

LEGISLATIVE ASSEMBLY OF SASKATCHEWAN
Second Session — Sixteenth Legislature
37th Day

March 26, 1969

The Assembly met at 10:00 o'clock a.m.
On the Orders of the Day.

SAMPLES OF GRAIN PRESENTED

Mr. Messer (Kelsey): — Mr. Speaker, before the Orders of the Day, I would like to bring to the Members' attention, and especially I would like to have the Minister of Agriculture here, but seeing he is not I would draw the Premier's and the Provincial Treasurer's attention to the two samples of grain on their desk and the related facts to that grain. This grain is grown in the constituency of Kelsey. As the Premier knows the municipalities of Birkdale, Porcupine Plain, and the LID of 944, have submitted to the Government several times asking to be considered a disaster area. The last such presentation that was made to the Government was on behalf of the Farmers' Union of Saskatchewan. After looking at this inferior sample of grain and taking into consideration that the major portion of the grain grown in that area is very similar to this, I was wondering whether the Premier has reached a decision in regard to giving assistance to the farmers in this area.

Hon. Mr. Thatcher (Premier): — We have looked into this matter and we have decided that we are not prepared to give any additional assistance at this time. The Hon. Member will realize that if every time there was a crop failure in Saskatchewan there would never be a year that we wouldn't have to do something of this nature.

Mr. Willis (Melfort-Tisdale): — Mr. Speaker, may I ask the Premier a supplementary question regarding this. Has there been any area in Saskatchewan declared a disaster area?

Hon. Mr. Thatcher: — No.

Mr. Willis: — I thought Prince Albert was, Mr. Speaker.

An Hon. Member: — Just when we elected Bill, that's all.

Mr. Berezowsky (Prince Albert East-Cumberland): — Mr. Speaker, I wonder if the Premier knows that the pulp mill received another \$3 million from the Federal Government because of being a depressed area. And also that the Northern Wood Preservers treating poles received \$34,000 while at the same time the farmers have received nothing.

Hon. Mr. Thatcher: — Mr. Speaker, I think on Orders of the Day it is recognized that there should be questions on some provincial urgency but this is no place for speeches like the Hon. Member just made.

Mr. Berezowsky: — I told you so you would know.

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QUESTIONS

ORDER FOR RETURN NO. 31

Mr. Willis: — Mr. Speaker, again I think this is becoming more urgent all the time. I am referring now to Order for Return No. 31 which I asked the Provincial Secretary for and the Provincial Secretary (Mr. Heald) tells me he hasn't located it yet. I could ask the Minister of Highways (Mr. Boldt) whether the Order has been completed by his Department. He knows nothing about it. This is too bad, Mr. Speaker, to be denied information that we should have before the Estimates of the various departments come down.

Hon. Mr. Boldt (Minister of Highways): — Mr. Speaker, I had a memo from our people just a few days ago. The Deputy told us that my Department had to channel a lot of our people to this work of getting questions and Orders for Returns ready. I would say that of the questions which you have asked maybe one-third of them referred to the Department of Highways, and my staff is busy trying to get the data for us. We have tabled a good number of returns and I would say all the questions we have answered there must be about 70 or 80. I again recall when I was in the Opposition there were 40 or 50 that we never received until a day of the next session. You know this is true.

An Hon. Member: — Bosh!

Hon. Mr. Boldt: — Bosh! You don't know what you're talking about.

Some Hon. Members: — Hear, hear!

HOUSES CONSTRUCTED FOR INDIANS

Mr. Berezowsky: — Mr. Speaker, I notice in the Prince Albert Herald, March 22nd, a news article from Ottawa. I want to ask if this is correct or not. It says:

Saskatchewan constructed 34 houses for sale to Metis and enfranchised Indians, March, 1968. Hon. Paul P. Hellyer, Minister responsible for Central Mortgage Housing Corporation has revealed.

The Minister can read the rest. I was wondering if this is the correct number of houses that were built for Indian and Metis in North Saskatchewan.

Hon. Mr. Thatcher: — This isn't urgent . . .

MOTIONS

TRIBUTE TO JOYCE MCKEE RINK, SASKATOON AND ROBERT MILLER RINK, SHELLBROOK

Hon. Mr. Thatcher (Premier): — Mr. Speaker, I would like to move, seconded by the Leader of the Opposition (Mr. Lloyd) by leave of the Assembly:

That notwithstanding any order to the contrary, this Assembly shall recess at 5:00 o'clock p.m. today in order

to pay tribute to the Joyce McKee Rink of Saskatoon, winners of the Canadian Ladies' Curling championship, and the Robert Miller Rink of Shellbrook, winners of the Canadian High School Boys' Curling championship.

Motion agreed to.

SATURDAY HOUSE SITTING MARCH 29, 1969

Hon. Mr. Thatcher: — Mr. Speaker, I should like to move Motion No. 2 which is on the Order Paper. I think the explanation is fairly simple. Hopefully we are nearing the end of the session and I believe Members on both sides of the House are anxious to complete it. We feel that by sitting on Saturday the business will be expedited. I move, seconded by the Provincial Treasurer (Mr. Steuart):

That notwithstanding Standing Order 2, on Saturday, March 29, 1969, and on each Saturday until the end of the Session, the Assembly shall meet at 10:00 o'clock a.m. until 10:00 o'clock p.m., two-hour recesses at 12:30 o'clock p.m. and 5:30 o'clock p.m., the Order of Business on Saturday to be the same as on Friday.

Mr. Lloyd (Leader of the Opposition): — I want just to say a word about it. We had some previous discussion in regard to this motion on the possibility of sitting on Saturday. At that time we raised no objection nor do we raise any objection now. There was, however, tentative understanding I think that on Thursday or so we might just review where we are in the House and that, if it was going to be necessary, as it seems certain now, to come back next week anyway, we might consider whether or not the Saturday meeting perhaps could be avoided and we could still finish next week. Certainly we agree with the Premier that all of us could feel relieved by being relieved of the tensions each day at the same time. Let there be no misunderstanding we are not so anxious to get out that we want to do the work under undue pressure. However, we want to do it in any way which prevents us from doing the job here as much as we need time to do it in.

Hon. Mr. Thatcher: — This procedure I think is customary. It has been followed in all the years I have been here. But I would be very pleased to discuss the subject with the Leader of the Opposition on Friday. I am not anxious to sit Saturday any more than anyone else if it is unnecessary. But I do feel that we should try and get finished by Easter.

Motion agreed to.

SECOND READINGS

Hon. Mr. Thatcher (Premier) moved second reading of Bill No. 76 — **An Act respecting The Saskatchewan Centre of the Arts at Regina.**

Hon. Mr. Thatcher: — Mr. Speaker, this legislation as Hon. Members know, is designed to provide for the operation of the Saskatchewan Centre of the Arts. I shall contend again today that this beautiful

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new building will contribute much to the cultural life of our capital and our province.

The Saskatchewan Centre of the Arts will cost the provincial taxpayers a very huge sum of money. A majority will not object. However, many, and I am one of them, must take the strongest possible exception to the general attitude of the Mayor of Regina.

Now Hon. Members will recall that five or six years ago the Federal Government decided to give each province \$2.5 million in a matching grant for a Centennial project. Most provinces decided to locate their project in the capital city. The Government of the day which was the CCF party decided to divide the Federal grant between Regina and Saskatoon and it gave \$1.5 million to each one, so that two auditoriums could be built. Now that decision created some financial problems, but I think personally that it was a sensible decision. Recently the Mayor of Regina has been making unbelievable statements around this province. For example, I quote the Regina Leader Post of February 27th:

He repeated his contention that the provincial government give back the \$1¼ million in auditorium money that it stole from Regina and gave to Saskatoon.

Well, Mr. Speaker, how on earth could anyone steal something from Regina that never belonged to it? But even if the decision to divide the grant was a wrong one, the Mayor should direct his protest to Mr. Blakeney and the former Government, not to this Administration.

Once the decision was made to proceed in both cities, it is very interesting to compare the progress that was made. The city of Saskatoon under a Mayor who knew something about business matters showed fiscal responsibility. They proceeded, their council proceeded, in a sensible manner. They put a special tax, I believe, on water bills. Because they acted in that manner Saskatoon now has one of the finest auditoriums in all of Canada, and it has been operating for more than a year. Now I invite all Members in this House, I invite the people of Saskatchewan to compare Saskatoon's progress with the history and comedy of errors, mistakes and bugling that took place in Regina under the leadership of Mayor Henry Baker. Now I am not going to take the time of the House to discuss the long list of ineptitudes that were involved. Suffice it to say that, after Regina had invested about \$1 million in their auditorium, all work stopped. Construction simply ground to a halt. Regina and her so-called monkey-bars became the butt of jokes from one end of Canada to the other. In short this province witnessed one of the worst economic fiascoes in her history.

So the project stood dormant for about a year and this Government felt that something should be done about it. Some action was required to repair the damage, to save the face of our capital city, to re-establish the long-standing beauty of Wascana. Some of the Regina city aldermen, a number of them, came to my office and they said we have a disaster on our hands, we can't go any further, we don't know what to do about this. And they said, "Won't your Government consider taking over the project?" Well I can tell you that there was a lot of reluctance in this caucus. There were a lot of our country Members who saw no reason why we should rescue the Mayor's chestnuts, take them out of the fire. However, with great reluctance we did proceed.

After making that decision I made an announcement and I quote from the Regina Leader Post for the Mayor's benefit:

The Provincial Government has.

I am quoting May 12th, 1967, Regina Leader Post.

offered to build and operate the Regina Centennial auditorium. We will, of course only proceed with these plans if specifically requested by the Regina city council. The Province will not give back the money the city has already spent on erecting steel at the site.

Within a matter of two weeks, Mr. Speaker, the Regina city council eagerly accepted the offer. Unanimously and in writing they requested the Government to take over the project. They all, including the Mayor, agreed to all terms. In view of these facts and in view of his own request, Mr. Speaker, some of the recent statements of the Mayor just make me sick. Now surely one would expect the Mayor after his great fiasco to at least have the good sense to hide his shame. But, Mr. Speaker, this has not as you know been the case. Repeatedly he has had the audacity and the temerity to suggest that in addition to financing his own public failure, we should rebate the pathetically small amount of money that the city raised for the project. "You owe me," he parrots. Well, Mr. Speaker, let me make it crystal clear that this Government owes the Mayor absolutely nothing as far as the auditorium is concerned.

I say to him, Mr. Mayor, you owe us, for turning a laughing stock into a valuable asset for your city and province. Mr. Mayor, you owe us for the salvaging of a \$9 million fiasco, at a saving of more than \$2 million. You owe us for every cent of additional city revenue which accrues to your lean city coffers, and they are lean, Mr. Speaker, through the operation of that building. You owe us, Mr. Mayor, so let us hear no more of the kind of nonsense you have been talking on this subject around the city, because the people of the city and of the province have far too much good sense not to recognize and remember the facts.

Now Saskatoon, as I said, has done a job that is just as good as the Mayor of Regina is bad. Because of that fact we are going to see as best we can that the city of Saskatoon is not penalized. We have given the city of Saskatoon \$1¾ million, a half million more than was promised by the former Government. Since that time we have given them a \$125,000 cheque. A few weeks ago we gave them additional \$50,000 for capital grants and we are paying half of the operating costs. But I have assured the Mayor of Saskatoon on behalf of the Government that as time goes on yearly for at least a while we will try and give them additional sums, so that they can complete the convention facilities for their auditorium.

Well now, Mr. Speaker, I want to say a word or two about the legislation that is now before us. I would like to tell the Legislature something about the Saskatchewan Centre of the Arts. The Centre will have not one theatre, but two. The largest of these theatres will be equipped with complete theatrical facilities equal to any other in North America. I think it will be slightly larger than the Saskatoon auditorium, I have been told that. The theatre, the large one, will seat about 2,000 persons for any one performance, and will be one of the show places in

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the West. I think it will permit Regina to obtain the large continental symphonies that tour across the country, probably it will be a help to Saskatoon in that regard, because when one of these symphonies is visiting two cities it is a little easier to finance. This building will provide facilities for the local Regina centre. It is not though just going to be for, shall we call it, high-brow performances like in Saskatoon. There will be facilities for square dancing, western music, country music and so on. And as such we think that that large theatre will be something that Regina has never had in the past. Of course there will also be a smaller theatre which will seat four or five hundred persons and it will be designed to encourage smaller theatrical groups, musical recitals, drama, cinemas, etc. Now, Mr. Speaker, it has been traditional through the centuries that such theatres cost more to operate than they can produce in revenue, if the price of admission is to be at all reasonable. Thus, at the Regina Centre, we are also establishing convention facilities in substantial size. Now these convention facilities will accommodate trade shows, automobile shows, equipment displays, hardware shows, machinery displays and so on. The basement can be converted into a beautiful dining room which will accommodate up to 1,250 people. And on any given occasion it can be converted further into a ballroom or cabaret where the citizens of Southern Saskatchewan can gather together on festive occasions. So, as I say, we hope that the convention facilities will help to finance the overall project so that the annual deficit will either be nonexistent or at least not too great.

Now this auditorium or this Centre of the Arts will establish or will lend itself to large meetings, to rallies, and gatherings of any sort of up to 2,400 or 2,500 people, and it will be of great service as a community centre to the greater Regina trading area.

The two theatres and the convention centre form the greater part of the building, but in addition there are a number of smaller meeting rooms, ranging in size from accommodation for 30 people to 300 persons. There are seven lobby areas which I think will be about as beautiful as any buildings west of the Place des Arts in Montreal. Now we think that these will lend themselves to displays, permanent or temporary of the output of Saskatchewan artists, sculptors, potters and handicrafts of all kinds. And we do intend that these facilities will be available as much as possible to the students on the Regina campus.

Now finally there will be six offices for Civil Servants. These will be rented to the Public Service. We are locating them there simply to help with the costs, the overhead costs. There will be parking for about 1,200 cars and we think that will be adequate, in the landscaped area.

Now the Bill which is before us provides for the setting up of a council of 50 persons. The purpose will be to involve a representative of as many community organizations as possible. This was based somewhat on the Regina Exhibition. Then the executive committee will consist of not more than 20 members and will be appointed by the Lieutenant Governor-in-Council, probably from those 50 councilmen. I think it has already been announced that the Chairman of the Board of Directors will be a local Regina citizen, Mr. Herb Padwick. Hon. Members might be interested to know that we have had a local community committee trying to raise funds on a voluntary basis to help the furnishings. That committee has been under Mr. Maurice Carey and they have already

raised \$55,000. I am hoping they will raise another \$100,000 or so. This money of course simply won't have to be raised by the taxpayers.

Now I said earlier that it is traditional that enterprises of this nature have deficits. However, we are hopeful that with convention facilities operating, a break-even point can be reached after several years. We expect the new Centre of the Arts to be open about one year from now, April, 1970. Mr. Speaker, the Saskatchewan Centre of the Arts I think will make a very major contribution to the economic, cultural and artistic life of this province. And it is my sincere hope that a very bad start will wind up in a successful finish. I hope that one year hence all Hon. Members will be on the platform to open this auditorium.

Some Hon. Members: — Hear, hear!

Mr. Baker (Regina South East): — Well, you know, it wouldn't be fair if I didn't stand up, Mr. Speaker, because I have such great admiration for the Premier and want to comment on his remarks. After listening to him this morning I think he should have remained in the hospital. I would suggest that he call in other doctors as well.

But I am amazed at this man getting up and expressing himself as he did this morning. I could use a term but it would be unparliamentary. In fact I pity him rather than condemn him, because I really do think he is very, very ill.

I should reminisce a little on the story of the auditorium. When he made the announcement that he was going to take over and build it, he did it for one reason only, to get Baker. He made that announcement in April because he planned to have an election in either May or June. The results of the spring seeding caused him to extend it to the fall. He didn't get the auditorium going until six or seven months later after he made the announcement anyway. However, those are things in the past.

He compared our city to Saskatoon. If he would do just a little checking he would find that the city of Saskatoon's debenture debt is much worse than ours and yet is a smaller city. He doesn't tell this story, he doesn't realize that the mayor of Saskatoon has on numerous occasions said that they were broke. I assure the Premier that we are not broke in this city, and probably we have a better balanced budget and more sensible budget than he brought in this session. However, the Provincial Treasurer (Mr. Steuart) should look after his own city, Prince Albert, and see that they keep their head above water. While I was in Ottawa last Friday I was amazed at what was happening with regard to the Premier's position by leaders in Saskatoon including the Federal Minister (Mr. Lang) from there. But I can tell him today, that after the Kelvington by-election he will not be leader of the Liberal party in this Province. They're ready to move him. I had to go to Ottawa to hear this story. Those same people that he is extolling today as to their great virtues are the ones out to get his hide, and, boy, they have closed in on him now. You call that by-election in Kelvington and I am sure this will happen.

I am so proud of him, however, that he did say it was one of

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the finest buildings in the country. Well, I'm the guy that planned it. Everything he said about the auditorium included myself and the committee who started it. We planned it. He mentioned the added facilities. It is a fine building, I hope only they put in what the specifications set out. I will check it over with a magnifying glass when you're finished, because, Mr. Speaker, the people of Regina have put \$4 million in this auditorium. \$4 million! He knows it! We have put in practically twice what he has put in. The Government before had promised us \$2 million, and when he got in, he said you are only getting \$1 million. That's the man who killed the project right there. Because we did have the \$4½ million ready to go. Let me repeat how this \$4 million comes about that the city has invested in it. He didn't get the \$2½ million from Mr. Diefenbaker when he was Prime Minister for the capital city. The Mayors of Canada got it. Every capital centre was to be given \$2½ million. That was my money, that was Regina's money and he or no one else can deny that fact.

Hon. Mr. Thatcher: — Tell Mr. Blakeney!

Mr. Baker: — Alright, but Mr. Blakeney at least said, "If we do divide it we'll give you the full \$2 million." You came in and only offered us \$1 million and you killed the project. Now just a moment, that was the agreement when this project was started. There is the man who held it up for the past two or three years. There is the man right there! The previous Public Works Minister was the boy that worked hand in hand with him. I am going to give the Attorney General and the Minister of Health credit, because when we met with the former Minister of Public Works, those two men supported me. I am sure they did not support Mr. Thatcher and what he did in not giving Regina the other \$1 million. It is not all black over there, because two did show common sense. The Premier was so inflated and so egotistical with winning the election, that he thought he was on cloud nine. I assure you he is not there anymore. He is on the ground now, and he'll be buried after the Kelvington by-election. Anyway I have to outline again, Mr. Premier, that the \$4 million we gave is simple arithmetic in revealing the facts. We had the two . . .

Hon. Mr. Thatcher: — That's why . . .

Mr. Baker: — . . . well we're in better shape than Saskatoon. You had better check their debenture debt, Mr. Premier. We had the \$2½ million, we had \$1 million that the people voted. If the Premier had given us the other million this would have made the \$4½ million. But what did he do, was say, "I'll give you the \$1 million," but he took \$1¼ million away and gave it to Saskatoon. So we were short \$1 million. What do we do? We went to the people for another \$1 million vote. Because the Premier took away that \$1¼ million, half of the grant from Ottawa, the Regina people said, "No, we'll not give another million for the auditorium," and turned down the by-law vote. This is the way it went along. Of course the others that helped to kill this project were his Liberal friends on city council. He told us the truth today, that they did go to him behind the scene. Then they sit holier-than-thou on city council, but they kept in touch with the Premier and the Minister of Public Works. Between the two groups they were able to hold up the project. He stated it will be a wonderful project, I agree it will become a good centre for Saskatchewan. I appreciate the name, I thought it could have

been called the Baker Auditorium, and I would have gladly named the lower part after him, because that's where the cocktails will be served.

He mentioned it is going to be a real show place. I believe it will be a fine edifice. As I said it is our plan. I am looking forward to the opening and welcoming the people of Regina to my auditorium. Well, I could go on and on with this, Gentlemen, I do pity the Premier today as I think he still has second thoughts on what he said here this morning. I made the statement during the Speech from the Throne and on other occasions that there are three things that will happen when this Government takes over in another two years. First of all, the \$1¼ million be given back to Regina with interest.

An Hon. Member: — Is that your platform!

Mr. Baker: — This will be part of my platform, and I am sure my colleagues on this side will back me . . .

Some Hon. Members: — Ha, ha!

Mr. Baker: — . . . I will put the title back in the name of the city with the 31 acres of land.

An Hon. Member: — . . . monkey bars!

Mr. Baker: — You had some monkey bars in North Battleford, didn't you? Well, with what he did to the mental hospitals in this province, I am sure that he will be in the hottest place after eternity, I can assure you of that. I could go on and on, Mr. Speaker, giving facts of this fine project. It is going to serve Southern Saskatchewan. It will be a great tribute to our city and our Province and will bring the arts here. Regina is a great centre for this as he mentioned, for the symphony and other fine arts. I hope that the University will extend the Conservatory of Music to duplicate in a smaller way the one in Toronto. We have built up a great reputation here under Dr. Leyton Brown, and I think the Premier agrees with me on that too.

To sum up, he did it for one reason, and then he got caught in his own lair. He probably didn't expect to get elected in June of that year, so he figured we would have to build it after he made the announcement. We would have done it. But to think that he could get up in this House and say that the good Regina people gave practically nothing toward this project, yet we gave most of the money. We paid more into it than Saskatoon paid in theirs. If you add his figures, he has given them \$2 million over and above the \$1¼ million. The same \$2 million we wanted when we were ready to get ours under way. So you see he had already given that to Saskatoon. I am not against that, that's good, but why take our money?

An Hon. Member: — They need it!

Mr. Baker: — They needed it, and how! So when we wanted the \$2 million, he wouldn't give it to us. There again he has shown discrimination against the capital city. He has done this in so many ways with other buildings too. To give an example, the

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extension of the University Hospital. He should have built the one here first that he has been working on, and said would start in the past two years. I am not trying to hurry them along, and yet they go and put millions of dollars in the one in Saskatoon. I am not complaining, they need it too, but we have been waiting patiently over the years, to have a hospital started here. You have done nothing!

Hon. Mr. Thatcher: — You had 20 years!

Mr. Baker: — I made the remark about the auditorium here last year that it looks as though he would complete it and have it ready, the next election when he and I would cut the ribbon on the eve of the next election. There would be a new Premier then of course to do the honors . . .

Hon. Mr. Thatcher: — Let me . . .

Mr. Baker: — . . . I couldn't think of anybody better than myself to become Premier . . . outside of a few others.

So Mr. Premier, for what you have said today, I am sure the Regina people will condemn you for this in years to come. Something that you took from them, you took the beginnings of a great art centre . . .

Hon. Mr. Thatcher: — What do . . .

