

*Government Orders*

This constitutes an astonishing, alas not unprecedented but nonetheless insupportable intrusion into the process of free collective bargaining by the government. Further, it is difficult to understand why this provision is even presented in what is otherwise a commendable bill. It is so remarkably out of place that we really have to ask ourselves what it is doing there at all.

This provision allowing the minister at whim to tell workers with a perfectly legitimate bargaining agent working on their behalf that they have to ignore that bargaining agent and vote on an employer's offer does not come to this bill by virtue of the process that I praised earlier. That was the process in which virtually all of the stakeholders in federal labour relations got together and came up with the other proposals that we find so worthy of support.

This provision appeared out of the blue. It is as if the hand of some labour relations god came down out of the sky and touched the ministry of labour, which then so gifted with revelation, decided that this would be the ideal provision to slap into the new amending bill, Bill C-101. There is no other explanation for its presence because it does not come out of the same process that gave rise to the rest of the bill.

I cannot believe in charity that the government, on its own volition, for no good reason and to satisfy no legitimate constituency, would decide at the last minute to put something as odious as this provision into the bill by itself.

Let me be charitable. Let me just say that it is a poorly thought out amendment and one which runs counter to the spirit and practice of consultation which resulted in the amendments to part III of the code.

It is evident from the two years of consultation that went into this bill that neither the employers nor labour proposed this addition to the code. What is being served by this amendment is the hidden agenda of the government.

When I said earlier that it was perhaps the hand of some god of labour relations coming out of the sky and touching the department I was being facetious. For this I apologize, because what we have here is the further service of this government's hidden agenda. This is an agenda which gives the employer yet another reason to avoid good faith bargaining and which invites the corruption of the properly constituted free collective bargaining process in the interests of employers who simply cannot be bothered to undertake that process in good faith.

They cannot deal with their employees and the representatives of their employees as social equals. In other words, they cannot conduct themselves in a fair and business-like manner.

• (1635)

This is yet another escape hatch from good behaviour that employers have been granted by this government, and that is a shame. I know in Alberta, and I suspect elsewhere in Canada, that for many years we who toiled at the provincial level had been able to point to the Canada Labour Code as an example of good labour legislation that ought in many respects to be emulated by our provincial counterparts.

I know when I used to work for the New Democratic Party caucus in the Alberta legislature and when I worked for the late Grant Notley, many were the times that he would have occasion to rise in the Alberta provincial legislature and inform the Conservative government across the way that it could do far worse than take as a working example the provisions of the Canada Labour Code.

Unfortunately, that advice was almost never taken to heart. But now, perhaps more unfortunately, with amendments such as those proposed to part I of the code in Bill C-101 we are taking that example and tarnishing it. We are making it less useful.

In fact we are slowly accreting a series of changes around the code, a new crust of poor legislation that has had the effect over time of rendering the Canada Labour Code, once the premier legislation in the country, a sorry and sad second cousin to the more progressive codes that now exist in places like Ontario, B.C. and Quebec.

This bill simply continues that process. It gives employers the ability to evade the collective bargaining process. That means that many of the provisions of current collective agreements that were the result of protracted bargaining would never have come to pass in the first place.

When faced with a determined bargaining agent, an intractable employer could simply have said: "That is all very interesting but I do not want to bargain any more. I think you guys can be crushed so I am going to call on my buddy, the federal Minister of Labour. He is going to make your unit vote on my offer. I am going to make it clear, by the way, that a no vote on this offer means I am going to shut down the plant", or some such thing as that.