and the Minister of Finance (Mr. Benson) when the Canada Pension Plan was set up. I maintain that this was not a pension but was a gratuity, because there was no such agreement between the union and the company.

I hope that Devco will at least restore to these former workers the \$40 that has been lopped off by the Dominion Coal Company, because the legislation makes this mandatory. The Interpretation Act provides that the word "shall" is imperative. It has been laid down that the workers shall compulsorily retire at age 60. Therefore, this government will have to give these miners, former employees, what is theirs according to the legislation passed by parliament.

**Mr. Russell C. Honey (Parliamentary Secretary to Minister of Regional Economic Expansion):** Mr. Speaker, I think it is only about a week ago that we reviewed this matter. I indicated then that I thought the hon. member was a little confused, and I have no reason to think that he is any less confused tonight.

**Mr. MacInnis:** Nonsense. This is something entirely new. Let us have the truth. You did not give it to me last week. This will be a question of privilege, if you want to make something of it.

**Mr. Honey:** Mr. Speaker, my hon. friend repeats, shouts and raves, but I do not like—