Mr. Baker: — . . . planned by the people of Regina. Today he stood up and through me condemned the good people that backed us in this wonderful project. I am not one bit sorry that I didn't start this. This is the greatest thing that ever happened to this city. To repeat again, the \$4 million we put in there is more than Saskatoon put in theirs, is more than this Government put in here. He has the gall to stand up in this House and tell us here how much he put in this structure. And yet he has put just as much in Saskatoon, as he has in this project here. What a shameful thing to do, to ridicule the people of Regina. It doesn't matter to me, but when you pick on the poor people as to whom they elect, and the city council members that backed this project, it is most unfair. We were all sincere, but this man was not sincere. He played politics with it from the word "go," from the word "go" when he got into office.

Some Hon. Members: — Hear, hear!

Mr. Baker: — I want him to know that. I can tell him again. Mark what I tell you, that when the Kelvington by-election is over, the Premier will not be leading the Liberal party immediately following. He had better know it! This is the talk in Ottawa. They are ganging up on you, right across the floor right now — the gentleman sitting behind you is just waiting, he is looking down now, but he's got a knife ready to shove it into you at the right moment. And by golly, if sometime you get up and want to have these from me, I'll give you names of the people who are doing it!

Some Hon. Members: — Ha, ha!

Mr. Baker: — Yes, I had to go to Ottawa to hear the full story. I am glad I went. So, Mr. Speaker, I thank the people of Regina for giving us this project, this wonderful Saskatchewan Arts Centre, and who have paid the lion's share. I think that somewhere the name Regina should have been used but I am not going to object, because it does give the connotation of a province-wide art centre, which is good. I agree with the name, I'll go along with it. We thank the Regina people for their determination, their planning and courage to build one of the finest art centres in Canada.

Some Hon. Members: — Hear, hear!

Mr. McPherson (Regina South West): — Mr. Speaker, I would like to say a few words about the auditorium, the new Centre of the Arts. I just listened to the Mayor of Regina give his leadership speech of the NDP party . . .

Some Hon. Members: — Hear, hear!

Hon. Mr. Thatcher: — Provincial or Federal?

Mr. McPherson: — I am not sure which one it is, but anyway this was a leadership speech.

Mr. Speaker, having been born and raised in the city of Regina, I certainly would like to say a few words about the new building. The completion of the building and the operation of the Saskatchewan Centre of the Arts, Regina, is going to have a tremendous effect on the whole southern part of Saskatchewan. I feel that this effect is going to be felt from Yorkton to the east, south as far as Estevan and as far west as Swift Current. This impact will be tremendous on what will happen over the years to come.

Recently, Mr. Speaker, I was chairman of a group to bring the winter games to Regina, and in reviewing the facilities that we have in the capital city, I find that we are a leader as far as hotel accommodation and also motel accommodation in Western Canada. We are even ahead of Winnipeg, Calgary and Edmonton and Saskatoon. As a matter of fact, the city of Regina has over 1,400 first class hotel and motel rooms against 800 for the city of Saskatoon. You can see why the opening of the Centre of the Arts will contribute so much to the convention facilities at Regina. Geographically, Mr. Speaker, we have always been the logical location for Western Provinces' conventions. Regina is a centre, as you all know, is the hub, and Regina is really the place that we'll be able to hold these conventions. The combination of the superb facilities of the Arts Centre combined with the existing hotel, restaurants and operations of all existing facilities, will put us for the first time in our rightful and logical place as the West's convention centre. I might also add, Mr. Speaker, that the operation of the building must have the interest and support of all segments of the community. I am particularly happy to see in the Bill that they have a large board of directors, and having had quite a bit to do with the Regina Exhibition Board along with many other Members here, we find this organization worked very well. I am quite sure that the board of directors and the management committee will operate this to the best for the community. This will enable them to bring together all types of people that are interested in the

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arts and to serve all the ethnic groups.

Completion of the building in Regina will see all of our five prairie cities with first class theatrical enterprises. I urge the Government to consider, Mr. Speaker, the absolute need to coordinate to a degree the operations of these five buildings. All the three provincial governments have a major stake in underwriting the cost of operations, and I sincerely hope the Government of Saskatchewan will lead the way in setting up a coordinating committee of the five managers to take full advantage of a coordinated operation. I hope also, Mr. Speaker, that this committee would pool their financial resources and their physical resources to attract artists of the finest calibre at the lowest possible cost.

I spoke a moment ago of the excellent combination of facilities that the city of Regina will be in a position to offer. In this regard, I urge the Mayor of Regina to get together with the Provincial Government and embark upon a sales and promotion campaign for the city in a major way. I feel that one like it as has never been put on before should be put on to tell the people of Canada just what Regina has to offer. The city finances a tourist and convention bureau; the Chamber of Commerce has a tourist and convention committee; and the Provincial Government in the Department of Industry and Commerce has a tourist development branch and is now financing a major theatre and convention complex. Surely, Mr. Mayor and Mr. Premier, it is logical and sensible that these four organizations should communicate, organize and present a united fund for the benefit of all concerned. You will realize, Mr. Speaker, that as an MLA for Regina South West, and a citizen of Southern Saskatchewan, I am very enthusiastic about the Saskatchewan Centre of the Arts.

There is just one or two things I would like to say. I would like to thank the Government for taking over this project and giving the citizens of Regina a real first class auditorium. I know it has been a problem for the Premier to sell it to the rural Members. This is something that has gone on in caucus. but they have come around to see there is a need for the southern part of Saskatchewan, and I want to thank all the rural Liberal Members for coming to the aid of the city of Regina. Now Henry hasn't been a bit bashful about this, and I don't want him to feel that he is left out at all. This is being done by the Liberal Government and will be a great credit to the citizens of Regina. The citizens of Regina know after all who is putting this program over. Henry, as I said to you before in a previous speech, you want to go to Mr. Blakeney, the Member for Regina Centre, for your money. This Government doesn't really owe you a cent. You might have talked to someone in Ottawa who said that the Premier is going to be ditched, but as far as I am concerned and the Members on this side, we're quite satisfied with the Premier. I know we are going to win the Kelvington election. If there is an election called very soon, I want you to know, Bashful Henry, that we'll win again and you'll be sitting in Opposition with those that will be left across there. I take great pleasure in seconding this.

Some Hon. Members: — Hear, hear!

Mr. Weatherald (Cannington): — Mr. Speaker, I just want to make one brief comment about this debate this morning. I am happy to hear the Mayor of Regina say that he was responsible for the auditorium. That is very

much open to question. Mr. Speaker, I just want to say one thing. That is that the Province of Saskatchewan this time has bailed the city of Regina out. The Mayor tells us and all the city Members tell us how fortunate we are as rural people to have such an auditorium. Now I just wish that they could convince all the rural people that this is true. I hope it proves to be true, Mr. Speaker. I just want to say one thing to the Mayor. The next expensive idea that the city of Regina gets that they really can't afford, I hope they'll go it alone.

Some Hon. Members: — Hear, hear!

Hon. Mr. Grant (Minister of Public Health): — Mr. Speaker, I hadn't planned on getting into this debate but since hospitals came up, I thought maybe I should join in.

About 16 years ago I made myself a promise that, since I had suffered visitations from previous mayors telling me how to run Regina, when I was Mayor, that I would never, in my day, tell my successors how to run Regina. I can tell you I abided by this right to this day. I am going to try and get through the next few minutes in this manner, but I can tell you it has been difficult for the last 10 years with Mayor Baker holding the reins at City Hall.

I for one cannot understand why the mayor of any city would not be jumping with glee at having the Government take over and build an auditorium of this type. An auditorium of this nature in my opinion is going to be a white elephant financially for many, many years to come. Why a city would want to get into the auditorium business is beyond my comprehension. It is almost as bad for any city wanting to get into the hospital business these days. The Mayor made reference to the fact that we should be building the base hospital before the University Hospital. Apparently he hasn't been reading the facts very closely or is not keeping up to date, because I can assure him this is exactly what is taking place. The Base Hospital has priority over the University Hospital extension. The University Hospital extension proposal was made to me last December, as yet is not approved by Cabinet, and will be dealt with very shortly. The Base Hospital is pretty well on schedule and tenders will be called next spring.

Actually, I was pleased to see the Leader of the Opposition making a rapid note when the Hon. Member from Regina South East said that he was counting on \$1 million plus interest after the next election, because I have a feeling that there will be some competition for that money, regardless who is the Leader, or who is the Treasurer. I don't think that the city of Regina or the city of Saskatoon should do too much bragging as to which one is in better financial shape. I don't think either one of them has very much to brag about. I doubt very much whether the Mayor could have ever built the auditorium anyway. He didn't do too good a job at building a city hall. Actually, he built three city halls in a week. As yet I haven't seen a building. One week it was going to be on the corner of 12th and Hamilton. About two days later it was down over the railway tracks on South Railway Street, and about two more days, apparently they had some fantastic scheme to build a connecting link between the present building and some buildings across the street over 11th Avenue. Since the first planning consultant, called into Regina, designated an area west of the main part of the city for a City Hall,

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the city has been busy acquiring that property and now owns it. In my opinion that's where the City Hall should be built. The city should get on with building the City Hall, not getting in to these fantastic dreams such as we have witnessed recently.

Mr. Speaker, I think the city of Regina is very fortunate to have this auditorium, I think it is going to do much for our city. I particularly appreciate it being in the section of the city it is. When we get the new hospital completed in a few years, these are going to be two fine institutions for my constituency.

Some Hon. Members: — Hear, hear!

Mr. Blakeney (Regina Centre): — Mr. Speaker, I simply want to add a few words to the debate with respect to this auditorium. I don't think it is worthwhile or very constructive at this point, since we have had a little review of its history, for me to enter into the history of this project, although, if I may say so, I know something about it. May I say that there were mistakes on several sides and they certainly were not all on the part of the city of Regina. However one wants to argue about this, the crisis arose with respect to this auditorium when the Auditorium Commission, whatever it was called, headed by Mr. Justice MacPherson, decided that they were forced to call for tenders for this project in two pieces. That is what ripped it. I think we all know that. The view is taken that this was forced upon the Auditorium Commission by the withdrawal of promised Provincial support in 1964 — I am not here to argue whether that view is correct or incorrect — that there was an understanding by the Provincial Government that they would get up to \$2 million made by the former Government is indisputable. It is in writing and the file was with the previous Minister of Public Works, the Hon. Mr. Gardiner, I don't know where the file is now, but that this offer was made is indisputable. I know it, because I signed the offer. That this offer was withdrawn in 1964 when the Premier took office and the figure was reduced to \$1 million is indisputable.

An Hon. Member: — \$1¼ million.

Mr. Blakeney: — Oh no, \$1¼ is Federal money. We all concede that. We all concede the split of the Federal money. It was what additional Provincial money that was going in there that is at issue. As I said, our offer was up to \$2 million, a matching amount of up to \$2 million was our offer. In your offer in 1964, this amount was reduced from \$2 million to \$1 million in the early \$6 million cut era.

Hon. Mr. Thatcher: — It was put back to \$1¼ million.

Mr. Blakeney: — Right, put back, but during the interval between \$1 million and the time you put it back, in that interval the split tender was called. Now, I am not here to say that, merely because the Government made that decision, the people in charge of the auditorium should have reacted as they did and called for tenders on part of the project. This was an error. They indicate that they did it because they couldn't see the finances available to them, to cover the whole project, and that this was a result of the decision of the Government. As I say, that is the history

and from it I think you can see that, if one wants to be partisan, one can lay the blame at several doors. The decisions were made, they were all made in good faith. They were made in good faith by people who had the goodwill of the auditorium at heart. They include the Mayor of Regina, who happens to be of my political persuasion, they include the council of the city of Regina at that time, which did not happen to be of my political persuasion, but largely of the persuasion of Members opposite. They included other distinguished citizens, one of whom I have mentioned, the Hon. Mr. Justice MacPherson who has no political persuasion now, but prior to his elevation to the Bench, had the persuasion of the Conservative party. I think this indicates that they were not made in any partisan way, these judgments, wise or unwise, though they be.

I think the point now is that we must act to pull this together and make it a project of which we all can be proud. I compliment the Government on their decision to proceed with this project. I believe that this project can be of great value to the city of Regina. I share the views of the Member for Regina South West in that this can be a stimulation, not only for the arts in Regina, but also for general entertainment and catering business and the general convention business. I want to make one suggestion to the Premier. I note that he has provided, and I believe wisely, for a board of 50 members. I want to underline the suggestion, which was at least implied by the Member for Regina South West, that it would be highly desirable if the Premier would canvass the various ethnic communities of this city to find representatives of the various communities to serve on this board. I believe that, if anyone is familiar with the cultural life particularly in music and dancing in Regina, he is well aware that much of the real thrust for this life in Regina comes from certain of the ethnic communities. I don't want to single them out, but I have watched highly masterful performances by persons from the Ukrainian community. The Hungarian community, although small, is very, very vigorous in the field of music and the arts. The Rumanian community is active. The German community doesn't have quite the same focus. It is a large community and there are several centres, but it is an active ethnic community. There are some smaller ones, I have been to some Serbian presentations and doubtless there are others which I have overlooked. I simply want to call to the attention of the Premier the fact that in almost every one of those communities there are one or two, more or less recognized cultural leaders. I would suggest to him that he give serious consideration to including some of those people on the board. And, may I point out that in case anyone feels that these are solely Regina communities, they in fact are not. And I will merely instance the Hungarian community, but I could probably say the same for others. The Hungarian community, their ballroom in Regina and their cultural centre, operates as a focus, not only for Hungarians within Regina, but also for Hungarian communities outside Regina. I think of the one at Kipling and to a lesser extent the one around Esterhazy and Stockholm. There are others – I don't propose to outline this in detail.

I want to make this suggestion, which I think is offered in the most constructive and nonpartisan way, that these people could make a great contribution. I will be supporting the Bill. I believe that the Centre will make a considerable contribution to the cultural life and the business and entertainment life, not only of Regina, but of all of Southern Saskatchewan.

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Some Hon. Members: — Hear, hear!

Mr. MacLennan (Last Mountain): — Mr. Speaker, in supporting this Bill I just want to make one comment on the Mayor's earlier remarks. First of all in his proposal that he would upon the election, if it should ever take place, upon the election of an NDP Government, turn \$1¼ million over to the city of Regina, he said he would see to it. Well, first of all the people of rural Saskatchewan think that the Government was just a little bit more than generous in providing Regina with this auditorium in the first place. I challenge the Mayor to go to Kelvington when the by-election is called and tell the people of Kelvington if an NDP Government was to be elected that he would give Regina an additional \$1¼ million.

Some Hon. Members: — Hear, hear!

Hon. Mr. Thatcher: — Mr. Speaker, I will only take a moment. According to the Leader Post of February 27th the Mayor made this statement, and he made it again today, so I would like to refresh the memories of Hon. Members in this House.

In regard to the Provincial Auditorium in Regina, Mr. Baker said the city now has a \$4 million equity in it, more than the Provincial Government.

I have always wondered about Socialist arithmetic and I wonder particularly how on earth the Mayor (Mr. Baker) arrived at that figure! Today he gave us the answer, he said:

We should have had \$2¼ million from Ottawa and we should have had \$1¼ million or more from the Provincial Government, then we put a little in ourselves, and that adds up to \$4 million.

Is it any wonder that the city of Regina is in possibly the worst financial shape of any city in Western Canada? Is it any wonder that Regina taxes, year after year, keep skyrocketing? Is it any wonder that they are in a mess over their city hall? Why if it wasn't for the Saskatchewan Local Government Board keeping this fellow under control, I don't know what would happen to taxes in the city of Regina.

Some Hon. Members: — Hear, hear!

Hon. Mr. Thatcher: — Mr. Speaker, I want to say that this Bill before us is going to provide for the operation of the auditorium. The auditorium is being built not in any way because of the Mayor, but despite the mess, the shemozzle that he made of the whole project. He said, "People will remember the Premier for years because of what he took away from Regina on this auditorium." The only thing we took from him was a huge debt. The only thing we took from him was some steel bars sitting out on the prairie unfinished. The only thing we took from him was an unbelievable fiasco. The only thing we took from him was a project that he started and failed to complete. Now he says, "the Premier played politics with this project. The only reason he built it was because he was going to have an election." If anybody has played politics with this auditorium, it is the Mayor and no one else.

The Hon. Member for Regina South East (Mr. Baker) suggested that there might be some trouble for the Liberal party out in the Kelvington by-election. Well we've had seven by-elections in the last few years and the Liberals have won six of them, six out of seven. We expect we will win seven out of eight. Mr. Speaker, I know that if we can persuade the Mayor, the would-be Provincial or Federal leader, if we can get him to campaign, then there will be no problem at all. His modesty is something which is always unbelievable.

Mr. Speaker, we have as I say an auditorium, and the Provincial Government is building it with the taxpayers' money. It will be a good auditorium, and it will be very valuable in South Saskatchewan. The Hon. Member for Regina Centre (Mr. Blakeney) suggested that we should invite various ethnic groups to sit on the board of directors. I can assure him that this is being done. The executive director is inviting organizations all over Regina and Southern Saskatchewan to name one person to sit on this board of directors and the ethnic groups will certainly be included.

It gives me great pleasure, Mr. Speaker, to move second reading of this Bill.

Some Hon. Members: — Hear, hear!

Motion agreed to and Bill read a second time.

Hon. Mr. Thatcher (Premier) moved second reading of Bill No. 69 — **An Act to amend The Liquor Act.**

Hon. Mr. Thatcher: — Mr. Speaker, this amendment to the Liquor Act involved the amending of three Sections presently in the Act, along with the addition of two Sections. These amendments in the main have been requested by the Attorney General's Department, or the officials of the Liquor Board to aid with various aspects of administration. The first amendment to Section 2 of the Act more accurately defines liquor within the context of the Act. The new definition set forth is substantially the same as the definition of liquor now contained in The Liquor Licensing Act. This revised definition is necessary in order to assist the courts in prosecuting offenders under the Act.

The amendment to Section 28 of the Liquor Act, as proposed in this Bill, makes it possible for the Board to accept a bank draft, money order or cheque from a special liquor vendor in payment of liquor purchases. As you know we have in past years established special liquor agencies in some of the smaller towns throughout our province. In other cases where liquor stores were not operating efficiently, we have closed these stores and replaced them with special liquor agencies following the conduct of a vote in the community. The amendment to this Section of the Act makes it possible for the Liquor Board to deal with special vendors insofar as purchases are concerned on the same basis as licensees under The Liquor Licensing Act.

Section 4 of this Bill is a new addition to the Act and it authorizes the Lieutenant Governor-in-Council to prohibit, restrict or regulate the sale of certain products that may be used in the preparation of beverages with an alcoholic content. This amendment has been prompted by a number of situations, only one of them in the Sandy Bay area. There our Government received

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numerous complaints regarding the wholesale distribution of malt to residents in the area to produce alcoholic beverages. We were told by teachers and missionaries in the area that even small children were on occasion coming to school intoxicated as a result of drinking beverages produced from malt which was being sold in the community. It is hoped that the new proposed Section will permit the regulation of the sale of malt and similar substances under such circumstances.

Section 5 of the new Bill and Section 6 of the new Bill deal further with the definition of liquor under the Act, again to facilitate prosecution under the Act.

Mr. Speaker, I would suggest that if there are any detailed questions, and I'm sure there will be, that I could answer them in Committee.

Some Hon. Members: — Hear, hear!

Mr. Blakeney (Regina Centre): — Mr. Speaker, I find myself having to take the position of opposing this Bill and I do so with some reluctance, because I think some of the things which are sought to be done by this Bill are things with which I would agree. My opposition is based upon the method which is being used to do these things in two of the cases. I have no objection to a more precise definition of liquor, I have no objection to the procedural matters as to whether drafts or cheques can be accepted. I do take exception to Sections 4 and 6. My objection to Section 4 is one which is based upon the fact that it is rather wide and sweeping in its application. Note, Mr. Speaker, that by this Section, the sale of any product likely or possible for use in making an alcoholic beverage can be prohibited. That, Mr. Speaker, I think is fair enough if it is done with a good deal of care, because a great number of things can be used to make alcoholic beverages. Instances have come to my notice where the police have now, apparently, been of the view that the sale of lemon extract or vanilla extract is illegal. This is not the case and I think that we need to recast the principles contained in this Section to give the merchants some more protection. I am in essence therefore suggesting that this section — the idea behind it is perhaps satisfactory — but I am suggesting that there be a time lag between the time when such a substance is banned and the time that it becomes illegal to sell it. Secondly, I would suggest that because it will be very easy for a merchant to fall into error under this Section, I would suggest that the minimum fine provision be deleted. Consider the situation which can happen. Suppose that there is a real run on almond extract in Buffalo Narrows as there may well be. Suppose that the Government then decides to prohibit the sale of almond extract north of a particular area, and the prohibition can be on a geographic basis. It is going to be a little while before merchants realize that the sale of almond extract is legal in Meadow Lake but illegal in Buffalo Narrows. I think this is a difficult position for merchants to be in. I realize the position the Government is in, of needing to prohibit this, and I would suggest that we need to work this over a bit in Committee.

My objection to Section No. 6 is on a rather broader basis. Section 6 provides that a judge, a justice of the peace, a magistrate who is trying a case may, in the absence of proof to the contrary, infer that any liquid or substance in question is

liquor from the fact that an officer describes it as liquor or by a name that is commonly applied to liquor. I think that is going too far. This merely says that if you are picked up and an officer says that what you have in your car is whisky or wine or beer, then it falls upon you to prove that what you had was not whisky or wine or beer. I think this is going too far. I don't think it is necessary in order to provide for the administration of liquor provisions. This is reverse onus with a vengeance. The mechanics of the thing are such that it puts a very heavy burden on the citizen. The police really don't have much trouble getting their liquor tested. They send in their samples by the thousands to the Provincial Laboratory. If the Section said that the certificate of the Provincial Laboratory shall be prima facie evidence, and if the policeman says that it applies to this sample, I wouldn't object to that. But this Bill really puts the onus on the citizen. Let's suppose there is a dance hall and let's suppose there is coke about and let's suppose that some of the coke bottles are spiked, as has been known to happen at dances, and let's suppose you have coke which isn't spiked and let's suppose the policeman picks you all up and says, "OK, that's all spiked coke, I say it is all liquor." Now your position, if you are charged, is that you have to get your coke and seal it in some sort of a package and send it into an analyzing lab. You have to have some sort of defence to the proposition that this is liquor. I think this is going too far, I think that this is a little too oppressive on the citizen. I'm going to ask, before this Bill goes in Committee, that the Attorney General have a particular look at that Section. Because of these Sections in it I am going to have to vote against the Bill. I think that I am not violently opposed to the basic principles in it, but because of these two provisions, which I think are inimical to the proper administration of justice as I see it, I will be opposing the Bill.

Some Hon. Members: — Hear, hear!

