

Adjournment Debate

larger numbers arrived in response to the need for labour to build the Canadian railways. This Chinese presence, which only too clearly conferred significant benefits on the economies of British Columbia and Canada as a whole, met with hostility and fear among the general populace and discriminatory legislation was passed by both British Columbia and Canada. While a good deal of this provincial legislation was struck down by the courts, or disallowed by the Governor-in-Council under the Constitution Act, a good deal still remained. It denied to Chinese Canadians the vote, eligibility for elected office, jury service and eligibility for certain professions.

Federal legislation reflected equally hostile attitudes. Under an 1885 statute Chinese Canadians were not permitted to vote. In that same year the infamous Chinese Immigration Act was imposed which required a \$50 head tax on Chinese immigrating to Canada. That was subsequently amended raising the tax to \$100 in 1901 and to \$500 in 1904. Although that tax was repealed in 1923, a new Chinese Immigration Act limited the categories of eligible Chinese immigrants to such an extent that few were able to enter Canada while that legislation remained on the books. Only in 1947 was that Act finally repealed.

These remarks, however brief and incomplete, I believe sufficiently paint a not particularly attractive side of Canadian history. In recent years we have all been made more fully aware that aboriginal peoples and Japanese Canadians in Canada have also suffered from past legislative and administrative acts of discrimination.

Therefore, Mr. Speaker, I am pleased to be able to report to the Hon. Member for Vancouver East (Ms. Mitchell) that the matters raised by the Hon. Member will be looked into as she has requested.

CANADIAN PACIFIC RAILWAY—WORKING CONDITIONS OF
EMPLOYEES AT CRANBROOK, B.C.

Mr. Sid Parker (Kootenay East-Revelstoke): Mr. Speaker, on February 24 I directed a question to the President of the Treasury Board (Mr. Gray) regarding a change of working conditions for employees at Cranbrook, British Columbia with regard to the six and five program. CP Rail was included in the public service restraint program which enabled hundreds of millions of dollars to be saved in the rollback of contracts which were in place to come into the guidelines of the Public Service Restraint Program of 6 per cent in the first year and 5 per cent in the second year.

The President of the Treasury Board stated that he would be happy to look into the matter and, if it turned out it was not consistent with the law passed by Parliament, he would see that appropriate action was taken. In fact, CP Rail has asked for a material change in working conditions. I have a letter that was sent to the general Chairman of the workers. It states:

We challenge C.P. Rails decision to reduce our earning power, to cancel one agreement under which we now work and alter another while the restraint program, Bill C-124, is in effect. It was C.P. Rail who said there could be no

negotiation on rule changes this year because it would cost the company money in violation of Bill C-124.

CP Rail cannot have it both ways, Mr. Speaker. The fact is that they are going to reduce the earning power of these employees. Who in fact is governing the country? Is it CP Rail or is it the Government of Canada?

On Friday, March 9, an arbitrator heard this proposal and is going to make a final and binding decision on whether CP Rail has these entitlements. I urge the President of the Treasury Board to bring down a report on this. When an arbitrator is involved to this degree we must remember the decision which the arbitrator has already made with regard to legislation, something that CP Rail may be in violation of.

● (1820)

The blue ribbon committee was guided by the chief executive officer of CP Rail. As a result of his involvement in that, not only did his company save hundreds of millions of dollars, he was awarded a position in the Senate. Now John Turner is coming forward, with the possibility of becoming the new leader of the Liberal Party and perhaps the next Prime Minister. He was another director of CP Rail.

When will the Government begin to govern and tell this company that it has a responsibility to its workers and to this country? For it to materially change the working conditions of these workers at Cranbrook, British Columbia, at a time when this additional burden is not placed on other workers is wrong. I urge the President of the Treasury Board to come forward now and to put a stay on this until such time as he can come in with a report.

I think it is wrong that a Member of Parliament who travels to Montreal as an observer to attend that meeting is denied by CP Rail the right to listen. Is it that worried about what it is doing and what is taking place that it would deny a Member of Parliament the right to be an observer at a hearing that involves workers in his riding who come under the restraint program, and which may have serious ramifications with respect to the working conditions there?

Before I went there I obtained a legal interpretation. Let me quote it as it is important to note. It states:

The decision of the Ontario High Court of Justice in *Re Toronto Star Ltd. and Toronto Newspaper Guild* ((1976) 73 D.L.R. (3d) 370, enclosed) decided under the *Ontario Labour Relations Act* (R.S.O. 1970, c. 232) establishes the principle that where parties are compelled by law to submit to arbitration, it is not merely a private proceeding. The public has an interest in its functioning. Therefore, it is within the discretion of the arbitrator to decide whether proceedings will be public or not. Although the legal framework for a railway arbitration is not identical, it is submitted that the *Toronto Star* case provides a basis to argue that it is up to the arbitrator to decide whether the public may attend, and there should be good reasons for closing the hearing. The court notes that the request of one party without supporting argument is not sufficient.

I suggest that is a blatant abuse of the Canada Labour Code. It is a blatant abuse by CP Rail of its employees. I urge the President of the Treasury Board to come forward immediately and either put a stay on what is happening and come down with a decision, or reverse the decision and tell the company that it must wait until the six and five guidelines are lifted.