

*Maintenance of Railway Operation Act*

Minister has already emphasized that no interference is contemplated with the rights of either party. What is, in fact, contemplated in this legislation is the maintenance of the status quo until such time as negotiations can be resumed with a more favourable chance of success as a result of unfreezing the freight rate structure. The strongest possible guarantees are provided that this shall be without prejudice to the rights of either side, as this is spelled out in the bill.

Now, Mr. Speaker, with your permission I should like to briefly review some of the events leading up to the introduction of this bill. On November 5, 1959 the associated non-operating unions served notice, signed by Mr. Frank Hall, chairman of the negotiating committee, on the railway companies of the desire to revise and supplement the existing agreements which were to expire on December 31, 1959. The unions demanded a 7 per cent increase plus 12½ cents per hour effective January 1, 1960; the provisions of existing agreements relating to pay for statutory holidays be extended to apply to extra gang employees covered by brotherhood of maintenance of way agreement No. 13; 15 working days with pay holidays after 10 years' service and 20 working days holidays after 20 years' service; duration of agreement January 1, 1960 to December 31, 1961.

As a result of discussions between the railways and the unions the proposal applying to extra gang employees was withdrawn by the union. On February 2, 1960 Mr. Frank Hall wrote to the Minister of Labour asking for the appointment of a conciliation board and at the same time advised the minister that the railways, during their discussions with the unions, presented the following proposal: For services performed in connection with the payroll deduction of union dues and to pay for administrative services connected therewith the company shall retain each month the sum of 10 cents per deduction. On January 22, 1960 the unions advised the companies that direct negotiations were terminated.

On January 27, 1960 the companies wrote to the unions, acknowledging their letter of January 22 and stating their position. The companies forwarded a copy of their letter to the unions to the Minister of Labour on January 29. On February 8, 1960, the parties were advised that the minister was giving consideration to the request for the appointment of a conciliation board by the unions.

On February 18, 1960 the minister established a conciliation board. On February 24, 1960 the railways wrote to the Prime Minister stating their position in so far as this dispute was concerned. On March 31, 1960 the Minister of Labour appointed Hon.

Mr. Justice J. V. Milvain of Calgary, Alberta, as chairman and third member of the conciliation board. Messrs. Philip F. Vineberg and David Lewis, who had been appointed members of the board on recommendation of the employers and employees respectively, had failed to recommend the name of a person willing and ready to act as chairman. On April 22, 1960 the board met with the parties in Montreal and hearings continued from May 9 to July 8 where the parties presented their cases to the board.

On August 10, 1960 the majority report of the conciliation board signed by its chairman and Mr. David Lewis, the employees' nominee, was submitted to the minister. On August 22, 1960 the minority report signed by Mr. Vineberg, the employers' nominee, was submitted to the minister. As a matter of interest to the members of the house I will put on record the recommendations of these reports.

The majority report recommended a two-year contract effective January 1, 1960 with a 2 cent per hour increase effective as of that date; a further 5 cents per hour increase effective September 1, 1960 and an additional increase of 4 per cent of the wages obtaining immediately prior to January 1, 1960 to be effective May 1, 1961, a total of approximately 14 cents per hour increase. The majority report also recommended four weeks or 20 working days vacation after 25 years of service and recommended that the railways' request for a charge of 10 cents per checkoff be refused. The minority report recommended no increase and concurred with the majority conclusion reached on the other two issues of vacation pay and checkoff.

On September 1, 1960 Mr. Frank Hall, chairman of the negotiating committee, advised the minister that the majority recommendations were acceptable to the unions. This information was forwarded to the companies. On September 14, 1960, the companies advised the minister that the recommendations contained in the majority were not acceptable to the railways. This information was forwarded to the unions. On September 20, 1960 the unions advised the minister that in light of the railways' failure to accept the recommendations of the conciliation board they would submit the matter to the employees for an expression of their desire, or otherwise, to withdraw their service. On November 15, 1960 Mr. Frank Hall announced that the union membership had overwhelmingly voted for a withdrawal from service and announced that the employees would withdraw from service effective 8 a.m., December 3, 1960.