Hon. Mr. Heald (Attorney General): — Mr. Speaker, perhaps I should make a comment or two as a result of the observations of the Member for Regina Centre (Mr. Blakeney). The reason why we found it necessary to ask for the insertion of new Section 79A has been alluded to by him. What we found in some areas, particularly in the north part of the province concerns various substances. One I think of is hair oil, hair spray. In the Loon Lake area was one situation which gave us a great deal of difficulty; the situation alluded to by the Premier at Sandy Bay, the malt situation. We've been wrestling with this problem. We have been under a great deal of pressure, many, many submissions from church groups, local chiefs. Everybody in the area has been camping on our trail and is very much concerned. So they should be and we are very concerned. So we came up with this Section 79A to put us in a position where we could . . . You know the danger of putting a net down for the whole province, something that's a problem in one area is not a problem in the rest of the province, so you can't do it on a general basis. So I put my law officers to work on this problem. They have been working and wrestling with it for some time and they came up with Section 79A which does put the Lieutenant Governor-in-Council in a position where when we do have a particular problem in a particular area, we can pass this proclamation in dealing with that area and dealing with a particular substance or a particular product. Sure, we will look at the matters raised by the Hon. Member for Regina Centre so far a notice is concerned.

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I'm not as concerned as he is with it, I think it will work fine but we'll have a look at that in Committee. I wouldn't think that would put him in a position where he felt that he had to vote against the principle of this Bill. Insofar as the other item is concerned – he refers to Clause 6 or Section 6 of this Bill, Section 150A which says the justice trying the case may – I draw your attention to the word 'may'- in the absence of proof to the contrary infer that any liquid or substance in question is liquor within the meaning of this Act and the fact that an officer describes it as liquor by the name that is commonly applied to liquor. Now I would submit, Mr. Speaker, that the protection of the citizen in this case is the protection of the court. You have the protection of the court. A justice may in the absence of proof to the contrary, I submit that that is ample protection and that there will be no danger of anybody getting into a situation where he does run against the reverse onus. We can have a look at that. We have run into some problems and I'll be prepared to discuss those problems in Committee. I'd be prepared to discuss with the Hon. Member any suggested alternate wording. This is the best wording we could come up with. We think this Section is necessary and really I invite him to agree with the Bill in principle, because what we are doing here is putting us in a position where people are convicted and found guilty, where they should be convicted and found guilty, not where they should be found not guilty.

Mr. Romanow (Saskatoon Riversdale): — Mr. Speaker, I just want to very briefly add a few words in opposition to this Bill. Mr. Attorney General, I've heard your comments in this area and think we can take some courage or heart in the fact that you are prepared to discuss this matter along with the Premier in Committee of the Whole. However, regarding the proposed new Section 79A, I would like to have seen some statutory delineation of perhaps even the substances. I know this varies from time to time, I agree, that this is a difficult area but some delineations of the powers that are vested in the Lieutenant Governor-in-Council. Like the Member from Regina Centre (Mr. Blakeney) I'm not placing too much stress on Section 79A, but I may say this, Mr. Premier, that I particularly find offence with the amendment to Section 150. That is new Clause 5 and Clause 6 referred to by the Member from Regina Centre. I don't know of any statute in the Province of Saskatchewan that has taken away so many of the common law rights of the citizen. I'm not blaming this now on any party. I know this Liquor Act has been in the Statute Books of the Province for a long time. But any statute that has taken away as many rights of the average citizen as this Liquor Act, for example, has to be studied. It has wide powers of search, search and seizure. As I understand The Liquor Act now, a person can almost at any time go into any person's home and carry out a search in the hope that there may be some unlawful liquor or some offence being committed pursuant to The Liquor Act. I grant you that there are some difficulties with respect to proof and there have to be some special powers given to the Police Force. But nevertheless, Mr. Premier, my contention is that The Liquor Act, as it is presently worded, has greatly mitigated against the common law principle that a person is deemed to be innocent until he is proven guilty. And my quarrel with Clause 6 is simply this that it reverses the onus as my colleague from Regina Centre has said even more so and adds another situation whereby the common law remedies of the individual citizen are abrogated. Now I agree that it may be difficult to prove that but after all, Mr. Premier,

the Crown has all the resources at its facility. It has all the powers. It has a far greater advantage in terms of monetary resources and technical aid in order to convict a person. I think Clause 6, in allowing the person to infer guilt by a mere statement by an officer – and I have been in court far too many times to see statements of this nature – to me is a denial of natural justice.

Hon. Mr. Heald: — Have faith in the courts.

Mr. Romanow: — Yes, may I just make one observation, Mr. Attorney General, and that is a question of faith in the courts. I have faith in the courts but I think that the protection of the court is only so good as the law that says and is founded on the premise that the person is innocent until proven guilty. I think this law is founded on a reverse position, that the person in fact is going to be guilty unless otherwise he proves himself.

Hon. Mr. Heald: — It says ‘may’.

Mr. Romanow: — Well, the word, ‘may’, is correct. There is a discretionary point there, but I simply say that read with Clause 5 which now has taken out the question of potability. The question of potability has arisen from time to time in courts. Very often some slick defence counsel gets up and says, “Yes, this may be alcohol but it is not drinkable. It is not fit for human consumption.” The Liquor Act contravenes it and I can see this being a proper delineation. But the fact of the matter is that with the amendment to Clause 5, there is really no defence possible whatsoever for the person who may be falsely or wrongly accused, coupled with No. 6. And I think, Mr. Attorney General, that the effect of both those two proposed Clauses is a law which was founded on the principles, as I said, that you are guilty and you have to prove your innocence. I think my colleague from Regina Centre (Mr. Blakeney) has described the financial cost and the burden that will attach to an individual citizen. I’m going to have to oppose the Bill because I know there are problems, as the Attorney General and the Premier have said, in the North, but I think those are outweighed by the very distinct possible problem of a further encroachment of what I consider to be fundamental democratic principles.

Mr. Dewhurst (Wadena): — Mr. Speaker, I will have to agree with my colleagues who have spoken on this Bill. When I look at 79A – take the A Section of it – under that Section, the sale in certain areas of such commodities as raisins, prunes, or other fruits could be restricted because the extracted juice can be used to make alcoholic beverages. I can see that maybe the intention of the Government isn’t that that will be done, but this Bill would give the authorities the right to do those things, to restrict the sale of a good many commodities. When you take that along with Sections 5 and 6, as my friend from Riversdale (Mr. Romanow) has just raised, I think this is a very bad Bill and a very bad principle of what we know as British justice. I think it should be taken back to have a fresh look at the Bill and be amended.

Hon. Mr. Thatcher: — Mr. Speaker, I don’t think there’s much disagreement as to what needs to be done in the North. I suppose that we can disagree on the methods of achievement. It’s fine to talk

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about civil rights, and we must be sympathetic to civil rights, but the fact remains that somehow we have to have an Act that we can enforce. Everyone I think knows that most of our native people in the North like wine. At several stores the RCMP strongly recommended that we take out wine to slow down the drunkenness that existed. In the two cases where we took such a step, it has sharply dropped the rate of drunkenness. But I have visited several communities and I'm sure other Hon. Members have also. I remember one community in the North where I went, I would think there were 500 people came down to the wharfs with the school children to meet us. It was shocking to note the number of adults and the number of school children who were under the influence of liquor. I asked the missionary and I asked the school principal how this could happen since there was no liquor outlet. There wasn't one for a hundred miles. I was informed they get malt at the local store and they make their own liquor. We've had repeated representations from the band there and the Chief, asking us to do something. Our Attorney General's Department and the RCMP say that under existing legislation there's no way that we can force that storekeeper not to handle malts. We had another town that I'd like to tell you about. This is one of the stores where we discontinued the sale of wine. We thought we had accomplished much. But then many people commenced to go over to the store, many native people – and buy some kind of hair oil – I don't remember the exact product – and they were making alcohol out of this hair spray. Local people said if you don't do something about the situation somebody is going to go blind. Thus the local people asked us to have this hair spray removed. We sent up the RCMP, and the local storekeepers on that occasion were willing to co-operate. On a voluntary basis, they took out this product and some of the problems disappeared.

The Hon. Member for Regina Centre (Mr. Blakeney) pointed out that sometimes you'll have a problem in one town but not in another. If all the storekeepers would co-operate, we wouldn't have to have this legislation. But we have found that there are some storekeepers who won't co-operate. Thus we must have some kind of an Act that will permit us to go up into some of those northern communities. If they are selling these products just to get natives or children drunk, we must be able to do something. Unfortunately there are no officers in many of those communities, so we think we must remove the product.

Of course when we get into Committee and the Opposition can suggest a better way of accomplishing this objective, we'd be quite pleased. Our Attorney General's Department has framed this Bill. This is what they've come up with. There is no thought of taking civil rights away from anybody, but there is a strong feeling that something has to be done to protect these native people, and particularly the children involved.

I know this from first hand because I've seen the difficulties. I hope the Opposition can go along with the principle, and may be change details in the Committee.

Mr. Berezowsky (Prince Albert East-Cumberland): — Could I ask the Hon. Premier a question. He apparently must know that the Indians not only buy in the bottle but they also buy beans and other things. If you have distillers back how are you going to tell storekeepers they can't sell beans?

Hon. Mr. Thatcher: — The Hon. Member may be right, but in this one community the priest and the Chief and the group all blamed it on malt. They said if we can remove the malt, the situation can be rectified. However the local storekeeper wouldn't agree to discontinue the sale of malt, and there's no way we can force him to do it.

Motion agreed to and Bill read a second time on the following recorded division:

Yeas -- 28

Thatcher	Larochelle	Radloff
Howes	MacDonald	Weatherald
Cameron	Estey	Mitchell
Steuart	Hooker	Gardner
Heald	Gallagher	Coupland
McIsaac	MacLennan	McPherson
Loken	Heggie	Forsyth
MacDougall	Breker	McIvor
Grant	Leith	Schmeiser
Coderre		

Nays -- 19

Lloyd	Berezowsky	Michayluk
Wooff	Romanow	Brockelbank
Kramer	Smishek	Pepper
Willis	Thibault	Bowerman
Blakeney	Whelan	Matsalla
Dewhurst	Snyder	Messer
Meakes		

Hon. Mr. Thatcher (Premier) moved second reading of Bill No. 78 – **An Act to amend an Act to provide a Superannuation Allowance for a Certain Former Member of the Legislative Assembly.**

Hon. Mr. Thatcher: — Mr. Speaker, I think the wording of this Bill makes fairly obvious the intent. The Hon. W.J. Patterson, who served as an MLA in this Legislature, I believe, for 28 years. He served as Lieutenant Governor for four years. This gentleman is now in his 80s and I have been given to understand has certain financial problems. Former Governments some years ago recognized these difficulties and provided a pension for Mr. Patterson in the amount of \$3,000. This Legislature several years ago increased that amount by \$1,200, to bring it to \$4,200 a year. In view of representations which have been made to the Government, in view of the increased cost of living and so on, we are recommending to the House that this pension be increased another \$1,200 which will bring the total amount to \$5,400 per year or \$450 per month. I think most Hon. Members will recognize the problems involved and I hope there will be sympathy for this proposal.

Mr. Lloyd (Leader of the Opposition): — Mr. Speaker, I rise to support the Bill. As the Premier has pointed out it was a number of years ago that the Bill was first introduced. As I recall it, it was introduced

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at or about the time when legislation providing for superannuation generally for Members of the Legislature was introduced. Certainly nobody I think would have any compunction or hesitation about the amount of the increase that is involved here. The Premier has mentioned the very extensive service which the Hon. Mr. Patterson has given to this Province in a variety of ways.

I do want to say, however, that I could have hoped that the Government might have extended a somewhat similar consideration to a number of other people. As was mentioned the amount originally made available to Mr. Patterson was increased on one, and I think perhaps two, occasions. It was increased along with increases to the plan generally. There are other Members who have superannuated at the amount of the Bill for Mr. Patterson originally. They have not been increased. Some of them are still at the level of \$3,000 and some slightly over it. In almost every case these Members had service and contribution which under the formula would have produced more than that except for the ceiling imposed by the formula at that time. And this group of people I would hope that the Government might have given some consideration about too. It was raised last year when The Superannuation Act for Members of the Legislature was under consideration. It's probably true that no special representation has been made to the Premier with respect to them. However, representation was certainly made during the discussions of a year ago and it seems to me that they, too, have some entitlement to consideration. The cost of living has gone up for them. Some of them have special expenses because of illness or at least indifferent health, I know. I simply want to put it to the Premier and the Government that this group are equally deserving of consideration and in saying this I take nothing away whatsoever from the deservingness of the move with respect to the Hon. Mr. Patterson. As a matter of fact, I draw to the Premier's attention one person at least who could qualify except for the matter of age and who is physically disabled and unable to earn a living otherwise. He will qualify in a few years from now, but I would hope the Government would give some consideration to that person and other persons who might in the future be in a similar circumstance.

Hon. Mr. Thatcher: — Mr. Speaker, I think there's a good deal of merit in what the Leader of the Opposition (Mr. Lloyd) has said this morning. The Government should perhaps look into the matter of increased pensions for former retired MLAs. I will say though that the only one that I have had representations in connection with an increase in the pension, has been Mr. Patterson. Our caucus discussed this case and we did feel that because he had so many years of service, and headed the Government for so long, perhaps his case was stronger than most. I say again that we will be pleased to look into this other matter that the Leader of the Opposition has raised before another year comes by. I am not giving a commitment, but we will certainly look into it.

Mr. Dewhurst (Wadena): — May I ask the Premier a question before he takes his seat. Do you recall, Mr. Premier, that I personally discussed with you last winter the plight of a former Member who does not qualify on account of age and yet he is totally disabled. At that time you said we couldn't include it last year but you would take a look at it for this year. Do you not recall that, that I personally took it up with you?

Hon. Mr. Thatcher: — Now that you mention it, I think you're referring to the Member for Bengough.

Mr. Dewhurst: — Allan Brown.

Hon. Mr. Thatcher: — I had forgotten that case. Yes, I recall it now.

Mr. Kramer (The Battlefords): — This is an unhappy situation and this man, Mr. Speaker, had a long record, you're willing to . . .

Hon. Mr. Thatcher: — If the Hon. Member should ask me a question . . .

Mr. Kramer: — I wonder if you would. The question I'm going to ask, I wonder if you would now, not next year, consider at least this one particular case because it is a needy case and it is a deserving case. I think that you know, all politics set aside, it should be considered now and not put off any longer.

Hon. Mr. Thatcher: — I can't make that commitment, but I'll discuss it with my colleagues.

Motion agreed to and Bill read a second time.

INTRODUCTION OF STUDENTS

Deputy Speaker: — Through a period of many years by the matter of courtesy but not by rule in this Assembly and in this Committee, individual Members have welcomed students from their constituency to these Chambers. As all Members are aware, last evening a motion of the House was passed in which the responsibility for welcoming of those students was given to the Speaker or to myself, when I occupy the Chair in this House. There is no question that over the years that the Assembly has been very courteous to Members in this regard and I would hope that in embarking under a new procedure, a procedure laid down by the vote of the Assembly, the same courtesy could be extended to ourselves. I would, therefore, like to welcome to this Assembly here today the following groups of students:

The first group, situated in the east gallery, are from Westmount school in Saskatoon and they are accompanied by Mrs. Sutherland. The school is situated in the constituency of Saskatoon Mayfair and is represented by Mr. Brockelbank, whom I would ask to rise and be recognized at this time.

Hon. Members: — Hear, hear!

Deputy Speaker: — The second group of students from Weyburn school, Junior High, are seated in the Speaker's gallery. They are accompanied by Mr. Weinmaster. This school is situated in the constituency of Weyburn and is represented in this House by the Hon. Mr. Pepper, whom I would ask to rise and be recognized.

Hon. Members: — Hear, hear!

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Deputy Speaker: — In conclusion, I would like to extend to all visitors from the various schools here today a most sincere welcome on behalf of this Assembly. We're delighted that you are able to be with us. We hope that you will profit from what you see taking place here today and I trust you will carry back to your school a knowledge of the Legislature and its function that you did not have before. Also, on behalf of the Legislature. I would like to wish you a safe journey home.

Hon. Members: — Hear, hear!

CONGRATULATIONS: SHELLBROOK ELKS HOCKEY CLUB

Mr. Bowerman (Shellbrook): — I have received word this day from the team manager, Mr. Johnny Hollowell from Shellbrook that the Shellbrook Elks Hockey Club have recently attained this honor in a final playoff game with the club from Lafleche. Mr. Speaker, there are many complimentary factors that are associated in the very fine constituency of Shellbrook. However, this year's evidence of both national and provincial honors among the youth of this agricultural community says a great deal more for the community and its people than I can accord to them in any brief congratulatory remarks that I might make on this occasion.

I am sure that all Members will join with me in extending to the Shellbrook Elks Hockey Club our sincere congratulations for the teamwork and sportsmanship that resulted in the honors that they have attained for both their community and their people in that community.

Hon. Members: — Hear, hear!

CONGRATULATIONS: R.M. OF MONTROSE NO. 315 CURLING CHAMPIONS

Mr. Matsalla (Canora): — Mr. Speaker, I'd like the indulgence of this House to bring to your attention and the Members of this House that in the Provincial-Municipal Curling Playoffs held at the Regina Exhibition Curlodrome on Monday and Tuesday last, the municipal rink of the R.M. of Montrose No. 315 with the office at Donovan, won the championship. The consolation prize winner was the R.M. of Reford No. 379 with office at Wilkie. I might say the curling competition was sponsored by the Rural Municipal Secretary Treasurers' Association of Saskatchewan. This was the first year of such competition and with the enthusiasm shown it is hoped that this competition will continue.

Being a director of the association, I'd like to, in your behalf, Mr. Speaker, and the Members of the Legislature, congratulate the R.M. of Montrose No. 315 for their good curling and achievement.

Hon. Members: — Hear, hear!

CONGRATULATIONS: REGINA CAPS HOCKEY CHAMPIONS

Mr. Gallagher (Yorkton): — Mr. Speaker, I would like the indulgence of the House for just a moment. I don't know whether the Members from Regina City had a lapse of memory or if they are just not good hockey fans, but I want to congratulate the Regina Caps on their victory

in winning the Saskatchewan Senior Hockey Championship over the Yorkton Terriers. They did so in four games. They only outscored the Terriers by one goal. I think the Regina Members should have been watching this and pay tribute to their own team.

Hon. Members: — Hear, hear!

Mr. Baker (Regina South East): — Mr. Speaker, the only reason we didn't, we are waiting for them to win higher pennants.

Deputy Speaker: — If the Committee would grant me indulgence for a moment, the list I had from the Weyburn school, they are accompanied by Mr. Jim Nedelcov and Atlee Morrow. Is that right now? I was wrong.

SECOND READINGS

Hon. Mr. Coderre (Minister of Labour) moved second reading of Bill No. 35 – **An Act to amend The Trade Union Act.**

Hon. Mr. Coderre: — Mr. Speaker, this Bill is for second reading, I would like to very briefly say something about the rationale for the amendments.

I've discussed at some length in this Assembly in the past the industrial relation climate in this Province and how very important harmonious communications are between employers and employees. I've referred to the fact that the rising number of strikes and walk-outs in Canada in recent years have focused the attention of government at all levels on the need to improve labor-management relations. This is what all governments are attempting to do and this is the purpose and the intent of the Bill before the Assembly.

I suppose you could put it this way, that we in Saskatchewan are putting the dam up before the flood begins. It is obvious to everyone that when labor-management relations are strained or break down completely, hardships are imposed on parties and on the community in general. Work stoppages are wasteful and harmful in terms of losses in terms of income and production, which results not only in relation to the employee and employers affected but also the economy as a whole. There is no doubt that in the present era of technological change, when every member of society is increasingly dependent on all other members, the impact of work stoppages is becoming greater. The industrialized society in which we live is characterized by the growing interdependence of the factors of production. If one stops, all others are affected. At the same time in this mechanized age, all our productive processes operate on a large scale. We depend heavily on modern means of mass communication, transportation and production and distribution of goods and services. Under these circumstances, a single strike can penetrate every sector of our economic structure. Moreover the economy is geared to full potential and can function smoothly only if that potential is reached. In this context The Trade Union Act functions as an essential guide to the maintenance of a sound and productive union-management relationship.

In amending the Act, I want to stress that the Government

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has no desire to interfere in the process of collective bargaining. I say most emphatically it is quite the reverse. The Government wants to strengthen the process and make it more systematic and effective and democratic. This is the intent of the present Bill. Our concern is to find improvements which will make the collective bargaining function more efficiently and to remove obstacles which hinder the smooth operations of a process. I also want to emphasize, Mr. Deputy Speaker, with reference to this legislation, that the Government is not introducing a series of changes simply because it wants to do it for obscure philosophical reasons. I say on the contrary, very real and practical problems underlie the Bill before us.

One of the most important clauses, for example, provides that, where a strike has continued for 30 days, the union, the employer or an employee involved in the strike, or anyone directly involved in it, may apply to the Labour Relations Board to conduct a vote to determine whether a majority of the striking employees wish to continue the strike. This clause is there to protect the rights of the individual workers who is caught in a squeeze between union-management in a dispute. It is intended to prevent a situation which existed in two large resource industries in one of our northern communities. A negotiation dispute in this community resulted in a strike. The individual, business agent in this case, carrying on the negotiations for the union involved resided outside the province, and bargaining could take place only when he was available and had made this quite clear at that particular time to his negotiation committee. As a result the strike dragged on for nearly two months. As the strike progressed it was suggested to me by a great number of the striking employees that the majority of employees desired to return to work and that some action should be taken. Unfortunately, however, there was no established procedure for the Government to determine whether this was true or not. There was no way of ascertaining.

Mr. Romanow (Saskatoon Riversdale): — What was the union?

Hon. Mr. Coderre: — Now I must make it quite clear that this is the exception to the rule.

Mr. Romanow: — Who was the union?

Hon. Mr. Coderre: — IWA. It is now proposed that such a procedure be included I should say, while on this subject, that there was no established Government procedure, but the only procedure that was used was the number of phone calls to my home, to my office, delegations, groups of three or four, and very different types of groups expressing their concern. As I've indicated often in this House that, whenever an individual comes to me with a complaint, then I find it my duty to try and rectify this individual's problem. I've indicated time and time again that no individual member anywhere or employee or working man should become a pawn in a game, regardless of whether it's economic or financial or caused by business or business agents. This is something that I firmly believe. I also believe that no third party should be hurt because of the actions of any two parties in one way, shape or the other.

It is now proposed that such a procedure be included in The

Trade Union Act. In making such provisions, the Government has no intention of preventing the strike from occurring. The amendment is merely intended to ensure that no strike will continue on and on against the wishes of the majority of the employees. I might add that a somewhat similar provision is included in the recommendations of the recent Rands Commission Inquiry into labor disputes in Ontario. I might also refer the hon. gentlemen opposite, of course, to a publication provided by Her Majesty's Government in England, particularly Barbara Castle and her White Paper, "A Place of Strike" a policy for industrial relations. I think it might be interesting to read the problems that England is now facing today.

