

Directly connected with this strike and with the emergency debate upon which we are now engaged is a private member's bill, Bill C-386, which I introduced just three weeks ago. Since it is relevant to precisely the situation we are discussing tonight, allow me to quote briefly from this bill. It is an act to amend the Canada Labour Code, and I will read the first section of the proposed amendment.

181(1) Where

(a) a strike or lockout not prohibited by this part is apprehended or has occurred, and

(b) the strike or lockout would, in the opinion of the governor in council adversely affect the national or public interest if it occurred or continued,

the governor in council may refer the dispute or difference that may cause or has caused the strike or lockout to an industrial inquiry commission for investigation, report and recommendation.

(2) Forthwith upon the appointment of the commission

(a) the strike or lockout, apprehended or occurring in respect of such dispute or difference, is prohibited;

(b) no employee shall strike and no employer shall lock out his employees, and

(c) a strike or lockout that has occurred shall cease.

We should take note of a further clause in the same measure, clause 5:

An order made under this section expires upon the execution of a collective agreement by the parties to the dispute or difference.

What the bill seeks to do is to discourage and, where necessary, to prohibit irresponsible actions by any of the parties to collective bargaining. It seeks to reduce or remove the danger to the citizens of our country of unlawful and irresponsible strikes, lockouts, and other actions undertaken from time to time by either labour or management when there are breakdowns in contract negotiations. The power vested in the government to prohibit or order the end of a strike or lock-out can only be used when it is established that such actions would be against the public interest. This is not unreasonable. We are not living in the age of sweatshops, child labour, 14-hour work days—

An hon. Member: Oh?

Mr. Jelinek: —or other oppressive and inhumane employment practices. Those years are behind us, but in many respects the laws and methods which were used to correct those abuses are still with us. I do not have to tell hon. members on this side of the House that the unions have brought humanity and dignity to the process of bargaining for better working conditions, better salaries, better pensions, and many other improvements in the lot of the working man and woman. It has been a long and hard-fought battle, and they have won. Today working men and women have a say in deciding what their conditions of work will be, and how much they will be paid for doing a particular job.

In recent years management too has been embroiled in the process of improving working conditions and salaries along with efforts to improve the quality and volume of its products. In most cases better working conditions and better morale can be translated into higher quality, improved production, and fewer industrial accidents. These things are just as important to management as they are to labour.

Feed Grain

We are all thankful that, except in isolated incidences, brutal and vicious confrontations between labour and management are a thing of the past. It has become apparent, Mr. Speaker, that when such consultations occur today, both workers and management lose. Workers lose their wages, and in many cases plants are forced to close because they cannot settle their disputes with their employees. In these cases the workers lose their jobs, which is always tragic.

In recent months, however, we have seen a return of irresponsible, confrontation-type actions on the part of some labour unions and, in some cases, on the part of management. We have seen instances of the refusal of the parties to bargain in good faith, resulting in strikes which should not have been called. If we are only interested in dealing with crises after they have had a chance to disrupt the economy, and impose undue hardship on the people of our country, the present labour code is perhaps adequate. However, I cannot believe that the majority of the people, or that the majority of the members of this House, will continue to be content to deal with these situations only after they have reached the crisis stage.

Prevention is almost always more acceptable than a cure. It is less costly, it is usually less painful. The cost of a crippling national strike is too great, the bad feelings are never completely forgotten, and there are always many people who never really recover from its effects.

● (0030)

We must remember that a great number of workers would prefer to stay on the job, or at least would be in favour of returning to their jobs before they are ordered back by parliament. In many cases workers are coerced, even threatened, if they do not go along with the wishes of the union executive. There was an example of this in my own riding, which is mostly a working riding, recently. Just last month I sent a questionnaire to my constituents, and one of the questions asked whether my constituents would approve of the right to strike being taken away from workers in essential services. I have received over 4,500 replies to date, and over 85 per cent of these favour such a move.

Anyone who reads the newspapers and watches television knows this to be so, and that is not responsible union conduct. I know that some union leaders feel that they must be involved in controversy and confrontation with management to justify their positions and their high salaries, and I know that there are lawyers who represent unions in such situations who stand to gain much from labour disputes that drag on and on.

But we must not refrain from strengthening the labour code in order to please a few. We must update the labour code and bring it into the 1970's in order to protect the many. We cannot continue to stand by and watch our country being brought to its knees through the actions of an irresponsible minority.

Under our present laws it is necessary to move a motion in parliament in order to deal with serious work stoppages in essential services and industries. If parliament is not in session the members must be flown in from around the country, and it could take days or even weeks for legislation to be framed, debated, and approved, to send workers