

Private Members' Business

While the hon. member responsible for the introduction of this bill has suggested that there is evidence to indicate that the Quebec legislation has had the desired effects, much of the research to date has been proven inconclusive. Studies dealing with the question of violence associated with work stoppages have relied essentially on newspaper accounts and have not reached any definite conclusions with respect to the incidence of violence in situations where replacement workers were employed.

In the proposed Bill C-201, which would apply only to federal Crown corporations, essential service provisions would also be incorporated into Part I of the Canada Labour Code. The essential service issue in federal jurisdiction has been reviewed on several occasions. The code does not generally cover essential public services as defined by the International Labour Organization jurisprudence which would include fire, police and health protection. Beyond this strict definition of essential services, it would be difficult to envisage an administrative structure which could determine what is essential with respect, for example, to the operations of various Crown corporations such as the Canada Post Corporation, the Canadian National Railway or the Canadian Broadcasting Corporation. In effect, in these particular cases, the law would be providing for partial operation which is a different concept to that of essential services.

In its review of the question of essential service disputes some time ago, the Report of the Task Force on Labour Relations chaired by H. D. Woods, outlined seven observations which it felt were fundamental to the determination of a scheme for containing such disputes. The task force suggested that: "It is extremely difficult to say with certainty or conviction in advance of actual events in what industry or service and at what time resort to economic sanctions ought to be curtailed." It went on to comment that "there can be no one policy of procedure that works with uniform success" and recommended that "flexibility of approach is essential lest the parties build the existing policy or procedure into their strategies." It concluded that circumstances may be expected to arise in the eventual course of industrial conflict in which disobedience and defiance of the law will not be forestalled by that law.

• (1340)

The task force conclusions remain valid, and I would suggest that the current provisions of the Canada Labour Code with regard to dispute resolution reflect the realities contained in these observations.

Again, I want to commend the member for Richelieu for bringing this to the attention of the House. It is something at which from time to time we are all obligated to look and I think this debate is most worth while.

Mr. Lyle Kristiansen (Kootenay West—Revelstoke): Mr. Speaker, I am pleased to be able to spend a few moments in addressing the bill before us this afternoon. I would like to compliment the member for Richelieu for bringing it forward.

For many years I think we were under the impression, and it appears to have been a false impression, that we had reached a more civilized level in industrial and labour relations than had been witnessed by some of the events of recent years.

The increasing amounts of money and time spent by many North American corporations on seminars for their staff, supervisors and personnel officers, runs into the hundreds of thousands and millions of dollars, has shocked those of us who, from time to time have been on the mailing lists of the corporations and companies that conduct these seminars on strike breaking and the hiring of replacement workers, to use a more polite phrase. We have been astounded at how little we seem to have learned over the years.

The concept of job ownership among the labour force is very deep. Working people in this country and particularly in certain parts of it, British Columbia, Quebec and northern Ontario, for instance, have always felt that it was their right to defend their their jobs with every bit as much reasonable force as this society expects people to use when their property or their home or their business is attacked.

We find the hiring of replacement workers or scabs or professional strike breakers on the increase. This is true not only in the private sector, but as we have seen, in the public sector, for example in the operation of Canada Post Corporation in the last few years. It is simply an invitation to violence which no civilized society can accept.