Another clause in this Bill will make it that after a period of 30 days a person could apply to the Labour Relations Board for a Government-supervised strike vote. Provisions will be changed, an amendment would be made that only one vote will be allowed at the end of 30 days. In other words, if they have then decided after 30 days they want to remain on strike, that's it. It will not be a repetitious affair.

Mr. Romanow: — Once every 30 days?

Hon. Mr. Coderre: — No, one attempt. Another clause in this Bill will make it an unfair labor practice for a trade union or a group of employees to engage in so-called "hot cargo" or third party boycott activities by refusing to handle goods being delivered or shipped by a carrier, unless there is a valid dispute with that carrier. I sincerely believe, Mr. Speaker, that with a little thought on this matter, every fair-minded citizen of Saskatchewan will recognize that it is not at all just to involve innocent third parties in labor disputes.

Now again in this Section there will be another amendment. The intent of this amendment is that, if a cargo is delivered to a place that is legitimately on strike, the employer could not ask these employees who are on strike to unload the cargo. In other words, it's not intended as a strike-breaking procedure. The amendment is also intended to streamline the procedural application of The Trade Union Act and render it more effective and appropriate in the operation of modern-day labor-management relations.

The definition of the term "employee" is amended to make more explicit the definition which has been implied right along, the question of what is an employee and what is an employer or self-employed and so on.

Another amendment will make it possible for certification orders issued by the Labour Relations Board to be enforceable as a court order. I have noticed very often that trade unions will lay an unfair labor practice charge against an employer. Then there is an order of reinstatement, so that they have to get back to the Board, and ask the Board's permission to prosecute. This new amended Section, once an order has been issued by the Labour Relations Board, then becomes enforceable as a court order. The hon. gentlemen know that about 95 per cent of unfair labor practices are brought in by a union. The requirement that no prosecution concerning an unfair labor practice can be instituted without the second consent of the Labour Relations Board will be removed.

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Finally, a provision is made for the operation of a collective bargaining agreement for the full term, if another union is certified to represent a group of employees, when the existing agreement has more than one year of its term remaining. I understand, Mr. Speaker, that this Bill has been labelled as a controversial, and an anti-labor piece of legislation by some of its opponents and by many of my good friends within the trade unions.

I don't suppose that Government legislation dealing with labor-management relations is not going to be accepted at all times because there is going to be controversy.

Keeping in mind the principles that I have established of the rights of the individuals and protecting the rights of the third party, I think the rationale is there. I want to say, however, that it is controversial only because – and I say this – a few misguided persons make it so. I am convinced that no employee in this province will be hurt by any amendments made to this Act. I also want to assure once more to the people of this province that the Government of Saskatchewan is not anti-labor, we are not anti-anybody, we are pro-labor, we are pro-employee, we are pro-employer, we are pro-Saskatchewan. The Government does not discriminate against or unduly favor any special group. The Government has a clear-cut obligation to protect the rights of all citizens whether they are union members or workers not in unions, whether they are employers or self-employed, whether they are professionals or pensioners. In the case of legislation applicable to labor and management our only concern is to guarantee that the rights of one group do not interfere with those of another.

The present Bill embodies this principle and the amendments are designed to reduce industrial conflicts for the benefit of both parties and for the people of the province. Collective bargaining is not going to be interfered with. The right to strike is not being abrogated. The Government is simply adapting The Trade Union Act to the demands and pressures of modern-day industrial society, to enable the citizens of this province in all spheres of endeavor to get on with the business on an equitable basis of continuing the development of the economy of Saskatchewan. One, and the only reason, that much of this legislation is brought in is because there has been a constant breakdown in the communications, lack of good faith, which I have indicated time and again by both labor and management. For this reason if labor and management do not take their responsibilities in assuring themselves that labor-management relations continue, I as Minister of Labour have no alternative but to recommend to my colleagues changes in the Act.

Mr. Smishek (Regina North East): — Mr. Speaker, at the outset I again want to remind this Legislature that in the year 1964 the Liberal party and Premier Thatcher made a firm promise to the wage earners of Saskatchewan if elected to form a Government they would “maintain and improve workers’ wages, vacations, hours of work, compensation and trade union rights and security.”

This commitment, like many other Liberal promises, was immediately forgotten as soon as the Liberal party took office. Without delay they initiated a “hate-labor” campaign and in almost five years of office they have not relented in their

efforts to besmirch the name of labor and labor organizations.

Mr. Speaker, it is a rare occasion when a Saskatchewan Liberal Cabinet Minister or a MLA speaks that he does not attack the trade union movement or does not place the blame on the wage earners for the failures of this Liberal Government in Saskatchewan or the one in Ottawa. Whether it is the present agriculture economic problem and damp grain, somehow the workers are at fault. Or whether it is the high interest rates, which the money changers have forced on the people of Canada, or Canada's education or housing crisis, no matter what social or economic problem, the Liberal answer is the workers are to blame.

Mr. Speaker, since the Legislature started meeting late in January almost every Liberal MLA in one form or another has taken a pot shot at labor and at the trade union movement. Over the years the Liberal party and this Government have with the support of certain news media tried to persuade the public that trade unions are irresponsible and somehow harmful to the public good. Mr. Speaker, I challenge this. Such accusations are nothing but an effort to undermine the trade union movement.

Mr. Speaker, I invite the newspaper editors and the various radio and television commentators to carefully and sincerely examine the oppressive legislation and the total anti-labor record of this Liberal Government. I invite them to say to Messrs. Thatcher, Coderre, et al — “Stop, you have gone too far with your madness, with your hate labor campaign, with your anti-labor legislation, with your efforts to destroy the trade union movement.”

Some Hon. Members: — Hear, hear!

Mr. Smishek: — Mr. Speaker, last year when I spoke in this House on February 27th, I drew attention to the fact that, since June, 1964, the news media had failed or refused to cover hearings of the Labour Relations Board. Since raising this issue I want to acknowledge with thanks that at least the press has covered many of the hearings. I understand that as a result this has had a desirable effect on the behavior of the Board, even though its decisions continue to be as biased as they were before.

Newspaper editors rise in righteous indignation any time anyone suggests that its editorials go beyond the accepted rights and freedoms of the press. If our press and news media are defenders of freedoms and justice, they have a duty and a responsibility to also defend the rights and freedoms of wage earners and the union movement, when their rights and freedoms are being suppressed or denied by the powers of the state.

I also readily concede the right of the press to constructively criticize the trade union movement when criticism is justified. I, therefore, invite the news media to analyze the anti-labor record of this Government and expose it in the name of justice and in the name of fair play.

Some Hon. Members: — Hear, hear!

Mr. Smishek: — Mr. Speaker, this Bill denies freedom of association, freedom to withhold one's labor. It legalizes harassment, it gives security to company unions, against the wishes of the workers.

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This Bill is among the most vicious, if not the most vicious, piece of anti-labor legislation enacted by the Liberal Government. It is as bad as any labor legislation enacted in recent Canadian history. It makes the notorious Taft Hartley Act of the United States look pale.

I have reason to believe that the workers of Saskatchewan, and citizens generally would welcome the news media exposing all the iniquitous labor laws passed by this Government, and their failure and refusal to improve labor standards to keep pace with other provinces and Canada and "to improve labor standards, trade union rights and security" as it promised. But too often we read biased condemnation out of ignorance, rather than constructive criticism, out of their failure to understand the workers' problems and out of misunderstanding the trade union movement.

This Bill is going to tilt the scale of balance far too much in favor of the employer and far too much against the employee. My appeal is specifically directed to the news media, because trying to convince the Members opposite that this is a totally unjust law, and to ask them to withdraw it, seems almost a waste of time. Most of them hold such deep prejudices towards unions that they would just as soon have unions outlawed and be done with it.

Those who are not so biased don't understand the problem and don't even bother taking the time to learn. The few who have some knowledge of the serious effects of this law don't have the courage or the guts to stand up and oppose it. Mr. Speaker, I would invite them to join the Member from Yorkton (Mr. Gallagher) to show their courage in the same way as he showed his courage this morning when he rose and opposed the actions of this Government on a different issue. I ask them to do this with respect to this Bill. It indeed would be justified and commendable.

I invite them to show their independence. May I suggest to the Hon. Member for Regina South West (Mr. McPherson), if he really meant what he said last year during the speech he made when moving the Address-in-Reply, then he is compelled to speak and vote against this Bill. Let me quote just a few sentences of what he told us last year.

The right to strike, the right of employers and employees to disagree is a guarantee of the freedom which we cherish.

Government should stick to conciliation and stop there and permit labor and management to practise free bargaining. Neither side can ever hope to bargain freely when they are hampered by laws binding one side or the other to certain predetermined procedures and conditions.

It is preposterous to claim that bargaining between two parties is free, when a third party, government, is sitting on the shoulders of the bargaining teams pointing out that one or the other has certain privileges not available to the other.

Mr. Speaker, if this proposed law is passed in its present form, (and I am glad to hear that the Minister will bring in some amendments) not only will the Government, through its action, sit on the worker's shoulders, it will sit on labor's back paralyzing almost completely the only economic measure

labor holds, the right to withhold its labor. Our society says that one of the fundamental freedoms is the right to withhold one's labor or the fruits of the production of one's labor, when that becomes necessary. The employer is always free and unimpaired by law to close a plant and cease production for as long as he wants; he is free to lay-off or discharge his employees without justifying his action to anyone, regardless of the number of people that may be hurt in the process.

The professional, the doctor, the lawyer, the engineer, is free to withhold his labor individually or collectively and no action will be taken against him. The farmer is also allowed that right and freedom. The wage earner is the only one who is restricted and prohibited by law to that same right and to that same freedom.

Mr. Speaker, I will discuss in some detail the implications of Bill 35, with the proposed amendments. But before doing so, I want to pay tribute to the wage earners of Saskatchewan and this country. The workers with their brains and muscles have built the mighty railways, the highways, the bridges. They have diverted the rivers and built the great irrigation and power dams. They have built our homes, our schools, our churches, the factories and buildings we work in. They build the cars, the tractors, refrigerators, all the machines that make our lives better and more comfortable. They process the daily food that we eat and the clothes we wear. The achievements of Canadian workers are visible from sea to sea. Their accomplishments are truly great, Mr. Speaker.

For their labor and accomplishment, for their strengths and their weaknesses, for the good things and the mistakes, for all this and more, the Liberal Government of Saskatchewan continues to harass and condemn the workers and their unions. This condemnation is as regular as night follows day. During the session and out of the session, at public meetings and at private conferences, at every session of the Legislature, more and more oppressive laws. If it is not satisfied with the harm it has done to labor at a regular session, it doesn't hesitate to call a special session to do more of its dirty work.

Mr. Speaker, unions are a very important and essential part of our society. They are more than just economic instruments designed to help the workers in their relation with employers, even though this is a very important part of their function. Unions have added immeasurably to the democratic process and our democratic institutions; they have spearheaded many a campaign for freedom and social justice, not just for their members but for the people generally.

The trade union movement can justly be proud of its contribution to the general well-being of all people. Higher wages, shorter hours of work, better working conditions, are here because there is a trade union movement. To the extent we have legal minimum standards, it is because we have unions which consistently pressure governments to legislate and improve the minimum labor standards.

In every area of social legislation, unions have played a leading role: old age security, Canada Pension Plan, welfare legislation, hospital insurance, medicare, unemployment insurance, workmen's compensation benefits. Many of these laws are here today because of the influence, the pressure and

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representations of the trade union movement. Labor's achievements for the public good are too many to recap in a short speech.

Perhaps the major achievement of unions is that through collective bargaining unions brought democracy and a form of constitutional government into industry. Without a union and without collective bargaining, industry is a dictatorship of the employer. Unions have given workers status, dignity and self-respect, the right to talk to employers with a measure of equality. It is this measure of equality that this Liberal Government is determined to destroy.

The Minister of Labour, when he spoke during a previous debate, chose to devote the principal portion of his remarks to attacking and criticizing the trade union movement. I concede that for the first time he recognized that there are employers and employers' agents whose attitude towards collective bargaining and industrial relations is archaic.

While the Minister opened his eyes for a moment to see the truth, he closed them very quickly for fear the Premier might accuse him of treason against the Liberal gods, the free enterprise masters. So, the Minister quickly closed his eyes, pulled down the shutters, and in his usual blind manner proceeded to berate unions and labor leaders. It may be useful to just remind the House of the Minister's chastising remarks of some of the employers. He is reported in the Regina Leader Post of February 26th, to have said:

Some of the employers and management representatives run their businesses as modern-day tyrants and operate in a way which suggests they want to be modern in 1969, but under 1869 working conditions. These people are pretty sharp when it is a question of manipulating dollars and cents, but are totally naive and immature when it comes to the operation of a sound and stable labor relations policy.

He then went on to say that he has found these employers to be "two-faced" and "less than honest." But has he proposed any legislation to enable unions and his Department to deal more effectively with these industrial, "modern-day tyrants." Of course not, Mr. Speaker. He proposes more regressive and oppressive legislation to cripple the trade union movement.

Or did the Minister of Labour (Mr. Coderre) take issue with some of his colleagues, the Provincial Treasurer (Mr. Steuart), the Minister of Highways (Mr. Boldt), the Minister of Welfare (Mr. MacDonald), the Minister of Public Works (Mr. Guy), the Minister of Agriculture (Mr. McFarlane), the Hon. Member for Rosetown (Mr. Loken), the Hon. Member from Nipawin (Mr. Radloff) and others, who tried to put the blame for the plight of our farmers on the strike of grain handlers at the Lakehead last summer?

The Minister of Labour should have chided and criticized the Members on his side of the House for their unfounded and mischievous attacks on the grain handlers.

Some Hon. Members: — Hear, hear!

Mr. Smishek: — He should have reminded them

of their remarks and findings of his compatriots at Ottawa, Mr. Olson, Minister of Agriculture, and Mr. Mackasey, the Federal Minister of Labour. What did Mr. Olson tell Gerry Wade, Leader Post Agriculture Reporter on September 9, 1968, when he was in Regina? Let me quote:

Mr. Olson said his chief concern was that he wanted to dispel the idea that 100 per cent of the blame for the strike lies with the labor union.

Fifty per cent or better lies on the other side of the table. I think it is erroneous for farmers and the general public to think the labor union is the devil in this case. In my opinion it is not. The offers the companies have made to the union, in terms of the wage issue when compared with what they gave their employees at Vancouver, are not at all reasonable. At no time since the strike started have the company offers come close to restoring the traditional difference.

Why didn't the Minister of Labour rebuke the attacks of his colleagues by stating these facts, Mr. Speaker? Why didn't the Minister of Agriculture (Mr. McFarlane) tell this House of the findings of the Federal Department of Labour and Mr. Mackasey, that the negotiators for the grain-handling companies were not informing the managements of the union's offers and proposals for settlements. It was not until Mr. Mackasey went over the heads of the company negotiators directly to the top management that they got the union's position straight and settlement was reached.

Why wasn't the Saskatchewan Minister of Agriculture honest and report this statement of Mr. Bryce Mackasey, Federal Minister of Agriculture, made in the House of Commons on September 19, 1968, as reported on page 251 of Hansard and let me quote:

I have been able to establish to my satisfaction, if not necessarily to the Opposition, that not one single grain sale was lost as a result of the strike. Not one market was jeopardized or one commitment not honored. Our commitments to existing customers were filled. There was sufficient grain at the port of Montreal to look after the customers in the Eastern part of this country.

Some Hon. Members: — Hear, hear!

Mr. Smishek: — Yet the Minister of Agriculture (Mr. McFarlane) tried to blame this strike for the loss of grain markets and the present plight of Saskatchewan farmers. The truth about the Saskatchewan agricultural crisis lies with the total bankrupt agricultural policy of this Liberal Government and the one in Ottawa, not because of some industrial dispute, Mr. Speaker.

Let me now recap the anti-labor legislation that this Government has passed to date. It may raise a few questions in the minds of some of the newer Members on the Government side of the House. I hope it may persuade some of them to vote against this Bill.

In 1965, the Government brought down Bill 86 but was persuaded by the Saskatchewan Federation of Labour and other unions not to proceed with it. The Government agreed to appoint a

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committee to inquire into and report on The Trade Union Act. This it did. It established a Labour-Management Government Committee. Even though the Labour-Management Legislative Review Committee was weighted to express the Government's point of view, one part of the report said, and let me quote:

The Committee was of the opinion that, so far as it is possible, labor negotiations should be left to management and the trade union to carry on with as little interference from outside as possible.

This Committee was rushed to submit its report before its study was completed. The Government had its 1966 Bill 79 ready and prepared before the Committee's report was even printed.

Mr. Speaker, the notorious Bill 79 was passed in 1966 under strong protest from the trade union movement and unanimous opposition of the New Democratic party MLAs. What did this Bill 79 do? Let me recap. It gave employers the right to interfere with employees in their desire to form unions. Since the enactment of this provision many employers have taken advantage to interfere and pressure employees against joining unions. The union security section of the Act was drastically weakened. New majority rules were introduced, over 60 per cent majority requirements for certification in place of 51 per cent, except in case of a vote and here only a 25 per cent support requirement for raiding purposes, but 40 per cent support is required before the Board may consider a vote in the case of an ordinary certification. Non-union members were given a right to vote in the strike votes. A set of rigid rules was imposed to interfere with the internal functions of a union. Arbitration decisions were made legally binding, with penalties for infraction. A cynical provision was enacted permitting employers to change wages and working conditions during a period employees try to organize a union. The reverse onus clause was weakened, making it more difficult for unions to establish unfair labor practices. A conscientious objectors clause was included, something that does not apply to any other organization, teachers, doctors, lawyers or any professional organization.

This Government established a double standard. Many new unfair labor practice clauses against unions were legislated. At the same time those against employers were relaxed and weakened. Many more discriminatory and unfair provisions were injected. They imposed many compulsory measures on unions with legal penalties and court threats, and gave employers the right to interfere with what used to be an employee's legally protected right to form and to belong to a union of his choice. Fines against unions were increased.

That same year, 1966, the Government called a special session to enact the disreputable Bill 2, the so-called Essential Services Act, a law which placed some 20,000 wage earners under compulsory arbitration. It gave the Government absolute powers without giving unions a right to appeal. It placed extreme penalties of up to \$1,000 a day on individual unionists. It gave the Government the power to determine guilt and exercise the penalty, the execution. The Government gave itself the power to decertify unions and to take away collective bargaining rights from thousands of wage earners in this province.

Last year we had the infamous Bill 73. Its enactment brought about more difficulty in resolving industrial disputes. In the

event of a strike, the entire collective bargaining agreement is cancelled. Unions are now denied the right and freedom to merge, amalgamate and transfer without the sanction of the Labour Relations Board, even though a vast majority of employees favor such a merger, transfer or amalgamation. The law now interferes with the employee's rights to select a union of his own choice.

Mr. Speaker, the Government now proposes Bill 35, an Act to amend The Trade Union Act. In doing so it is acting in bad faith, Mr. Speaker. Last July, the Government appointed a committee composed of three employer and three employee representatives under the chairmanship of C.K. Murchison, former Deputy Minister of Labour. The present Deputy Minister of Labour, Mr. Parrott, is an ex officio non-voting member of that Committee. The Committee was given broad terms of reference, to study and report on the present Trade Union Act and its administration, also to study and report on other Provincial labor laws affecting labor and management, including labor standards.

This Committee has been meeting regularly. However, it has not completed its study and has not submitted a report, Mr. Speaker. My information is that the Committee has not been consulted about this oppressive legislation before us. Furthermore, Mr. Speaker, I understand that the Premier personally gave assurance to representatives of the Saskatchewan Federation of Labour on November 22, 1968, when the Saskatchewan Federation of Labour submitted its annual brief to the Government, that no amendments would be introduced during this session of the Legislature to The Trade Union Act. The Government's answer was that, until a report is received from this Labour-Management Committee the Government established, no action would be taken. The Minister of Labour also gave labor representatives an understanding that no amendments to The Trade Union Act were to be introduced during this session of the Legislature. In view of this, Mr. Speaker, the Bill before us is a double breach of faith on the part of the Government.

Some Hon. Members: — Hear, hear!

Mr. Smishek: — Now let me deal item by item with what this Bill proposes to do. Firstly, it proposes to exclude employees who may have the status of independent contractor from belonging to a union. Over the years, certain employers have attempted to enter into many different arrangements to get employees excluded from the rights of bargaining. I recall, not so many years back, that an employer in the city of Regina in a dry cleaning business made a phoney arrangement to sell his trucks to his salesmen. By doing this he said he was contracting their trucks and their services. He got each salesman to sign a piece of paper. By doing this he had hoped to get the salesmen out from under the bargaining agreement. The salesmen, while agreeing to truck ownership, did not want to be excluded from the rights of collective bargaining. I might inform the Minister of Labour that within the last couple of weeks that the employer of a shop, that my union has just organized and which has just become certified, has already made efforts to enter into the so-called independent agreements, even before he agreed to start collective bargaining. He is anticipating the provisions of Bill 35.

This amendment, Mr. Speaker, proposes to deny bargaining rights to thousands of Saskatchewan workers. Some of you may recall the story of the efforts on the part of school-bus drivers

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and janitors to organize a few years back in this province. Certain school boards played games to make independent contractors out of the drivers. The case was argued before the Labour Relations Board. The Board held that the drivers were employees within the meaning of the Act. The case went to the courts, including the Saskatchewan Court of Appeal. It ended up in the Supreme Court of Canada. The highest court in the land held that these people were employees within the meaning of the law, and had the right to belong to the union, and to bargain collectively, and the school board was directed to bargain collectively.

The proposal to exclude the so-called independent contractor will create one more area for dispute. There will be employers who will try to enter into phoney arrangements to exclude employees from bargaining so as to weaken the trade union. These will likely be the most prevalent in the construction industry, in the delivery and general trucking industry and the janitorial services. Lawyers will have a field day in preparing agreements. This is another clause, Mr. Speaker, which will give more security to the legal profession.

The Minister has referred to the so-called "hot cargo clause." This provision will compel employees under the penalty of law who are on strike to act as their own strike-breakers. If they fail to act as their own strike-breakers, they may be subject to a fine of up to \$200, a fine of \$25 a day for each day they refuse to break their own strike, and on second and subsequent offences, for refusal to act as their own enemies, to imprisonment not exceeding one year. This kind of provision is unheard of in Canadian law. Can you imagine, Mr. Speaker, employees who may be on a perfectly legal and justified strike required not only to act as enemies of their brother workers but in fact required to act as their own enemies, their own strike-breakers.

