

*Criminal Code*

He said: Mr. Speaker, I think it is obvious that it is public policy, both in the federal and provincial jurisdictions, that workers shall have the right to join trade unions and, having so joined and given proof as required under federal and provincial labour relations acts that the union represents a majority of the workers concerned, shall have the right to bargain collectively and in good faith with the management of the enterprise for which they work.

The rights of workers to join unions have been spelled out in the Industrial Relations and Disputes Investigation Act and in various provincial labour relations acts. I want to quote a couple of sections from the federal act, the Industrial Relations and Disputes Investigation Act. Section 3 (1) provides:

Every employee has the right to be a member of a trade union and to participate in the activities thereof.

Section 4 (1) provides:

Subject to subsection (2), no employer or employers' organization, and no person acting on behalf of an employer or employers' organization, shall participate in or interfere with the formation or administration of a trade union, or contribute financial or other support to it.

The number of workers both in private industry and in government enterprises in the latter part of 1968 who belong to trade unions of various types amounts to approximately two million. Relationships between labour and management are, in my opinion, on the whole quite satisfactory. It is true that on occasion there are strikes. It is also true that many people think there are too many strikes. All I can say is that the number of days lost in the course of any year, even in the course of this year when there has been a relatively large number of strikes, is very small compared with the number of days lost because of unemployment, over which workers have no control, accidents on the job and sickness.

I think that this is the direction in which most Canadians have wanted labour-management relations to develop. Proof of that can be found in the fact that recently in this parliament we introduced legislation giving those who work for the federal government the same right to belong to a union, indeed to strike if they so desire, that workers in private industry have enjoyed for many years.

The reason for this bill, which essentially proposes a very simple amendment to the section in the Criminal Code dealing with trespassing, is that in certain sectors of our industrial society management has been less

than ready to accept what I have indicated I believe to be the clear intent of parliament and the legislatures of Canada. I am referring to workers working in isolated areas, usually in the northern parts of Canada, who are engaged in the woods industry, the mining industry and the steel industry.

As far as I can tell, Mr. Speaker, in every province there have been instances where these workers have been forced, because they have no choice, to live in bunkhouses on company property, and the management has frequently exercised its right under the provisions of the section in the code dealing with trespassing to pick and choose who can and who cannot visit the workers in the company bunkhouses. I am sure the members of the house would be surprised to know that frequently managements have refused union organizers who wish to go on to company property, not to the work site but to visit the workers in their bunkhouses during their free time, access in order to speak to the workers. As a result, I suggest that the clear intent of the law has been violated by employers and management representatives.

I am sure the minister of forestry could tell us about many cases of this sort in the years when he was head of the Confederation of National Trade Unions in the province of Quebec, cases when he and other representatives of his union were forbidden access to various work sites in order to speak to workers there. I know that the hon. member for Skeena (Mr. Howard) could spend hours telling the members of this house of the difficulties encountered by union representatives when they wanted to organize workers at the Kitimat plant of the Aluminum Company of Canada. I know that in northern Ontario mining and lumber camps have been declared out of bounds to union organizers. In some instances the unions have had to hire a helicopter to fly in their organizers and members because they could not use company-owned roads.

There has also been a number of such cases in the province of Manitoba. A power plant was built for the hydroelectric system of Manitoba at a place called Kelsey. It took almost three years to build this plant and there were anywhere from 1,000 to 3,000 workers at the plant at any one time. Not until the plant was completed and turned over to Manitoba hydro were the construction unions able to talk to the workers at the plant and get them to become members of the union so that they could get certification and bargain collectively.

[Mr. Orlikow.]