Let me give you an example from an industry I am very much familiar with, the wholesale food industry. Take the fresh fruit and vegetables now trucked into Saskatchewan exclusively by carriers other than those of a wholesale company, and delivered to stores or merchants mainly by trucking firms other than those owned by the wholesale company. In a food wholesale industry, excluding the clerical employees, the warehouse work consists mainly of receiving and shipping of merchandise. It means taking "delivery of goods from carriers" and "loading of a carrier with goods." For all intents and purposes, the Government is proposing in this Bill to outlaw the right to strike for most of, if not all, the wholesale employees in this province. The provision is much wider in scope. It is designed to prevent the union members or anyone who may be sympathetic, although not even a union member, from giving assistance to workers who are on strike, either against the carrier or against the producers of goods.

As I read the amendment to the Act, it appears, Mr. Speaker, that the eleven Roman Catholic priests who recently published a leaflet may be subject to penalty under the provisions of this law. Mr. Speaker, let me just find the leaflet I want to refer to. These eleven Catholic priests are very much concerned about the California grape workers. They have endorsed the strike of the California farm workers against the grape owners. If, as a result of the concern of these eleven priests about the plight of the grape workers, some of our members in Saskatchewan employed in the food wholesale industry refuse to unload California grapes, which are brought in by truck, or if our members

refuse to load California grapes, they could be charged with aiding, abetting and counselling – an unfair labor practice.

Let me read you the pertinent provision of the proposed Section 9, Subsection (5) which states:

It shall be an unfair labor practice for a trade union or an employee or a group of employees for any reason whatsoever to refuse to take delivery of goods from a carrier or to refuse to assist in the loading of a carrier of goods for the shipment unless the board is satisfied that the union or the employee or group of employees has a valid dispute with the carrier.

Well in the case I have mentioned, the carrier would not be involved. It would be the employees of the wholesaler.

Section 10 presently reads:

No person,

Take note of this:

No person shall take part in, aid, abet, counsel or procure any unfair labor practice.

Section 13 presently provides for penalties up to \$200 and up to one year imprisonment and \$25 a day in case of a refusal to abide by the order.

Mr. Speaker, I have the leaflet issued and paid for by the eleven Roman Catholic priests. Let me quote briefly the message. At the top of the leaflet is a picture of a hungry California grape worker's child. It says:

Every California grape you buy helps keep this child hungry. Don't buy California grapes.

What is this message doing in your Sunday Bulletin? There are 400,000 farm workers in California, most are Mexican Americans, black Americans and Philipinos: the greatest number of them are mere children. Canadians buy 20 per cent of the grapes picked by these unfortunate laborers. The Catholic Bishops of the State of California have issued two major statements re-affirming the workers' right to organize and strike when necessary.

This 'No California Grapes' circular is endorsed and personally paid for by the following Regina priests: Little Flower Parish – Fr. Deutscher; St. Peter's Parish – Fr. Sullivan; Sacred Heart Parish – Fr. Gibney and Fr. Gorski; Canadian Martyrs – Fr. Reilly and Fr. Koep; Good Samaritan – Fr. Slezak; St. Joseph the Worker – Fr. Murphy; Holy Trinity Parish – Fr. McGrath; St. Charles – Fr. Charette; St. Cecelia – Fr. Lucey.

For issuing this leaflet, they could be guilty of an unfair labor practice and subject to the penalties I have just quoted, which include up to one year of imprisonment, Mr. Speaker.

Saskatchewan Liberal Government's anti-labor laws have no limits. They exclude no one. Nothing is sacred, except the

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protection of the employer, the corporate elite, the free enterprise masters.

Some Hon. Members: — Hear, hear!

Mr. Smishek: — Let me further describe in some detail the implications of this Section. If employees of a trucking firm go on strike, but the employer decides to hire strike-breakers and they operate the trucks, the proposal is that everyone is compelled to assist those strike-breakers. It doesn't matter whether it's a union or an individual — not even a union member — who refuses to co-operate with the strike-breakers, he is guilty of an unfair labor practice. This is how far-reaching this proposed amendment is, Mr. Speaker.

In reference to the 30-days vote provision. Now we are going to have another painful and union-crippling provision of government conducting votes after 30 days of the strike. To start with, there can be no legal strike now except after a secret ballot vote, where all employees, whether or not they are members of the union, must be given a vote. Under the proposed Section 10A, the Labour Relations Board is not given any discretion. If an application from an employer, or any employee, not necessarily a union member, is made to conduct a vote, the vote must be conducted. The Labour Relations Board has no right to refuse. An application by the trade union to conduct a vote is totally irrelevant.

The Assembly recessed at 5:00 until 7:30 p.m.

Mr. Smishek: — I was on my feet when time was called for the ceremonies at 5:00 o'clock. I discussed the far-reaching implications of the so-called hot cargo clause that is contained in Bill 35. I told the House that the proposed new Section 9 (5) had very serious implications particularly when you read it together with Section 10 of the present Act. I mentioned that in this city of Regina, eleven Catholic priests published and paid for a circular where they called on the people of Regina and Saskatchewan not to buy California grapes. If, as a result of their plea, the workers in my union, working in the wholesale shops become so concerned that they would refuse to unload or load California grapes, these eleven Catholic priests could be charged under the terms of The Trade Union Act for aiding, abetting, counselling or procuring an unfair labor practice. If they continued to do that, they could be subject to unfair labor practice charges, to penalties up to \$200, thereafter \$25 a day so long as they persisted in continuing their campaign, and thereafter, they could be subject to imprisonment up to one year. This is how far these amendments go.

Mr. Speaker, I now want to discuss the far-reaching implications of another provision to which the Minister did mention that he will submit some House amendments. However, since we have not seen the House amendments, I can only discuss it in the form that we now have it in the Bill. There is going to be another painful and union-crippling provision of government-conducted votes after 30 days of the strike. To start with, there can be no legal strike now in the Province of Saskatchewan except after a secret ballot vote has been taken where all employees, whether or not they are members of the union, must be given a vote. Under this proposed Section 10A the Labour

Relations Board is not given any discretion whatsoever. If an application from an employer or an employee, not necessarily a union member, is made to conduct a vote, the vote must be conducted. The Labour Relations Board has no right to refuse such a vote. An application by a trade union to conduct a vote is totally irrelevant.

Why would a trade union make an application to the Board to conduct a vote among its members? Any time the union officers or members want a vote, a meeting is called to have one. I hope union members will still have the right to call a meeting without first getting the permission of the Minister of Labour, or the Labour Relations Board. I perhaps shouldn't be giving the Minister ideas. This may well be next year's amendment to The Trade Union Act. This proposal is extremely far-reaching and oppressive. It is designed to harass the union members with government-conducted votes on the employer's last and unacceptable offer. Each day after the initial 30 days, even if the employer offers one cent to one employee, the employer may ask the Government to conduct a vote and the union must comply. It is designed to undermine the confidence of union officers and union-bargaining committees. The Minister tells us that he will have a House amendment requiring only one vote to be conducted after a 30-day period. While this perhaps softens the blow, I suggest to the Minister that it is one vote too many to be dictated by the Government. Mr. Speaker, what the amendment does is that it legalizes 30-day strikes, which I submit is unacceptable.

Mr. Speaker, I ask the Members of the Assembly to make note of how one-sided this provision is. An employer may ask for a vote among the union members and it must be conducted. Yet an employer is not required to submit the union's offer as a basis of settlement to the company's board of directors or to the shareholders for a vote. The union or union members do not have a right to request the Labour Relations Board that a vote be conducted among the shareholders after 30 days, in the event of a dispute. The Minister of Labour admits there are "modern-day tyrants" managing industry. He admits that some of them are "two-faced" and are "less than honest" with him and his Department, but he proposes no measures to deal with them.

The Federal Minister of Labour discovered and publicly revealed in the grainhandlers' dispute that senior management was not informed by the company negotiators of the union settlement proposals. A vote among the shareholders may have resulted in an earlier settlement, Mr. Speaker. This is a clear indication of the double standards of this Government. When it comes down to dealing with trade unions, it will compel and legislate that votes must be conducted. Yet when it comes to the employers and the shareholders why not provide for the same kind of requirements? If it is good for the trade unions to conduct a vote after 30 days and compel them to do it, why not compel employers to conduct secret ballot votes among the shareholders and among the board of directors? The Minister of Labour (Mr. Coderre) tried to rely on the Rand Commission Report. Well, Mr. Speaker, I would suggest to the Minister that he first of all take note of what is in the Rand Commission Report. First of all it is not a 30-day provision but a 60-day provision. Secondly, that after 60 days of strike it is proposed that there be established a Commission and it would be up to the Commission to determine whether or not such a vote should be conducted, whereas in the proposals here in Saskatchewan, the Labour Relations Board is given no discretion whatsoever. In addition to

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this, Mr. Speaker – and this is important – when the Minister talks about the Rand Commission Report the truth of the matter is while the report has been submitted to the Government of Ontario, the Government of Ontario has not acted and perhaps will not act on the Commission report. Mr. Speaker, the Minister of Labour relies on the case as a justification to bring in this harassing legislation. He relies on the IWA strike of last fall. Mr. Speaker, what a lame justification, to bring in this kind of oppressive legislation because he can only cite one example. This Bill will affect hundreds and thousands of trade unionists in this province and hundreds of locals in our province. There is just no justification whatsoever. Does the Government always legislate if there is an employer that violates the law or engages in some malpractices? Surely one case cannot be said as justification to accuse everybody and tar everybody with the same kind of a brush.

Furthermore, Mr. Speaker, I wish the Minister would have told us the whole story in respect of the IWA. It so happened I was in Saskatoon when the Department of Labour arranged a meeting to be held with the employer and the union. I know that Jack MacKenzie, IWA representative from the West Coast flew down for a meeting together with Alex Smith to meet with the Government officials and employers. He waited for two days and the employers refused to come to the meeting. I would suggest to the Minister of Labour (Mr. Coderre) that if he inquired of his own officials he will find that the employers were more guilty in refusing to meet and sit down and bargain in this dispute than the trade union.

Some Hon. Members: — Hear, hear!

Mr. Smishek: — It's a weak case, Mr. Minister. There is really no justification. You can cite only one example. It is the Government's contempt for the trade union movement that is behind this legislation.

Mr. Speaker, repeal of Section 11 (2) is proposed. This was a 1966 Liberal amendment, which no one quite understood what it was supposed to do, least of all the Minister of Labour. This Government, in 1966, was so determined to hack up The Trade Union Act, it didn't care what it wrote in and whether it made any sense. On the other hand, Mr. Minister, repealing this provision, together with Section 13 (3), which permits prosecutions in court without the consent of the Labour Relations Board, may have some serious consequences. I ask the Minister to have some ready answers as to why he proposes to repeal this provision now, when the Bill is in Committee. One opinion is that, by repealing this Section, all Labour Relations Board's orders will be enforceable as judgments of a court, including the orders requiring employers and unions to bargain collectively. Previously this was not the case.

I don't know why the Government wants to repeal the provision which now requires that no prosecution shall be instituted without prior consent of the Labour Relations Board. Mr. Speaker, this provision was in the Act for almost 25 years. I know of no employers, or not trade unions that have made representations for the repeal of this provision. The provision has worked well, it has prevented unnecessary referrals to court. The only purpose, as I see it, is to get unions and employers suing each other in courts. This is obviously another lawyer's pension

clause that the Government is proposing. Perhaps this can be called the Liberal Political Patronage Clause for the legal profession. It is a clause designed to create conflict, not good faith and good will between labor and management. On the other hand, the action is understandable in the light of the numerous unfair labor practices enacted by Bill 79 in the year 1966 against unions. It appears the purpose of repealing this provision is to permit employers to harass unions in the courts. As always, Mr. Speaker, there is something for company unions: Section 30 (5) is amended to give security to company unions. Again this clause restricts employees to select unions of their own choice. Other than giving security to company unions, the reasons for this amendment are not understandable. Surely, Mr. Speaker, if employees want to change their union, they should have the right to shed themselves of an organization and the bargaining agreement they don't want. The law now imposes the agreement on the workers for a period of two years anyway, but the Government is saying they must live under that agreement for at least three years. I am convinced that the dirty hands of this Government and their friends are the motivation behind this amendment.

This Bill has nothing but bad stuff in it for labor. It's an anti-labor Bill in the extreme. This Bill is not being introduced because we have any serious labor-management disputes in Saskatchewan. It is introduced because of this Government's hate and contempt for unions.

Mr. Speaker, shortly after the Government took office, the Premier announced that he was going to attach someone to his office as a special advisor to the Government on labor relations matters. You know, we have wondered for a long time who that special advisor was. Finally it has come to light. We now know who it is. It is none other, Mr. Speaker, but Mr. Ralph J. Purdy.

An Hon. Member: — Oh, no!

Mr. Smishek: — Yes, Mr. Ralph J. Purdy, Saskatchewan's extreme reactionary who at times . . .

Mr. MacLennan (Last Mountain): — Nonsense, that's a bunch of B.S.

Mr. Speaker: — Order, order! That was just a little bit too loud. It didn't add to the dignity of this House, and I hope it will never be repeated.

Mr. Smishek: — Mr. Speaker, I was saying the advisor is Mr. Ralph J. Purdy, who makes even the John Birchers cringe with his wild-eyed, far right-wing ideas.

Let me quote, Mr. Speaker, from a bulletin issued by the Employers' Association of Saskatchewan dated February 25th as evidence. Mr. Purdy is the king pin in that organization. Under Item 2 of this bulletin under a heading "Amendments to The Trade Union Act" he states:

Bill 35 brought in for the first reading on Thursday, February 20, 1969 proposes certain amendments to the Saskatchewan Trade Union Act.

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He then describes the effect of the amendments contained in the Bill and states:

The foregoing amendments

Take note, Mr. Speaker, I want the Minister of Labour (Mr. Coderre) in particular to listen to this.

The foregoing amendments or additions to The Trade Union Act were all included in the Employers' Association's brief presented last November to the Cabinet.

Then he goes on:

Several other amendments suggested by the brief failed to receive recognition.

He then appealed to his employer members to pay up their membership dues. Apparently he has difficulty in getting employers to continue supporting him. In the main the supporters of the so-called Employers' Association of Saskatchewan are those whom the Minister of Labour (Mr. Coderre) described as "modern-day tyrants." Respectable employers have openly told us that they don't want to be associated with Mr. Purdy, because they don't agree with his extreme reactionary ideas and are embarrassed by him.

On the other hand, the Premier, Mr. Speaker, accepts him as his counsellor and advisor on labor relations matters. Take note of the language which ends Mr. Purdy's February 25th bulletin:

The amendments we have been instrumental in securing.

Let me repeat what he says:

The amendments we have been instrumental in securing to The Trade Union Act will benefit all employers, but this work costs money and time. May we have your co-operation?

I am prepared to table this bulletin, Mr. Speaker, as well I'm prepared to table the leaflet I referred to published by the eleven Catholic priests.

Some Hon. Members: — Hear, hear!

Mr. Smishek: — I think it is evidence that people in this House should have access to, to prove what I have quoted is completely accurate.

Mr. Speaker, often we have heard from the Premier and other Members of his Cabinet that it is important to create a climate for industrial development. We have heard them argue that the reasons for some of the amendments to The Trade Union Act are to establish industrial peace. They have said that the legislation before has been such that it barred industry from coming to Saskatchewan.

Mr. Speaker, I want to quote an article that appeared in a magazine called "The Advocate." I think it has a telling story. It says:

North Dakota anti-labor laws have hampered the state's industrial development and are driving young people to areas where they are protected by union contracts.

The State of North Dakota which has had some of the worst labor legislation has finally learned a lesson, that bad labor legislation, reactionary labor laws, chase away industry and they chase away people. I suggest to the Minister of Labour that he take note of that because we will find the same thing is going to be happening in Saskatchewan. Let me continue with the quote. The State Governor made this charge in a plea for repeal of the labor laws in his annual message to the Republican-controlled Legislature. He said, and let me quote:

We need to be concerned about the wage levels and working conditions, because our own youth are judging us in comparison to what is available to them outside of our state. North Dakota labor law has not adequately recognized the desirability of working people gathering together to take action to improve their lot. The industrial states have recognized the rights of their working citizens.

One of the myths that still prevails in some quarters of our state is that industry will seek to locate where sub-standard wages are paid and where working people are discouraged from organizing. Nothing could be further from the truth,

said the Governor.

We have tried that philosophy for nearly 80 years of North Dakota's existence and yet we still find ourselves the least industrialized state in the union. If low wages and weak labor laws protecting the rights of workers could attract industry, then we should have been one of the most industrialized of all states.

I recommend that we start to rectify that oversight by repealing that law which now denies the majority of working people in industry the right to contract with their employers for certain contract collective bargaining provisions. Our state labor laws have protected no one but are driving our youth from this state to states where they can have such protection.

He carries on and says:

Low wage anti-union laws cannot create prosperity. Anti-labor laws do not create a labor supply as claimed. During the last 20 years hundreds of thousands of people left low wage areas for the west coast where jobs are available at higher wages. Anti-labor laws cannot develop a supply of skilled labor where these laws keep down wages and salaries. Many skilled workers leave the state for better pay in other areas.

Mr. Speaker, I concur with the proposition put forward by the Governor of North Dakota.

Mr. Speaker, you know the Premier of Saskatchewan often goes across the border. He often used to meet with the former Governor Tim Babcock from Montana. I would suggest that he make some acquaintances with other Governors in the United States.

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In fact, I know that the Premier of Saskatchewan listens to one of his Cabinet Ministers quite often, the Minister of Public Works (Mr. Guy). The Minister of Public Works may be interested in knowing that the Governor of North Dakota has his name. His name is Mr. Guy. I am very pleased that there are those "Guys" that do hold some progressive views, Mr. Speaker.

Some Hon. Members: — Hear, hear!

Mr. Smishek: — Mr. Speaker, perhaps this debate started today was most appropriately timed. At 6 o'clock I listened to the news when I got home and I heard on the CBC news that the Woods Commission, the Federal Commission or the Federal Task Force on Industrial Relations, which studied the industrial relations in the Dominion of Canada for a period of two years, had just tabled its report in the House of Commons. It took two years for Professor Woods and the Commissioners to submit their report. It is of significant interest that the Woods Commission does not recommend a single proposal of a reactionary nature that is proposed here in this Bill.

Some Hon. Members: — Hear, hear!

Mr. Smishek: — Mr. Speaker, they underscore the right of workers to strike in a democratic society. They say it's a must for labor to have the right to strike, so that labor can secure a measure of freedom. To be able to secure a measure of justice strikes must be preserved. There is nothing in that report that in any way suggests such measures as are proposed here. There is no suggestion for the sort of "hot cargo" clause. There is no proposal for 30-day votes to be conducted. In fact, it is interesting that the Commission completely rejects the idea of compulsory arbitration as a basis for settlement of disputes. The Commission does recommend that there be a permanent Commission established which would investigate disputes that have been in existence for a long period of time in the so-called essential industries, and that the Commission would report and recommend a course of action, and to use their influence to assist in the settlement and also make recommendations to the Government.

I was interested in the observations of the Federal Minister of Labour, Bryce Mackasey, who said that he does not propose to proceed with any kind of legislation immediately. He said if legislation is going to be introduced in the field of industrial relations out of this report, it will not be until the next session of Federal Parliament.

Contrast that, Mr. Speaker, with what happens here in Saskatchewan. The Minister of Labour (Mr. Coderre) last July established a Committee of three employer representatives, three employee representatives, a former Deputy Minister as chairman. Before that Committee had a chance to examine, to study and submit a report, the Government has already taken action.

Some Hon. Members: — Hear, hear!

Mr. Smishek: — Mr. Speaker, the introduction of this Bill, Bill 35, is an expression of non-confidence by this Government in the very Committee it established.

Some Hon. Members: — Hear, hear!

Mr. Smishek: — Mr. Speaker, I ask the Minister of Labour in fairness to the working people of Saskatchewan, in fairness to the Committee that he himself appointed, to withdraw this Bill. It is totally unjust, it is totally unfair, it is totally unnecessary.

Some Hon. Members: — Hear, hear!

An Hon. Member: — Withdraw the Bill, Lionel!

Mr. Smishek: — The Minister of Labour admits that we don't have any serious problems. When he introduced the Bill, he told us that there are employers who are opposed to this Bill. Why not withdraw it? There is no reason for it.

An Hon. Member: — What for?

Mr. Smishek: — Mr. Speaker, I want to say a few things about the Minister of Labour and I want to pay a compliment to him. I know that it's a wee bit difficult except that I do want to acknowledge that the Minister of Labour (Mr. Coderre) has learned a fair bit about labor in the last while. I know that he was extremely prejudiced towards unions and towards labor, but progressively he is finding out that unions are not always at fault.

An Hon. Member: — You're learning, Lionel!

Mr. Smishek: — He acknowledged in his speech he made earlier during this session — and to that extent, I congratulate him — that he had opened his eyes and his mind a wee bit. But he still holds quite a few deep prejudices.

Mr. Speaker, the Minister can help improve industrial relations provided he sheds himself of the prejudices that he holds and provided he influences his Government. I ask him to say, "Gentlemen, let's stop. We have gone too far. There is no justification for this kind of legislation."

Mr. Speaker, in the opening remarks during this debate, I appealed to the press to document the record of this Government in the field of labor-management relations law.

Some Hon. Members: — Hear, hear!

Mr. Smishek: — In closing, I appeal to them again. My remarks should not in any way be interpreted as any criticism of the working press. I have had a good relationship with the men who write the news stories. I would hope that in the period to come they will be able to influence the people they work for to document and print clearly the story of this Government in the field of labor legislation, because it is a record that stands out very distinctly as the worst in the Dominion of Canada in recent years.

Some Hon. Members: — Hear, hear!

Mr. Smishek: — I again plead with the Minister to withdraw this Bill

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and to persuade his colleagues that this legislation is totally unnecessary. If he does that we will commend him for it.

Mr. Speaker, it is obvious I cannot support this Bill.

Some Hon. Members: — Hear, hear!

Mr. Brockelbank (Saskatoon Mayfair): — Mr. Speaker, I agree with the Member from Regina North East (Mr. Smishek) up to a point. He suggests after a lengthy documentation of the position of labor in the Province of Saskatchewan, both organized and unorganized, that the Minister of Labour (Mr. Coderre) should withdraw the Bill, and I commend that thought to the Minister. He should withdraw the Bill. I don't think he should be afraid of establishing a precedent because he's withdrawn labor Bills before in this Chamber.

Some Hon. Members: — Hear, hear!

Mr. Brockelbank: — And we will thank him if he is about to withdraw the Bill. However, here is where the Member for Regina North East and I part company. I do not believe that this Minister of Labour has learned a thing about labor since I've been in this Chamber. He still has narrow policies. He still displays a bigoted attitude about labor in this Chamber and outside of this Chamber. He comes into this Chamber and he makes wonderful speeches. He attacks labor and he attacks management, equally on each hand, but he speaks with a forked tongue, Mr. Speaker.

An Hon. Member: — Forked tongue!

Mr. Brockelbank: — His actions speak so loud that I can't hear what he's saying about how good he is in the field of labor relations. I oppose the presentation of Bill 35 and I shudder, as I am sure other Saskatchewan workers do, every time this anti-labor reactionary Government of Saskatchewan says it will amend The Trade Union Act.

The Trade Union Act served the working people of Saskatchewan admirably during the years we were in power. Our record in industrial harmony was superior to the other areas of Canada.

Some Hon. Members: — Hear, hear!

Mr. Brockelbank: — As I have said before, this Government's actions in the field of labor legislation were characterized by haste, by carelessness and in addition the changes they propose were ill-advised and anti-labor in approach. Earlier this session when the Member from Moose Jaw South (Mr. Davies) was speaking on changes made in The Trade Union Act since 1964, the Member from Gravelbourg (Mr. Coderre), the Minister of Labour, was heard to comment from his seat, "They had the approval of the Committee," when the Member from Moose Jaw was referring to amendments that were made in The Trade Union Act prior to this year. The Minister of Labour shouted across the Chamber, "They had the approval of the Committee." I assume he meant that the Government Committee of Review on Labor Legislation was the Committee he was referring to. If that is the basis of this Government's acceptance of new legislation, then this Bill, not having had

the approval of the same Committee, if we are to be consistent, should be withdrawn and not proceeded with at this time.

In support of this plea, I want to put on the record a copy of a letter I have received from the Saskatchewan Building Trades Labour Legislative Review Committee. This is a copy of a letter sent to the Minister of Labour (Mr. Coderre) – and I don't think the Minister of Labour will be putting this letter on the record of the House – so I will take the opportunity to do it for him, because I think it should be recorded, Mr. Speaker.

The letter is addressed to the Hon. Lionel Coderre, Minister of Labour from the Saskatchewan Building Trades Legislative Review Committee established by the Saskatchewan Building Trades Councils. The chairman is John Hart, the secretary is M. Upton. This is dated on February 24, 1969 and the body of the letter reads as follows:

As you are well aware, the Saskatchewan Legislative Review Committee is composed of members from the two building trades councils in Saskatchewan. We are speaking for a considerable number of people who have a like interest. I am directed on behalf of this Committee to write you and respectfully request you withdraw Bill No. 35, an Act to amend The Trade Union Act or to refer this Bill to the Labor-Management Committee on the Construction Industry in Saskatchewan. It was our understanding your Government would not proceed with any legislation in connection with The Trade Union Act during the course of the present session or until such time as the Labor-Management Committee brought in a report or recommendation.

We are convinced any further amendments of a regressive nature to The Trade Union Act will only create more unrest in labor relations rather than assist in the development of improved labor relations in the province. Therefore, we again respectfully request Bill 35 be withdrawn or referred to the Labor-Management Committee on the Construction Industry.

And this is signed by the secretary, M. Upton.

I have another letter from the Saskatoon Typographical Local No. 663. Mr. Speaker, the letter is a letter to the Minister of Labour. He has a copy. If anyone requests it in the House I will table it.

Mr. Speaker: — The Minister of Health apparently requests the tabling of the letter.

Mr. Brockelbank: — Who did?

Mr. Speaker: — The Minister of Health.

Mr. Brockelbank: — I have a letter here from the Saskatoon Typographical Union, Local 663, which I will table if anybody requests it. It is addressed to me. The covering letter is addressed to me and it says:

Re Bill 35, our Local urges that action on this Bill be postponed at least until Committee reported.
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Typographical Union, Saskatoon No. 663, signed by Helmut Gebhardt, 320 Second Street East, Saskatoon, Saskatchewan.

This letter supports the same general position that I have put forward at this time. I would launch an appeal to the Government Members because I think the Minister of Labour (Mr. Coderre) has his mind made up on this. He is going to try to push it through. I would make an appeal to all Members on the Government side to seriously consider the words that were spoken by the Member from Regina North East (Mr. Smishek) on the labor situation in Saskatchewan. Considering the past history of labor harmony in the Province of Saskatchewan, I plead with the Members opposite to withdraw this Bill or postpone it until they've heard from their own Committee on the matters that are under study at this time.

Some Hon. Members: — Hear, hear!

Mr. Snyder (Moose Jaw North): — Mr. Speaker, when it became known that The Trade Union Act was to be amended again this year during this session of the Legislature, the general consensus was that further attempts would be made to weaken and to erode the long-established rights of Saskatchewan's organized workers, organized wage and salary earners in the Province of Saskatchewan. This judgement, Mr. Speaker, was based on the fact that over the past number of years this Government has had an almost instinctive ability to choose a course of action that is harmful to the trade union movement in general in Saskatchewan.

When the printed Bill appeared, Mr. Speaker, all doubt was removed. In less than two printed pages there are incorporated at least three principles which must be regarded as a deliberate move by this Government to weaken the entire concept of collective bargaining, to exclude greater numbers from the collective bargaining unit, and to intimidate and to render ineffective any group of employees, who are in dispute with management and who have found it necessary to withdraw their services.

When this Government contends, Mr. Speaker, that it is not anti-labor, we need only to recall the many extreme and the many biased positions that were assumed by the Member for Gravelbourg (Mr. Coderre) and his party, when they were in the Opposition in this Legislature and when he assumed the role of labor critic.

This bias and instinctive contempt for working people has become even more apparent during those years since the party opposite assumed the reins of Government. This hostility has not been restricted to highly paid and well organized workers either, Mr. Speaker. An attack has also been aimed at those who have no organization to represent them and are at the bottom of the wage scale. Unorganized workers have been betrayed by this Government. We have seen the cost of living rise at an ever-increasing pace and at the same time the Government has ignored the need to adjust the minimum wage in any meaningful way in order to keep pace with rising living costs. Where Saskatchewan was once a leader with respect to minimum wages, we now assume a low spot among other Canadian provinces. Hospital workers who are close to the bottom of the wage scale across Canada and indeed in our province, too, have been placed in an economic strait jacket with the passage of The Essential Services

Emergency Act some months ago. With their basic rights removed or restricted, their organization becomes something perhaps just a little better than a debating society. This Government, Mr. Speaker, I suggest is courting a disaster. There is a limit to the tolerance and to the patient endurance of these workers, and the Government need not be surprised if the major problem manifests itself within the next few weeks or this next few months. The responsibility for most of the discontent can be properly laid at the doorstep of this Government and the Minister of Labour (Mr. Coderre) in particular.

Mr. Speaker, the legislation that is before us provides further evidence of the intention of the Government to weaken and to erode the trade union movement. The Act provides for the exclusion of yet another category of workers from the collective bargaining unit. It makes provision for excluding, and I quote: "an individual having the status of an individual contractor." I expect it will be difficult, Mr. Speaker, to detail all those workers who are presently included in the unit which will be excluded, regardless of their personal conviction or their personal wishes, if this Act receives the approval of this Legislature.

I presume the individual, who is purchasing a truck with which he transports petroleum products, will be excluded regardless of his wishes, or a janitor or a caretaker, who contracts to provide a service for a given sum of money, will no longer have the right to be part of an organized group regardless of what his wishes may be.

Members of this House, Mr. Speaker, officers of trade union organizations and members of the legal profession have been frustrated and appalled by the inconsistent judgements which have been made in recent months by the Saskatchewan Labour Relations Board. If this is the body that is to make decisions with respect to those employees, who fit into a category of an independent contractor, then I share the feelings of apprehension with many other Saskatchewan people.

I believe many people, Mr. Speaker, will wonder and marvel about the anxiety of this Government to restrict the membership of a variety of organizations and associations. We remember well the eagerness of this Government to provide for the exclusion of supervisory and semi-managerial employees from collective bargaining agreements in the past. We remember well, as does the teaching profession, how the Government attempted in legislation a year ago to exclude principals and other supervisory personnel from the teachers' bargaining unit. These people are included to ask, Mr. Speaker, why the Government insists upon sticking its nose into areas that are properly not within its jurisdiction.

The second principle contained in this Bill which has shocked those who are sensitive to the basic rights of others is the provision in this legislation for the laying of an unfair labor practice charge against an individual or a group who for any reason whatsoever refuses to take delivery of goods from a carrier or refuses to assist in the loading of a carrier with goods for shipment, unless the Board is satisfied that those involved have a valid dispute with the carrier.

Well, Mr. Speaker, the objection to this kind of a provision is so obvious that I'm sure even the Minister of Labour

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(Mr. Coderre) can see the practical impossibility of bringing a legal dispute to an amiable solution under these circumstances. This legislation not only provides the machinery for strike breaking, Mr. Speaker, but it provides a penalty by law if the employees in dispute refuse to destroy their own position in the dispute. It simply provides, Mr. Speaker, that these employees in dispute refuse to destroy their own position in the dispute. It simply provides, Mr. Speaker, that these employees under the threat of legal action must become scabs in conflict with their own personal and collective interests.

Surely, Mr. Speaker, even the Minister of Labour (Mr. Coderre) and this 19th century reactionary Government must recognize that the days of chattel slavery are in the past. Industrial workers in Saskatchewan are no longer slaves or bondsmen. It's many years, Mr. Speaker, since recognition was given to the principle that no man could be put to work by force, by threat or by intimidation. Similarly it was recognized many years ago that workers have the right, if legally and orderly executed, to withdraw the only asset with which they have to bargain, namely, their labor.

This Government, Mr. Speaker, is attempting to reverse decisions which were rendered several generations ago. They're dedicated, I'm afraid, to fighting old battles which workers won a century ago and which have been accepted over the whole of the free world.

Saskatchewan, Mr. Speaker, as has been indicated by others speakers in this debate, has an enviable record with respect to time lost as a result of labor-management disputes. It's to be hoped that this might continue. But let it be recognized, Mr. Speaker, and Mr. Minister of Labour (Mr. Coderre), and let it be remembered in the light of the acts of scorn and contempt by this Government that, if trade unions and other people are to act responsibly and respectably, this will happen only when they are treated with respect and concern.

The provision in this Act which obliges workers to load or unload a carrier under the threat of an unfair labor charge, has the smell of autocratic dictatorship about it. I suggest to you that, rather than hastening the settlement in disputes, it will have the effect of a prolonging the dispute, where employees in dispute with management are obliged by law to load and unload trucks delivering crude oil and perhaps trucking away refinery products for a refinery operated by a skeleton staff of supervisory personnel. I think it can be indicated, Mr. Speaker, that this has no doubt the element of prolonging a strike. The provision will make it possible to starve workers into submission and make it unnecessary for management to exhibit even the slightest evidence of bargaining in good faith.

I think, when we're talking in terms of passing this legislation, Mr. Speaker, that there is a fundamental question that we must ask ourselves before the vote is taken on the second reading on the principle of this Bill. And that question is: do we consider it desirable for management and labor to reach agreement in the most expedient and the least troublesome manner in case of labor-management disputes? If the answer is Yes, then we may be certain that this objective will not be served by voting for the legislation that is before us.

The third provision contained in the Act that I feel I must

pass a few comments on is also a provision which ensures that there will never be a strike of short duration in the province if this provision is acted into law. Section 4 of the printed Bill provides that any time after a strike has been in progress for 30 days, the trade union, the employer or the employee may apply to the Labour Relations Board to have a vote conducted to determine if a majority of employees are prepared to accept management's final offer. In simple terms, Mr. Speaker, this provision is designed to take advantage of the financial pressures that are exerted upon workers and their families when they have been without a pay cheque for a month. This provision will destroy any initiative by management, I suggest, to attempt to reach a settlement until 30 days have elapsed. At that point in time, management may offer a crumb to the employees, arrange for a vote to be taken by the Labour Relations Board or a person appointed by the Board. This provision, Mr. Speaker, I suggest will rule out almost completely the possibility of any strike of short duration or the possibility of an honest attempt to settle the dispute during the first 30-day period.

This legislation, Mr. Speaker, if it is understood by all interested parties, cannot, I am sure, recommend itself to either of the parties who are normally involved in industrial disputes. It appears, Mr. Speaker, on the face of it to pour fuel on a smoldering fire rather than to solve any of the problems which normally fall within the scope of labor-management relations.

I hope that the Minister (Mr. Coderre), before he closes the debate on second reading, will indicate where this inspiration for the legislation actually originated, as I'm convinced that the measure will create confusion and sharpen conflicts rather than lessen tensions as they presently exist.

If the Minister has received some bad advice – and I'm convinced that he has – then I'm certain that he'll be able to count on a good deal of support if he should decide to withdraw the Bill. If he finds himself unable to take this course of action, then I will most certainly be obliged to vote against the Bill on second reading.

I wonder, Mr. Speaker, if I might at this time be allowed to adjourn the debate.

Motion to adjourn negatived. Debate continues.

Mr. Lloyd (Leader of the Opposition): — Mr. Speaker, it seems that the Premier is anxious to continue this particular debate so as a result we will accommodate him in his desire.

If I may say so, Mr. Speaker, this is the first occasion when we've had an opportunity to discuss it. It was only a few hours ago that the Minister of Labour (Mr. Coderre), introduced it and gave us the advantage of his explanation on second reading. I might also mention that as recently as noon today, assurance had been given to the House that we would be in Estimates all afternoon and all evening, and that as recently as yesterday we were not given any assurance whatsoever with respect to this Bill being under discussion today. As a result perhaps there may be longer speeches than they would otherwise be because they may not be as well and as concisely prepared.

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I say if that's what the Government wishes, if that's the way the Premier wants to play the ball game, then there are a lot of us quite prepared to play it that way.

Some Hon. Members: — Hear, hear!

Mr. Lloyd: — Mr. Speaker, so far as the direct legislative effects of this Bill are concerned, they have been well interpreted and well exposed by my colleagues who have already spoken in this debate. The Member from Regina North East (Mr. Smishek) went to a considerable amount of work to enlighten this Legislature with respect to the meaning of the various changes in law which this Bill will produce. Certainly nobody who wishes to see a developing healthy industrial climate in this province could be happy with the kind of prospect which we have. Certainly everybody who wants to see good industrial relations between employer and an employee in this province should support the request made that this Bill should be withdrawn and forgotten about at this time.

Some Hon. Members: — Hear, hear!

Mr. Lloyd: — It's been already mentioned, Mr. Speaker, that the Government had given commitment to segments of the trade union movement in the province that this Bill would not be introduced at this time. In other words the Government has broken faith with a very substantial number of people in the Province of Saskatchewan.

My colleague from Saskatoon Mayfair (Mr. Brockelbank) read just a minute ago a letter from an organization representing a very large number of working people in Saskatchewan. It was a letter which the Minister of Labour (Mr. Coderre) received on February 24. It was a letter which said, "It was our understanding your Government would not proceed with any legislation in connection with The Trade Union Act during the course of the present session or until such time as the Labor-Management Committee brought in a report or a recommendation." And it is suggested that this assurance, that there would be no labor legislation brought in until this committee reported, was given to other groups of working people as well. In spite of that, the Government seems insistent on rushing ahead regardless of what it said to working people and their working organizations in this province, that it would do. That's a little bit hard to understand. It is, I may suggest, Mr. Speaker, legislation which was conceived in haste and shaped in confusion and it should not be proceeded with at this time or later in this particular session.

Some Hon. Members: — Hear, hear!

Mr. Lloyd: — One reason why I have made reference to the particular letter from Mr. M. Upton, secretary of the Saskatchewan Building Trades Council, secretary of the Saskatchewan Building Trades Legislative Review Committee, I believe, is a letter accompanying the copy of the letter which I received. It was a letter to the Hon. Minister of Labour. As I've said, Mr. Speaker, accompanying that letter was a letter addressed to myself along with a number of other Members of the Legislature. Those Members included all of the Members from Regina City. They included all

of the Members from Saskatoon City. They included those Members because the letter says, "The majority of people we represent are citizens of either Saskatoon or Regina." I think perhaps the accompanying letter which was attached to the copy of the letter sent to the Minister of Labour ought to be read as well. Listen, Mr. Minister of Labour (Mr. Coderre), Mr. Premier, Members from Regina and Saskatoon over there, what a large segment of the working people in this province think of you now. Think of this action. The letter says:

We feel the Government is showing a real lack of faith in the Labor-Management Committee they appointed last July to delve into the problems with industrial relations in the construction industry. It is our understanding this Committee was assured no legislation would be introduced during the present session in respect to The Trade Union Act. That we find Bill 35 having been read once and due for second reading on February 28 of this month.

The letter goes on:

We definitely feel that under the circumstances this Bill should be referred to the Labor-Management Committee on Construction Industry for their study and possible recommendations in respect to it in their report to the Minister at such time as it is submitted.

There is this rather significant paragraph, I think. It's addressed, I may say, to those Members who sit across the way from Regina or Saskatoon. The paragraph says:

Trusting you responsible people will see your way clear to support us in our request to our Minister.

I'm going to wait with very much interest to see whether the Member from Saskatoon City Park-University (Mr. Charlebois) is going to support this group of his constituents and their request to the Minister. I'll wait with considerable interest to see what the Member from Nutana Centre (Mr. Estey) and the Member from Nutana South (Mr. Forsyth) do with respect to this request from their constituents. I shall wait with interest to see what the Member from Regina South (Mr. Grant) and my own Member of the Legislature, the junior Member from Regina South West (Mr. McPherson) have to say about this particular request.

Well, Mr. Speaker, I don't think we can emphasize too much the effect in attitude which it's going to have on these people. Here they are. There is a Committee which the Government has set up which is looking at The Trade Union Act, and this Committee has not as yet reported. Here is a group of people who have been given assurance by the Government that there will be no changes in The Trade Union Act this session. Here is a group of people who have been given assurance by the Government that there will be no changes until this Committee has reported. They ask their Members that this legislation be referred to this Committee which is attempting a survey of the whole field of labor legislation. Here is the Government shutting its eyes, going blindly ahead regardless of these requests, regardless of the commitments which it made to large numbers of Saskatchewan people.

Some Hon. Members: — Hear, hear!

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Mr. Lloyd: — The Government says it's doing this, the Minister says it's doing this in order to improve relationships between labor and management. Mr. Speaker, I repeat this is legislation which was conceived in haste, shaped in confusion and should not be proceeded with.

Some Hon. Members: — Hear, hear!

Mr. Lloyd: — It's legislation, Mr. Speaker, which is a mixture of impudence and incompetence. It's impudent because of the facts I have just related. It's impudent for the Government to proceed when it said it wasn't going to. It's impudent for this Government to proceed when it has a Committee which it set up to advise on revising legislation, but the Government says it's going to go ahead and it should not do so. It's incompetent because the Government in this legislation is going to make industrial relations worse in this province rather than better. This can't be emphasized too much. It is important to have a decent climate as between employers and employees. And as the Member for Regina North East (Mr. Smishek) pointed out, this has a bearing on the quality of workmanship, on the ability of people to give quality work. Whether or not we attract people here who are skilled in trades that we need, whether or not they're willing to stay here, does depend to a considerable extent upon this industrial climate. This Government seems intent and insistent on doing everything it can to make the climate worse. It's intent and insistent on doing everything it can to handicap industry in the sense that it makes it more difficult for industry to get the kind of employees it needs.

Some Hon. Members: — Hear, hear!

Mr. Lloyd: — This is a particularly important point because there is a lot of competition for skilled tradesmen all throughout Canada. We have to compete though we have some rather difficult other circumstances. I refer to the harshness of our weather and what some people think of sometimes as the lack of interesting scenery that we have to offer people ready at hand. I can't for the life of me understand why this Government isn't bending every possible effort to do the things which will help to overcome some of the geographical and other handicaps, why it isn't ready to do everything possible to build up the kind of climate which will attract here and keep here the best qualified of our workmen. That's one way in which it could help industrial development very considerably.

Some Hon. Members: — Hear, hear!

Mr. Lloyd: — Mr. Speaker, there are some surprising things happening. We know something tonight as to where some of the advice on which this legislation is based has come. You know, when I was a kid in short pants I learned a little ditty that went something like this:

You can tell the man who boozes by the company he chooses.

Some Hon. Members: — Hear, hear!

Mr. Lloyd: — Well, you can tell something

about a Government by the advisors it chooses. Tonight we've learned that one of its trusted advisors with respect to labor legislation is one Ralph Purdy. The other evening we learned that one of its trusted advisors with respect to university matters was one Stan Atkinson. When you have a Government, Mr. Speaker, that goes to somebody like Mr. Ralph Purdy for advice on labor matters and goes to somebody like Mr. Stan Atkinson for advice on university matters, you get a great big question mark about the welfare of this province when the Government takes advice from people like those two gentlemen.

Some Hon. Members: — Hear, hear!

Mr. Lloyd: — Now, Mr. Speaker, I want to raise what seems to me to be an even broader question. I think it is time that we took stock in the Legislature and in the Province. I think it's time we took stock to see all of the various groups of people whom this Government seems to be against. I think it's time we took stock, that we counted up a whole big list of people whom this Government seems to be worried about, whom this Government seems willing and anxious to handicap, and whom this Government from time to time has threatened and sometimes punished in one way or another.

The first and obvious group, of course, is the group whom this legislation affects — men and women in Saskatchewan who work in our factories and in our shops, in our mines and other places, who are combined together in the organization of trade unions. I'm not going to go back over the list because my colleague from Regina North East (Mr. Smishek) has already done that. He listed a very considerable number of legislative Acts which have been designed to short-change and to handicap union organizations. He listed a number of other activities which have been designed to have the same effect.

Let's look at some of the other groups who have fallen under the unhappy glare of some Members sitting in the Government. We have had, for example, this year, Mr. Speaker, several people over there including some Ministers, speak out in sharply critical words about the Saskatchewan Farmers' Union. They're marked down in this Government . . .

Hon. Mr. Thatcher: — On a point of order, Mr. Speaker, I believe that the Leader of the Opposition is straying from this Bill. Now what's the Farmers' Union got to do with The Trade Union Act which we are now discussing. With respect I would ask you to keep them in order.

Mr. Speaker: — Well, I must agree that the whole debate ever since it started is wandering an awfully long way from the principle of the Bill. I except the Member for Moose Jaw North (Mr. Snyder) because he got on the principle of the Bill and stayed pretty closely to it. I would ask other Members to do the same.

Mr. Lloyd: — Mr. Speaker, my words have been directed towards assessing the impact and the effect of the principle in this Bill and the principle of this Bill as it interprets the attitude and the actions of the Government.

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Some Hon. Members: — Hear, hear!

Mr. Lloyd: — And I say, in order to get the full measurement of this Bill, we have to put it along with a number of other activities which form the whole parcel of activities of the Government of Saskatchewan.

Some Hon. Members: — Hear, hear!

Mr. Lloyd: — I suggest that in its attitude to the two groups I've spoken of - we can add the University and we can add the teachers group - we have a long list of people in this province whom this Government is ready to handicap and has attempted to handicap. An organization of any kind which is going to speak with some industry and energy for a widespread group is going to earn the displeasure of this Government and be subjected to punitive measures. I want to submit, Mr. Speaker, that these are not just isolated groups. I want to suggest it is not accidental that the Government has mounted this kind of campaign and in this Bill, this is my point, intensifies this kind of campaign. This Government does not want to see strong organizations of people because it knows that as people's organizations grow stronger, its political life grows shorter.

Some Hon. Members: — Hear, hear!

Mr. Lloyd: — Mr. Speaker, legislation is of course always important, but the laws in themselves are only part of the story of determining what the effect of legislation will be. It is important to have laws correctly drawn so that they are clear, so that they can be administered according to the intent of the words in the book. But it takes much more than just an adequately and clearly written statute to guarantee that a law is going to be useful. There are at least two other important aspects to determining whether or not legislation is going to be useful, no matter how well it may be written.

One of those aspects is whether or not the legislation is understood. Another aspect is whether or not the legislation is accepted to a considerable extent by those people whom it is going to affect. I want to suggest, Mr. Speaker, with the degree of opposition that is evident from trade union groups in the province this law can't really work well. The Minister is the authority for saying that there are a number of employers who also oppose it. This law which is bad to begin with is introduced against the wishes, almost unanimous, I would think, to judge from the mail that I am getting about it, of the trade union groups. This proposed legislation against the wishes of a number, according to the Minister, of employers can't really work. It can only create harm and I hope that the Government is prepared to listen to the request that it not be proceeded with at this time, that it not be proceeded with at least until it is referred to the Government's own Committee which has been set up. Surely it is a matter of just ordinary common sense and courtesy that that course of action would be followed by the Government.

Now there are other things, Mr. Speaker, which I submit the Government should be introducing at this time and which would advance the aims which the Minister (Mr. Coderre) claims

he had in mind when he was introducing this legislation. Before I go to that, Mr. Speaker. I want to read the opinion of one person to whom I would think the Government ought to listen in this regard. This legislation proposes some new controls, some additional controls. It proposes some additional curtailments of some of the traditional and respected rights of trade union groups. The question before us, I think, is this: does curtailing responsibility as well as rights in this way add to or subtract from the danger of industrial unrest in this province?

I want to read a comment by Mr. Bernard Wilson. Mr. Wilson is the Assistant Deputy Minister of Labour in Ottawa of the Government of Canada. He's described by the Canadian Press as being a leading labor relations specialist in Canada. I submit that the Minister of Labour would be well advised to listen to somebody who is called a leading labor relations specialist in Canada rather than listen to Mr. Ralph Purdy. He would be doing a much greater service to his own ambitions to be a great Minister of Labour and to his own Government and his own province if he would seek out the advice of some people who have an established reputation. He would make a much better contribution and a much more lasting contribution, if he would look at the advice of some people who have had experience in this field and who are listened to widely by people all across this country. Well, Mr. Wilson was writing in the Canada Labour Gazette last year and what he said, I submit, disputes, contradicts in every way the wisdom of that which the Minister of Labour (Mr. Coderre) and the Government of Saskatchewan are now proposing in this House. Mr. Wilson said among other things, this:

Certain controls now provided in labor legislation might better be removed than new controls added.

And I want to commend that to the Minister of Labour. He is trying to advance industrial welfare in the Province of Saskatchewan. He suggests that this can be done by imposing new Provincial Government authority. He suggests this can be done by restrictions on the rights of labor unions to organize and manage their own affairs. Here is a man who is described as a leading labor relations specialist in Canada saying, "Certain controls now provided in labor legislation might better be removed than new controls added." I ask the Minister of Labour to listen to that statement instead of introducing this legislation now. He would be doing his province and his ambitions a much greater service if he were to withdraw this legislation now. And he would be doing a still greater service, if following that, he would repeal the Bill imposing compulsory arbitration of a few years ago. Mr. Wilson went on to say:

More confinement of labor leads to more unrest, not less.

And I ask the Minister of Labour (Mr. Coderre) to look at that, to think about, at least listen to it. "More confinement of labor leads to more unrest, not less." Yet this Government is tonight insisting that the debate be completed on a measure which provides more confinement of labor. It is insisting on plunging headlong down a trail which leads to more labor unrest, not less. One has to wonder why it is so insistent in moving in the wrong direction. Mr. Wilson went on to say that "many of the suggestions to curtail labor unrest ignore the basic rights and freedoms of both labor and management." Here we have the Government insisting on pushing ahead, to impose legislation which is going to ignore, according to an expert like this, the

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basic rights and freedoms of both labor and management. He points out that it “was difficult to control one factor in the economy while allowing others to remain free,” that “we have not reached the point where the wages of labor can be controlled while rents, profits and interest rates remain relatively free.” And I ask the Minister of Labour to note that statement.

If he were doing his job instead of introducing legislation like this, he would be supporting programs to remove some of the basic problems of labor unrest in the Province of Saskatchewan. If he really wanted to get at that job, then I think he would be impressing his Government to do something about implementing the recommendations of the Batten Commission. He would have been pressing his Government to do something about at least holding in check the cost of living. He would at least have been encouraging it not to, by its own activities, increase the cost of living. As all of us know one of the main difficulties causing the industrial unrest is this increasing cost of living. The Minister of Labour should be urging things like that and making a real contribution to industrial stability in the province rather than disturbing it and disrupting it, as this legislation will do.

Some Hon. Members: — Hear, hear!

Mr. Lloyd: — If he wanted to make a real contribution, he would have been pushing his colleagues in the Government so that we have enough space in our technical institutes so that young people wanting to be trained to get into the skilled labor force wouldn't have the doors slammed in their face. A Return tabled in this Legislature a little while ago indicated, I think, something like 700 Saskatchewan people who couldn't get courses they wanted because there wasn't enough room. Instead of advancing repressive legislation of this kind, the Minister of Labour should be pressing for that kind of activity. If he wanted to make a contribution to ensuring industrial welfare in this province he would be thinking about the position of working people faced with losing their jobs because their industry is going to be closed down. We have already had reference in this Legislature to the closing down of a couple of refineries in the Province of Saskatchewan. We need laws, Mr. Minister, which say that in cases of this kind the people who work there are going to have a guaranteed period of notice before the plant is closed down. We need Government programs which say to these people that, before that plant closes down or immediately after, you will have a chance to get retraining so that you will be able to get a job in some other occupation, without disrupting and destroying a good part of your life. If the Minister of Labour really wanted to do something about creating a healthy industrial climate in this province he would be doing things like that, he would be bringing measures like that into the House instead of legislation of the kind which he has brought in, which, as I said earlier, was conceived in haste and shaped in confusion. Once again, Mr. Speaker, this legislation is a mixture of impudence and incompetence. It is legislation that ought not to be put before this House. Certainly it is legislation that ought not to be passed by this House. And I add my voice to those who have already urged the Minister to withdraw this confused and impudent legislation before it does more harm to the reputation of this Government, before it does more harm to the industrial future of this province.

Some Hon. Members: — Hear, hear!

Mr. Meakes (Touchwood): — Mr. Speaker, in rising to oppose this Bill, I deliberately waited hoping that some of the Members on the other side might enter into it. It seems that none of them with the exception of the Minister of Labour (Mr. Coderre) is prepared to stand up and support it. I look at the Member for Nutana South (Mr. Forsyth). He comes from a city riding. He hasn't risen to support it. I look at the Member from Regina South West (Mr. McPherson). He sits in his seat. I look at all those Members over there, the Member from Estevan (Mr. MacDougall). Yes, another man from the labor force, he sits there and says nothing. They sit there and it seems to me with their eyes and ears and mouths shut, ready to vote Yes without ever really listening to reason.

I rise to oppose this Bill with a heavy heart. Most of my life I have been a farmer and I have fought for the rights of all human beings. I fought for the right to speak or not to speak, the right to organize, the right to assemble and to speak as one's conscience says to speak.

In 1948 and 1949 I worked, not as a farmer, but in Sudbury for International Nickel. This is a period of my life that I will treasure all my life. Not that I enjoyed my work there. In fact I detested it, but it did teach me several lessons. I first learned what a wonderful life it was on the farm. I learned a bit of the problems of the working man in industry. I learned the lesson that if you were going to get a pay cheque full size the next week, you were going to have to work every day whether you were feeling tough or whether you weren't. If you were sick the next week's pay cheque was a small one. I learned too while in Sudbury the necessity of a strong union. I talked to those people who had worked there before the days of a union and who had fought to get a union, fought for the right to assemble and the right to speak as one voice. I listened to the men talk about how the company union tried to wreck them, how they spied on them, how they got fired because they dared to try to form a union.

Another lesson that I learned while I worked in Sudbury was that the problems of the man who works in the factory or in the mine, in the smelter or wherever he works, or she works are really no different than those of myself, a farmer. It was here that I learned that all of us have only one real opponent and that's corporate enterprise. All of us are dependent on one another.

An old great philosopher once said that the only difference between a free man and a slave was that the free man can withhold his labor. Through most of my life I have been one of the minority of one kind or another. Through all of my grown life I have fought for the rights of a minority. Through the years I have learned not only the desirability but the necessity of people working together, standing together and fighting together.

I think of the fight in my own community through the late '30s and the '40s to organize our own co-operative. I think of all the things done by our opponents to stop us. I remember the strings that were pulled to try and stop us.

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I learned also that by united effort we could achieve what we desire. I personally am proud to be the Member of a political party which was led by the then Premier Douglas who brought in in 1944 the most advanced labor legislation on the North American continent, yes, and by a caucus of nearly all farmers, 38 of them. They knew that decent working conditions, a decent standard of living for the laboring man meant a better living for the farmer. When the laboring man has a decent wage he buys and he buys the products of the farmer. As a farmer and as a citizen I will oppose this legislation to the end. To me it is a disgrace to our society and it is a disgrace to this Legislature.

Ever since 1964 I have watched with heavy heart the erosion of the rights of the individual by this Government. Piece by piece it has been chipping away at the rights of the individual. I have watched the divide-and-rule tactics of this Government. I have watched it divide communities, teacher against trustee, teachers against the community, labor against management, farmer against laborer.

I say it is the Liberal party of this province that is out to make our province a class society. This Government knows that this is the only hope. It knows that, if labor and teacher and taxpayer and farmer and small businessmen unite, it is done for. So it set out to keep them apart. It stirs up dissension, it is going to castrate good labor legislation. It set out to make it harder for people to organize. It passes legislation so that strikes can be broken. Why, I ask you? I'll tell you why. It's the payoff for its corporate friends who ask for such legislation – the Manufacturers Association, the mining companies, the Chambers of Commerce and their friends. This is the reason that the Minister of Labour stands up and brings in this awful legislation.

He always talks how he defends the right of the worker. He sounds as though he thinks the workers' enemy is the union. How blind can he be? I ask him. The union is the worker, all the workers banded together. The Minister says he is the supporter of the co-operative movement. If he is he knows the co-operative movement is a band of people sticking together for the common good and the labor union is no different. It is a group of people banded together, working together for a common good. I know that many Members on the other side of the House cannot understand this, but I did have thoughts at one time that the Minister of Labour might. I have always respected the Minister but for the life of me I can't understand how the Minister can stand in his place and bring in a Bill like this Bill. Before I would do that I would resign the portfolio. I then could face the world with no shame and I could use a mirror when I shave in the morning. I say again this legislation is a disgrace to this House.

The Member from Regina North East (Mr. Smishek) so eloquently pointed out the evils of the legislation and I have no intention of dealing with it clause by clause. But I do want to reiterate what he has said about the new Section which will make refusal to unload merchandise by other carriers illegal. He cited the example of the Mexican fruit pickers of California in the pamphlet put together by 11 priests in this city. I am proud to associate myself with these dedicated men and with the Mexican fruit pickers. I spent some time in Southern California down through the Salten area. I saw how these people have to

live, the conditions that they have to work under and who are their masters. They are not fruit farmers that these people work for. The fruit farmers have been swallowed up long ago by a few large fruit companies. Incidentally these are the same fruit companies that control the fruit industry in Guatemala and the fruit grown there. And here we have in Saskatchewan a Government that will pass legislation that will betray the workers not only of Saskatchewan but laboring people everywhere. I watched Mexican fruit laborers picking carrots with a white man as a foreman. Every time one straightened his back he was cursed by that foreman. I saw it and I heard it.

Mr. Speaker, I said at the beginning that I have spent a lifetime fighting for the underdog and I will continue to do so whether they are here in Saskatchewan, or in Africa or in California or anywhere else in the world. This Liberal Government and the Minister of Labour (Mr. Coderre) at every opportunity endeavor to smear the working man and the labor unions. Every time there is an increase in prices, labor is blamed for it.

I was interested to read in the last issue of The Dome Magazine of the Civil Servants of this province, the March issue of 1969 on page 35, and I want to quote from that article. Everybody is talking about labor pushing up the price of things we buy and I am going to quote from page 35 of The Dome and the heading is, "\$57.85 is a New Car Labor Cost." I will now read the article:

Until recently the U.S. Government was unable to get information regarding the cost of manufacturing a car from the automobile manufacturers. Now, however, the U.S. Senate investigators claim that thanks to the help of Ralph Nader, the fearless author of "Unsafe at Any Speed", they have come up with what it really costs to build a car.

It is reported that one example, the Ford Galaxy, cost \$1,360.38 to build. The most amazing part of the report on the breakdown of manufacturers' cost was that labor cost per unit in the car factory averages \$57.85! Every time the auto manufacturers raise the price of cars it is certainly not because of increased labor costs, because in most cases the annual car price increase is more than the total labor cost of manufacturing the car.

Mr. Speaker, this is just another example of how labor is not the criminal. When one looks at the profit sheets of the industry, one finds who is the criminal. Actually the productivity of the labor force is greater than ever before in the history of man. The Hon. Member from Regina North East (Mr. Smishek) referred to the news broadcast of today reporting that the Woods Commission has been tabled in the House of Commons. Another thing that was mentioned over the news is that the Woods Commission says that there is no evidence that collective bargaining contributes in any way to the increased costs of living. I say again that this Government is passing this legislation to satisfy its corporate masters. It has been brought in to erode the rights of the individual. It is being brought in to satisfy the lust for profit. It should be thrown out of this Legislature. It is a shame and a disgrace to the democratic process. I will oppose it with everything I have as long as I have breath.

Some Hon. Members: — Hear, hear!

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Mr. Coupland (Meadow Lake): — Mr. Speaker, I want to say a few words in support of this Bill. After sitting here listening to this, I don't know just what you would call it, that we have been listening to for the last while in this Legislature. The Members Opposite seem to think that this is anti-labor legislation. I say it is pro-labor legislation. I say this because with this legislation the actual worker will have a say whether he wants to go back to work or not, or whether he has to sit by while some labor boss is running around the country and his family is suffering. You know, Mr. Speaker, it is sort of a biased argument that comes from the other side of the House, because we know these fellows are married to the labor unions. This is why these arguments come from across the way and they don't want any legislation passed that may infringe on the labor bosses. I would like to say that as far as I am concerned, I am 100 per cent in favor of this Bill, because it is a Bill that will protect the actual worker and the citizens of Saskatchewan. I will support this motion, Mr. Speaker.

Some Hon. Members: — Hear, hear!

Mr. Wooff (Turtleford): — Mr. Speaker, I would suggest to the Hon. Member from Meadow Lake (Mr. Coupland) that he read the history of the labor movement from the Industrial Revolution in the old country and through the United States and Canada before he makes statements that he has made at the present time.

Mr. Weatherald (Cunnington): — From the 18th century.

Mr. Wooff: — Any Government, Mr. Speaker, that is contemplating legislation of the kind and character of the Bill now before us in Bill No. 35 would do very well and would be very well advised to take a long hard look at the accomplishments of the Swedish Government in its relationship with both the employer and the employees. I think most of you are aware that I had the privilege and good fortune of visiting Sweden last summer and of seeing first-hand the result of these policies as between labor and employer, as they work for the good of the nation as a whole in that country, and of Sweden's success in bringing the worker and the employer to the wage discussion table. Mr. Speaker, I want to emphasize that the wage discussion table is not necessarily a bargaining table. The Swedish Government has accomplished the feat that so many of our anti-labor people say could never be done, of placing responsibility on both the employer and the employee, not only the responsibility but the privilege of sitting down together and sitting down with representatives of the Government. The result is that strikes in Sweden are virtually unknown, but not outlawed. I want to emphasize, Mr. Speaker, that they are unknown but not outlawed.

Another thing that I want to emphasize is that there is no waiting for six months or a year after a contract has run out until everyone's nerves are frayed and tempers are hot, before they sit down to the discussion table and before new agreements are drawn up. Sweden, as I have said, placed both competence and responsibility in both the wage earners and the employers. Wages and profits are discussed and set, not by arbitration and not by fighting such as we have witnessed here in Saskatchewan for the last four or five years, not by the mailed-fist approach, but they are discussed according to and set according to the

level of the economy of the country. Because of this responsibility on both parties they have come to an understanding. This I believe, Mr. Speaker, is the one greatest factor in Sweden's success in the economic and the fiscal policies of that country. The wealth is spread more evenly throughout the nation. Instead of being piled up in large bank accounts it is constantly on the move through the entire nation. I am going to say right now, Mr. Speaker, it was a joy to experience the lift and the buoyancy of Sweden's economy. And remember that that little country over the last 20 years has developed policies such as this until they have taken second place in the world of today as regards the highest standard of living. We Canadians held that up until two years ago. They have now, with about 7 million people and a terrain that knows nothing about production for quantity that we know, been able to raise the standard of living of their people higher than we Canadians enjoy.

Perhaps, Mr. Speaker, the policy of the present Government in Sweden is responsible more than their economic policies as I said a moment ago, for the wellbeing of her people and for the buoyancy of her economy. If this Government and the Minister of Labour (Mr. Coderre) compare what the Governor of North Dakota had to say along with the success of the Swedish Government, surely they can see there is a better and a more democratic, a more successful approach for the Government, employers and employees than we have represented before us in Bill 35.

Mr. Speaker, I plead with the Government to withdraw this Bill and try a new and a different, but not an untried method of bringing the bargaining people to the table where they can discuss these wage policies, wage standards, wage levels always in connection with the economy of the nation as a whole.

Sweden attracts and holds the best of her brains, the best of her minds. These people find scope for their ability. They find a place to work and to improve the economic level of the country that they love and have no desire to leave. I ask this Government; can you do less? I would welcome policies such as I mentioned that are used in Sweden that would bring to this province, to this country, the same kind of economic buoyancy, the same kind of a happy relationship between employer and employee. As a farmer I have always maintained that labor is the agriculturist's best friend. If labor has buying power, Mr. Speaker, the farmer doesn't have to worry too much. In order to prove that . . .

Some Hon. Members: — Hear, hear!

Mr. Wooff: — . . . I would just like to go back to a situation prevailing during the last World War when beef was at the highest price level so far as the produce concerned that we have known. It was not the quantity of beef that was being shipped overseas that brought about strong prices. It was the fact that never in the history of labor did they have the wherewithal to purchase beef in the quantities that they did during those years. And never was the beef industry on a sounder foundation so far as the producer was concerned.

Repressive legislation, Mr. Speaker, such as Bill 35 defeats these fundamental and basic factors in a sound, buoyant economy such as I saw in Sweden, the privilege that I won't forget for

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a long time. I plead with this Government instead of using the strong-arm approach to let us try and create a better understanding between labor and management and Government.

I shall vote against this Bill.

Some Hon. Members: — Hear, hear!

Mr. Forsyth (Saskatoon Nutana South): — Will the Member answer a question before he takes his seat?

Have I been misinformed by the statistics that Sweden has the highest alcoholism rate and the highest rate of suicides in the world, the Sweden to which you refer to so frequently in your speech?

Mr. Wooff: — Mr. Speaker, it might be a little higher than some others but very, very little. Nothing that the policies have anything to do with, Mr. Speaker.

Mr. MacLennan (Last Mountain): — Mr. Speaker, I have just a few comments to make on this Bill.

First of all, I am rather surprised that the Bill is attracting the attention and the concern of the Members opposite that it has. Now I am not an expert on labor union matters, but I do respect fairness to all parties involved in any dispute. When I look at this Bill, in Section 3, where they are saying it shall be an unfair labor practice for a trade union or a group of employees for any reason whatsoever to refuse to take delivery of goods from an independent carrier — these people are not in dispute with that individual carrier — I don't expect that the individual carrier's rights should be interfered with in a dispute involving two other parties.

Secondly, Mr. Speaker, when I look at Section 4 where after 30 days on strike another vote can be held, I have known people involved in strikes that have lasted longer than 30 days and I know that many of these people would have welcomed an opportunity to reconsider their position at the end of 30 days. Now this is a free vote, Mr. Speaker. It can be called by the trade union, it can be called by the employer, it can be called by the employee or the employer. The majority of the people concerned will vote and their decision will hold. I think that is fair play. Mr. Speaker, in listening to some of the comments offered, it seems that they are trying to build some huge case on something relatively insignificant. I think the fact that several speakers have gone down to California and referred to the Mexican grape pickers to help their argument and couldn't use anything a little more concrete or a little more personal as far as the people of Saskatchewan are concerned, is an example that I think that it is in pretty poor taste that they have been showing on Bill 35.

Now again I only want to make my feelings clear on this matter. I read and studied the Bill. I had an opportunity to talk even to Members opposite on this Bill and I am convinced that this Bill means fair treatment, not only for the trade union and the employers, but for all of the people in the

Province of Saskatchewan.

Mr. Hooker (Notukeu-Willowbunch): — Mr. Speaker, I rise for the first time in this Assembly and I do so tonight against the advice of my doctor. However, I feel that I have to get on my feet to say a few words in regard to what some of the Members opposite have said this evening. I refer first to one of the comments made by the Member for Regina North East (Mr. Smishek) when he said that those of us on this side of the House hate labor.

I would like to assure him that I personally, and I think that I can speak for everyone of my colleagues, have as much of the laboring man's interest at heart as anybody sitting on that side of the House.

Some Hon. Members: — Hear, hear!

Mr. Hooker: — I say so because today I am a farmer. However, I wasn't always a farmer. I would say that I spent more time carrying a lunch bucket than 95 per cent of those people on the other side of the House. I know what it is to get up in the morning, take your lunch bucket and go to work. I know what it is to be without work. I know what it is to ride a freight train from one place to another. It hasn't always been that easy with me. I want to tell you one thing about labor unions.

I think I probably held a labor union card long before anybody over on the other side of the House. There might be one or two individuals, but no more. In 1937, and you people here know what conditions were like in 1937, I was in Seattle, Washington and at that time it was hard to get a job. Some of you may wonder why I happened to be in the United States. Well to qualify that I will say this. I was foreign born of American parents and I had dual citizenship up until I voted in Canada and then I became a Canadian. I had worked in California for years before this and I was in Seattle and jobs were hard to get. I went out on my own to find a job. I went to a sheet metal factory and I asked the foreman if he had a job for me. He asked me a few questions, wanted to know where I came from and I told him. He wanted to know what I did before and I said, "I had been on the farm but things were dry and I was looking for work." He said, "Sure I will give you a job." He said, "Have you got a union card?" And I said, "No." Well he says, "I am very sorry this is a closed shop. I can't hire you." But he said, "If you can join the union come on back and I will give you a job." So I said, "Where is the union office?" And he told me where it was. I went down to the union office and I asked to join the union. Do you know what they told me? They said, "Are you working?" I said, "No." "Well how do you expect to join the union if you are not working?" And I said, "Well this is a fine how-do-you-do. I have a job that I can't have because I don't belong to a union, but I can't join the union because I am not working. Where does that leave me?" He said, "Figure it out for yourself." And you people over there tell me that the unions give people the right to work. I was deprived of the right to work by a union. From there on I went over to British Columbia and got a job with a pulp and paper mill. While I was there, there wasn't a union when I first started to work. During the winter the union organizer came up from Vancouver. He went around talking to different individuals and we had a meeting. I went to that meeting. It

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was all cut and dried and the first thing that we knew we were in a union.

I had a friend whom I had known before I went there, who was, I would say, a little deeper color than just pink, he was plum red. I happened to be at this house this night when this union organizer was there. And do you know what that fellow came out and said? I heard it with my own ears. He said the only reason that this union is organized at this time is to have these people ready for Socialism when we are prepared to give it to them. Now that is the type of union that they had there. I lost my job in that mill because of that union. The union said that the last man on was the first man laid off. That company kept me on all winter and fought with the union and finally came and said, "Well, we are sorry but we will have to let you go." The union said that the last man on is the first man off. He said, "We have tried. We have spent a lot of money on you, teaching you how to run the machine and now we have to let you go and keep some of these other people on. You know how good they are." And I said, "Yes, I would have fired them the first week I was here if I had been the boss."

Another thing that I would like to say is that it doesn't take long working in an establishment to find out who is carrying his weight. When that union was formed every one of those fellows, that I said I would have fired the first week, turned out to be shop stewards. Now I haven't anything against the working man. I didn't have anything against that sheet metal man that I would have been working along with, but I certainly have something against the organization of those people who were running that union that deprived me of the right to work. I had nothing against the fellows that I was working with in Powell River but I certainly didn't appreciate the fact that I had to lose my job because I belonged to the union. So you may say that I am against labor unions. I am to an extent. I am not against the working man, but I am against some of these labor bosses.

Now we just went through a debate yesterday where the people in this House were condemning the United States. They were condemning the United States for this, that and the other thing. But I didn't hear one person on the other side of the House say one word about the money that is going out of Canada into the labor unions in the United States. Not one word!

Some Hon. Members: — Hear, hear!

Mr. Hooker: — Another thing when we were talking about the damp wheat, I heard the Members in the back row get up and talk about the congestion at the terminals in Vancouver, how much money the farmers will be losing because of demurrage. I didn't hear any of them saying anything about 1966 when they had a strike out there at the Coast. I happened to be there. I was down on the waterfront. They were saying that there were 19 ships in the harbor that couldn't get wheat. In 1966 there were 65 ships in that harbor and there was all kinds of wheat at the terminals, but because these people went on strike they couldn't load the boats. I was in one of the terminals talking to one of the men from the Board of Grain Commissioners, I looked down and saw a boat sitting there. I remember the name very plainly. It was the Grecian Flame. I said, "How long does it take you to load that boat?" "Well, that particular boat has been in this terminal many times. If we load it with straight grade we can load

it in two days.” He said, “If we have to change grade it takes three days.” He said, “That boat has been sitting there for 13 days and it wasn’t filled yet.” I went down and went on that boat. It had a big tube coming down. There was a man sitting there and a man sitting over there with a hold half the size of this room. There was a stream of wheat coming out of that spout. I could have put more wheat in with a seven inch wheat auger or shovelling it myself – that is up until last year. One fellow would pull it over on this side and the other fellow would pull it back. This went on until the Harbour Commission closed the harbor and the longshoremen were out of work.

Nobody knows and I tried to find out from the Canadian Wheat Board what that cost the Canadian farmer. That strike alone. I couldn’t find out. I guess that it wasn’t in the public interest and I don’t think it was in the public interest because, if the farmers had ever found out what that strike in Vancouver in 1966 cost them, the strike this year would have been peanuts.

I resent the fact that people label me as somebody who is against the laboring man. I am certainly not against the laboring man, but I am certainly against you fellows that put yourselves out as laboring bosses. I am telling you another thing that if it wasn’t for the laboring bosses probably we wouldn’t have so much trouble with labor. A lot of these people are satisfied but you fellows won’t allow them to be satisfied. We have places right in the city of Regina that don’t have a union. They have what they call an employees’ organization. They pay fees, yes, but they pay it into their own organization. They bargain the same as any other union does. Every year they go to the management and say . . .

Mr. Snyder: — Fun is fun and all that, but I am wondering when the Member is going to make some reference to the piece of legislation that is under consideration.

Mr. Speaker: — Order, order! I have listened to this whole debate and it has ranged very widely. I think that the point of order from that side of the House is very well taken.

Mr. Hooker: — I haven’t been to Sweden yet, Mr. Speaker. I am staying on the North American continent. Right now I am in the city of Regina.

Mr. Speaker: — I might add that I will grant the same freedom, the same human liberty, and the same right to speak and say their minds to all Members of this House. Now you have all ranged all over the map and that is the way you are going to stay until the thing is over.

Mr. Hooker: — But I was talking about this organization right here in Regina that pay their money to their own organization. They use their money to put on Christmas parties for the families. They use their money to put on days during the summer when they take their family out to barbecues. Now I imagine these people have as good working conditions as the fellow who is working in a union shop. I am not denying the fact that labor unions haven’t done a lot of good. But I say that sometimes they go overboard

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and they are doing a lot of harm. I think that this legislation that we have before us right now is protecting the fellow that wants to go to work.

I assure the Members on that side of the House that I am going to support this Bill.

Some Hon. Members: — Hear, hear!

Mr. Heggie (Hanley): — Mr. Speaker, I rise to take part in this debate, notwithstanding the remarks of the Member for Touchwood (Mr. Meakes).

First I want to say that there is no intention in Section 10A of this Bill to abrogate the rights of the working man but to add to his rights. Where a strike continues for 30 days the union, the employer, or any employee, can apply for a vote to be conducted to see if the strike should continue. What can be more democratic than that?

The scourge of the new and enlightened free enterprise world is strikes and everyone will tell you that. Strikes cost the economy millions of dollars. They add to the cost of living, they demoralize the worker, they cripple the financial means of the employer and they deny the government millions of dollars in taxes. I say to this House that we don't want big capital or we don't want big labor in our economy. We want production for the economy and good wages for the workers. All this Section does is put reasonable limits on the actions of the labor unions. How this Act betrays the workers is beyond me. It helps the individual worker if he has the assurance that he can call for a vote to see whether a reasonable settlement can be made and he can go back to work. This piece of legislation and Section 10A in particular is what the majority of the people of Saskatchewan want. This is an agricultural country and you just have to think of the great prolonged strike of the J.I. Case Company in 1947 that lasted for 27 months. It almost bankrupted the Case Company. Most of the workers left to find employment elsewhere and it did bankrupt thousands of Case dealers in the United States middle west and Canada. Farmers couldn't get machinery at a vital time when they needed it following the war.

Legislation such as this would have terminated the Case strike in a matter of days. There is no piece of legislation more necessary right across Canada than is contained in Section 10A. The trouble with the Members opposite is that their thinking on labor and unions has never changed since the days of Eugene Debs. Everyone in this House is proud of the role that the unions have played in raising wages and working standards for the employees. But the working man has come a long way and enjoys in this province and in this country one of the highest wage rates in the world. What the working man wants is not lost working days and reduced pay cheques but more working days and bigger pay cheques and cheaper goods. The biggest scourge of the country is union-dominated strikes like the grainhandlers' shermen's strike and the Seaway workers' strike, which awarded almost a 35 per cent increase and created a precedent three years ago that forced up wages and prices all along the line. What this Bill does is put reasonable restraints on labor union bosses and frees the independent worker to think for himself. The Bill will free the working man from the strait-jacket he

finds himself in today.

Now the other Section on hot cargo, I don't intend to speak about it because it is not a subject with which I have any particular knowledge. I am as enthusiastic as the Member for Notukeu-Willowbunch (Mr. Hooker) who rose, as he said against his doctor's orders, to deliver what I considered was a moving speech because this is what he felt in his heart this country wanted. I am very pleased to be able to take part and support Bill No. 35.

Mr. Brockelbank: — Will the Hon. Member permit a question before he takes his seat?

Mr. Heggie: — No.

Mr. Blakeney (Regina Centre): — Mr. Speaker, we have done a great deal of speaking on this side of the House and we had wanted to solicit comments from the other side of the House on this Bill. We are fortunate now to have had one or two comments from Members opposite. We certainly would have liked some more comments of the type that we have had from Members opposite. We may get them yet. I certainly hope that every Member over there speaks and gives his view on this Bill. I hope that they do illustrate their views on this Bill. I hope that they illustrate that they haven't been following the debate, if they comment as the Member for Last Mountain (Mr. MacLennan) did, because he evidently wholly missed the point of the allusion to grape pickers. The comment there, Mr. Speaker, was not that anyone had to go to California to bring this problem to bear, but that under the legislation brought in by the Minister of Labour (Mr. Coderre) it was entirely possible, if grapes came into the Safeway store in the Northgate Shopping Centre in Regina by Soo Freight Lines, and the employees of the Safeway store declined to unload those grapes, they would be guilty of an unfair labor practice and might be fined or imprisoned. And that's at the Northgate Shopping Centre and not in California.

Some Hon. Members: — Hear, hear!

Mr. Blakeney: — The further comment was that, if clergymen such as the ones mentioned by the Member for Regina North East (Mr. Smishek), persist in suggesting that we ought not to buy these grapes, they themselves might be guilty of an unfair labor practice, as counselling a breach of contract, and this is as I read the Act. What he was saying was that this legislation could be read as imposing penal sanctions on half a dozen clergymen in Regina. And the Member for Last Mountain (Mr. MacLennan) sees no more relevance in that than the grape pickers in California.

Some Hon. Members: — Hear, hear!

Mr. Blakeney: — He obviously wasn't following the argument. Now, Members opposite have made some rather remarkable comments. I thought the Member for Notukeu-Willowbunch (Mr. Hooker) made his remarks in a very sincere way, but I think that he sincerely illustrated the fact that he himself has had some unfortunate, as he would view them, experiences with trade unions and accordingly he does not like trade union organizations. He felt it unfortunate

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that seniority rules should apply, that the fact that he was hired last meant that he had to be fired first when the lay-off comes. This is the bedrock of seniority. However unfortunate it may work out in an individual instance, it has been found to be the bedrock that organized workers have had to rely upon in order to protect themselves from management favoritism.

Some Hon. Members: — Hear, hear!

Mr. Blakeney: — Members opposite may think that it's a deplorable principle, but it's written into every contract negotiated by every one of those gentlemen over there on behalf of Crown corporations and on behalf of the Government of Saskatchewan. And I am rather surprised to hear a Member opposite launch an attack, however disguised, on the principle of seniority as included in a trade union contract.

I was also referring to the comments of the Member from Notukeu-Willowbunch and for the Member for Hanley (Mr. Heggie) distressed at their one-sided view of strikes. It may be that the increase granted to the Seaway workers was excessive, but this wasn't granted by anybody but a Liberal Government at Ottawa.

Some Hon. Members: — Hear, hear!

Mr. Blakeney: — They must have thought that it was a proper increase. They must have thought that this was reasonable. They had the full power and weight of the Parliament of Canada to send those men back to work if it was not a reasonable increase. Now, sure, Mr. Speaker, the fact that the Seaway workers wanted to get an increase and the fact that after mature consideration the Government of Canada decided that that increase was the right increase, hardly proves that the unions abused their position. There was, as I say, the full weight of the Parliament of Canada to turn back any abuse which may be found in that situation. Then there was suggestion about the grainhandlers' strike. Well, we've already heard the comments of relatively impartial people on that, namely, Mr. Mackasey and Mr. Olson, insofar as the Lakehead grainhandlers' strike was concerned. They said that at least half and probably more of the fault lay with the companies.

Some Hon. Members: — Hear, hear!

Mr. Blakeney: — I am not suggesting that trade unions by their actions don't precipitate strikes. Obviously they do. It is their weapon against unreasonable actions by management. And it is entirely possible that in any given strike it may be more than half the union's fault, but it is equally entirely possible that it may be more than half the company's fault. And this fact seems never to be recognized by Members opposite. Each of those persons who have spoken in attributing the tie-ups to a strike have then made the next mental jump and attributed the strike to the unions. Now I suggest that there is no more reason to attribute a strike to unions than to management. It takes two to tango, as they say, and unless the Member has analyzed the particular facts in a particular case, it is grossly unfair of him to ascribe to the trade union the entire fault of a work stoppage resulting from a labor dispute or a strike.

Some Hon. Members: — Hear, hear!

Mr. Blakeney: — This is what they have done again tonight, and they have done it with respect to strikes where the best independent analysis — and this is true not only of the grainhandlers' strike at the Lakehead but at the one in Vancouver in 1966 — indicated that at least half of the fault lay on the side of management. Now if this isn't true, if Members feel that these strikes were the fault of trade unions, please, and I implore the Member for Elrose (Mr. Leith) and the Member from Milestone (Mr. MacDonald) or whoever else is going to speak in this debate, to stand up, take one of those disputes, analyze the issues and say that in his view it was the union's fault. Let him say that Mackasey is wrong. Let him say that Olson is wrong. But I think that's not fair. I think that the best evidence is that there was fault on both sides and that this is one of the prices which we pay for a free collective bargaining in a free society.

Some Hon. Members: — Hear, hear!

Mr. Weatherald: — The farmers can't . . .

Mr. Blakeney: — Well, if you say the farmers can't afford freedom, then I think that you misrepresent the views of the farmers.

Some Hon. Members: — Hear, hear!

Mr. Blakeney: — Farmers are as much dedicated to the principles of a free economy in the sense of every person having a right to work or not to work, to labor or to withhold his labor and to sell his product or to withhold his product as anyone else in this economy.

Some Hon. Members: — Hear, hear!

Mr. Weatherald: — . . . starve to death . . .

Mr. Blakeney: — Well, obviously farmers can starve to death by that method, and obviously workers can starve to death by going on strike. And don't think a worker decides to go on strike just for the fun of it because, as the Member for Cannington (Mr. Weatherald) rightly says, they can starve to death that way. And they don't undertake a strike lightly. To suggest somehow that a strike is just a little frolic that organized workers engage in now and then in order to break the monotony of a steady 50 weeks of work, I think grossly misrepresents the thinking of the vast number of trade unionists in this province.

Some Hon. Members: — Hear, hear!

Mr. Blakeney: — I think, Mr. Speaker, it's altogether too evident that Members opposite do not keep any sense of proportion as to the amount of time lost by strikes in this province. In Saskatchewan, my figures indicate, there are about 20 days of lost time per man per year. And of this, 29 minutes of these 20 days is due to strikes and 19 days and 7½ hours is due to accidents or sickness or unemployment. If Members opposite would devote as much time to endeavoring to solve the problems of industrial accidents or sickness or unemployment as they do

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trying to tilt at this windmill of lost time due to strikes, this province would be very much healthier in its economy.

Some Hon. Members: — Hear, hear!

Mr. Blakeney: — Mr. Speaker, I have a good deal I want to say but I want to turn my attention to some of the points in this Bill. I want to deal with Section 10A first because it was mentioned by the Member for Hanley (Mr. Heggie), and because it seems to me that he has either not read the Section or does not appreciate its import. What does this Section say? It says that where a strike has continued for 30 days, the trade union or the employer or an employee may ask for a vote.

An Hon. Member: — What's wrong with that?

Mr. Blakeney: — I will tell you in a moment what's wrong with that. Firstly, as for the trade union having a right to ask for a vote, I'm glad to see that in there, but it is somewhat superfluous. A trade union can poll its members at any time.

Mr. Romanow (Saskatoon Riversdale): — And does!

Mr. Blakeney: — And does if they wish to.

Some Hon. Members: — Hear, hear!

Mr. Blakeney: — All right, we know how, all right. The next question is, the employer can poll the employees. He can cause them to be polled. All right. I read the whole of this Section and I saw no countervailing Section which allows the trade union to have the shareholders of the company polled.

Some Hon. Members: — Hear, hear!

Mr. Blakeney: — I saw no Section there which allows the trade union to ask for a vote, and after all it takes two to settle a strike.

Hon. Mr. Guy (Athabasca): — Takes two to tango!

Mr. Blakeney: — That's right as the Member for Athabasca so wisely quotes me. It takes two to tango. I want to say that it seems to me that, if we give the employer the right to go into the internal management of the union it is surely only fair to give the union the right to go into the internal management of the company. You will say, "Well, that's just playing with words," and in part, that's true. And it's true in part because a company is not normally a democratic organization. Shareholders normally follow in a completely docile way the directions of the board of directors. So that maybe it doesn't matter whether the union can precipitate a poll of the shareholders, although I think a fair section would have provided that. But, what by inference then is this Section saying about trade unions. It is saying that they are not undemocratic, that they are in fact democratic, that their members are in fact able to control their management, unlike a company.

Some Hon. Members: — Hear, hear!

Mr. Blakeney: — And how this contradicts the statements about labor bosses which are so frequently and insistently made by Members opposite. But, Mr. Speaker, I want Members to look at this Section and to see what it says because what it says is this. It says that after 30 days the employer can cause the employees to ballot on the basis of the employer's final offer. Now you would say, if the employees voted for that, there was a settlement. That's what has been implied by every speaker who stood up over there, that this is the way to settle strikes. Well, I want somebody over there to read me where in that Section the employer is in any way bound to enter into a contract with the employees if they do vote for that settlement.

An Hon. Member: — Do you think . . .

Mr. Blakeney: — No, I don't. I think he's got the union over the barrel then. I think he knows. I think he knows the limit. I think he has undercut, at this point, the leadership of the trade unions and he is under no obligation whatever to settle on those terms.

Hon. Mr. Heald (Attorney General): — Now who's trusting . . .

Mr. Blakeney: — Well, I think that I don't in the course of a labor dispute trust either side. Quite frankly, I don't. I have been advising people on both sides of labor disputes and as a matter of fact I've advised more managements than labor in labor disputes. And after a labor dispute has gone on for 30 days, there's a certain element of no-holds-barred that enters into the picture. If you expect me to rely upon the goodwill of an employer who has had a strike on his hands for 30 days to enter into a contract on the basis of his last offer, when he's under no legal obligation to do so, and when he's just won a vote which has undermined the union leadership, then you're asking me to rely on something which I think no trade unionist in this province ought to be asked to rely on.

Some Hon. Members: — Hear, hear!

Mr. Blakeney: — If, Mr. Speaker, the Members opposite will put into this Section and, if this is offered, then the employer shall be bound to enter into a contract on that basis, that will help it a bit. At least there will be some little measure of reciprocation. But I want you to look at that Section and see just how one-sided it is. It in effect says that the employer can cause a vote of employees but not that the employees can cause a vote of the shareholders of the employer. Oh, no. It provides that there shall be a vote in which the employees commit themselves formally and by majority vote, so that their ability to take a bargaining position after that is effectively killed, but it commits the employer to nothing. It commits the employer to nothing. What employers will do will be to find one employee and have that employee ask for the vote. Then there will be a vote and the employer will be in the happy position of being in no sense bound by this.

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Hon. Mr. Heald: — Would you be happier if this was in the Bill?

Mr. Blakeney: — I would be a good deal happier and I would know that there was some little recognition that you ought to make labor legislation reciprocal in its burden. But I have seen what the Minister of Labour (Mr. Coderre) brings into this House on his own hook and I can see that this is completely and totally a one-sided section. And how else can I reach any other conclusion but that this is a piece of legislation aimed at trade unions and at working people.

Some Hon. Members: — Hear, hear!

Mr. Blakeney: — It's all very well for the Member for Meadow Lake (Mr. Coupland) to say that this gives certain rights to employees, but all it does is give them a right to disclose their minimum position to the employer, without the employer being in any sense obligated to disclose his position to the other side. That's the old game of someone playing cards with his friends but the only thing is that the friend's cards are face up on the table and his are close to his vest. And this is a nice little bit of balance which the Minister of Labour brings into this House and asks us to say that that is fair and reasonable labor legislation.

Mr. Snyder: — Ralph Purdy special!

Mr. Blakeney: — That strikes me, Mr. Speaker, as very much a Ralph Purdy special. And Mr. Ralph Purdy, as I think we know, has the distinction, as I last checked the record, of having his public relations company struck off the record and . . .

Hon. Mr. Heald: — Isn't he back on?

Mr. Blakeney: — Well, no, he's back on the record. I'm going to say that he was struck off the record and restored to the record more times in less time than another other company in Saskatchewan I know. In fact he has been on the edge of legality for seven or eight years now. I only wish he would approach the edge of sanity in this approach to these problems.

Some Hon. Members: — Hear, hear!

Mr. Blakeney: — Now, Mr. Speaker, the other Section of this Bill that I wanted to comment on at this time was the Section 2 of the Bill dealing with independent contractors and I would like to know what this Section is all about. I would like to know and I would have wished the Minister had explained in some rational way what this is all about, because certainly independent contractors now cannot be included in a bargaining unit, unless the independent contractor has so little independence that the Labour Relations Board decides that they are employees. Now let's be very clear on this. There's no right to certify at this time independent contractors unless at the same time they come under the effective direction and control of the employer, and only so-called independent contractors, and I say "so-called," who are

under the effective direction and control of an employer, can now be included in a bargaining unit. Surely if a person, while he may be called an independent contractor, is so effectively under the control of an employer as to his direction, as to the time in which he works, as to the way in which he works, that the Labour Relations Board appointed by the Government opposite, which has no particular tender feelings for trade unionists, decides that these people are so lacking in independence that they are in fact employees; if these people must not be excluded from the rights of trade unionism, what in heaven's name is a Trade Union Act for? What in heaven's name, Mr. Speaker, is The Trade Union Act for?

Debate adjourned.

The Assembly adjourned at 10:00 o'clock p.m.