

**LEGISLATIVE ASSEMBLY OF SASKATCHEWAN**  
**Second Session — Sixteenth Legislature**  
**38th Day**

**Thursday, March 27, 1969**

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

**NOTICE OF MOTION OF NEW SASKATCHEWAN FLAG**

**Hon. Mr. Thatcher (Premier):** — Mr. Speaker, The Flag Selection Committee has made its report to the Government and I propose today to table that report. All Members will have a copy of it in a moment or so. Following the report, I would like to give notice of a motion. I give notice that I shall on Saturday next move: That this Assembly confirms the recommendation of the Saskatchewan Flag Selection Committee contained in its report to the Government dated March 26, 1969, namely that a flag of the proportions of three by length and two by width, consisting of two horizontal bars, the upper green, the lower yellow, with a prairie lily occupying the half nearest the staff, and with a shield of the armorial bearings of the Province of Saskatchewan occupying the upper quarter farthest from the staff be adopted as the Provincial Flag.

Mr. Speaker, when this matter is discussed, I would hope that the Legislature might decide to choose a flag at the current session. I would imagine that we would proceed by a free vote. I think at this time I would like to express thanks to the Committee which spent about a year in arriving at this choice. The Legislature of course will decide whether or not to accept the choice.

**QUESTIONS**

**RETURN NO. 136**

**Mr. Lloyd (Leader of the Opposition):** — Mr. Speaker, before the Orders of the Day I want to ask the Provincial Secretary (Mr. Heald) when the Government intends to table Return No. 136, which was ordered by this Assembly on April 2, 1968. This is a Return which enquires with respect to Cabinet Ministers and their possible position as directors of companies or corporations doing business in Saskatchewan. I would point out, Mr. Speaker, that it has been almost a year. The Government certainly can't plead any large amount of time required. It can't plead any lack of time. One can only presume that for some reason or other the Government is choosing not to admit this Return.

**Hon. Mr. Thatcher:** — Mr. Speaker, I am afraid I must take responsibility for the tardiness in this connection. I assure you that there

is no reason except that in some way we have overlooked it. I will make an effort to have it tomorrow.

**Mr. Lloyd:** — Mr. Speaker, on a subsequent question, I don't know how the Premier might explain how he could have overlooked it, when I've asked about it three times in this session already.

**Hon. Mr. Thatcher:** — Well, sometimes we do these things. I am sorry but those are the facts.

**Hon. Mr. Heald (Attorney General):** — Mr. Speaker, I will just add, when the Leader of the Opposition did raise the matter originally, I did check through. As the Hon. Member well knows, they have to go to each Minister in each department and we did check. There were two or three departments at that time when you first asked the question. We subsequently got the answers from all of the departments except the Premier's department, as he has explained. That's the only one that is holding it up and we will try to get that finished today and file it tomorrow.

### RETURN NO. 31

**Mr. Willis (Melfort-Tisdale):** — Mr. Speaker, I would raise again the question of Order for Return No. 31. In requesting this Order, Mr. Speaker, requesting information regarding it, I want to inform the Government that bringing this Order down would certainly facilitate the business of this House. If we don't get the answer here before we have Highway Estimates, we could be a whole day on Highway Estimates just digging out the information requested.

### ADJOURNED DEBATES

#### RESOLUTION NO. 4 – SPECIAL TASK FORCE ON EDUCATIONAL AIMS

The Assembly resumed the adjourned debate on the proposed motion by Mr. Romanow (Saskatoon Riversdale):

That this Assembly recommends to the consideration of the Government the constitution of a Special Task Force on Educational Aims for the 1970s, to be composed of citizens representative of our province, to examine into all aspects of education and its present relevancy to the future needs of our society, the organization and administration of our education system, the method of financing thereof, the Provincial Department of Education and its organization, and to make recommendations thereon to the Government for immediate action.

And the proposed amendment thereto by the Hon. Mr. McIsaac:

That all the words after the word "Assembly" be deleted and

**March 27, 1969**

the following substituted therefore:

commends the Government for the measures taken to provide a program of educational services relevant to the present and future needs of the province, for its extensive consultation with representative groups in studying proposals for improvements; and further, commends the Government in particular for the implementation of curricular reforms for the expansion of educational programs for youth and adults, for the encouragement of the fine arts, for provision of expanded educational services for the handicapped and disadvantaged, and for the reorganization of the Department of Education in keeping with the modern role of government in providing leadership in educational development.

**Mr. Kwasnica (Cutknife):** — Mr. Speaker, at this point in the debate on Resolution No. 4 calling for a Special Task Force on Education and the amendment thereto offered by the Hon. Minister of Education (Mr. McIsaac), one cannot help but be a bit amazed at the attitude taken by the Government. I am amazed at the smugness of the amendment in which the Minister in short pats himself on the back, saying that he has provided for all the present and future needs of the province. You know, Mr. Speaker, the Federal Liberals became very smug in 1957 and lost touch with the people of the nation and were thoroughly trounced in the 1957 election, and practically annihilated in 1958. I am fully convinced that the present Government of Saskatchewan is headed in the same direction.

Well, the Minister of Education says, “All is well and perfect in Saskatchewan’s educational system today.” Let’s examine the situation with some real depth and scrutiny. First of all, I would like to turn to the University. This Government’s performance at the university level is appalling to say the least. Students are not happy and many of the faculty are disgruntled as witnessed by the recent events at Regina campus. I would hope that the Government could remove its blinders and realize that this is a serious situation, demanding immediate action to a positive direction as is being done in many other universities across the country. Senate meetings at Simon Fraser University are not open to the public. The University of B.C. and McGill voted in September of 1968 to open their Senate meetings, with the McGill Senate Committee suggesting that all information regarding the University and its activities be regarded as public information unless specifically decided otherwise. St. Francis Xavier now has one of its students on the Board of Governors.

Contrast these progressive developments just mentioned with our Liberal Government’s attitude toward our University and its students who have not shown any evidence of violence whatsoever. Our University’s Board of Governors is composed to a large extent of businessmen and Liberals. The Board makes the general policy decisions behind closed doors and has the last say in the budget before it is submitted to the Government. No student, faculty

member or citizen can get full information on the University budget. Last year the Premier attempted to gain more direct control by a series of sub-votes on the budget. The Government through its Board of Governors has attempted to suppress free expression and dissent by trying to break up the student union. The best it can offer in this Legislature to date is a weak and meaningless Resolution requesting that the Government give early consideration to the approval of student representation on the Senate of the University of Saskatchewan. The Senate mind you, not the Board of Governors, and judging from the effectiveness of senates the world over, we know how much good that will do.

I'd like to turn secondly, Mr. Speaker, to another area of concern and that is automation, cybernation and education. One of today's current problems is how to plan for cybernation and automation as related to education. Is Saskatchewan's educational system equipping us to deal with the burgeoning social and scientific and technical knowledge of our time? For the future let's remember that such knowledge has been leapfrogging for the past 50 years and has presently speeded up in the geometric progression and it is still accelerating. You know it is often said by educators and people concerned about education that Saskatchewan's educational system is about 50 years behind the times. Really I don't see what other institution or business would operate 50 years behind the times, unless it's that Liberal Government opposite us here. Failure to advance beyond world concepts in the galloping technological revolution of today will mean further dehumanization and greater alienation of ourselves and our children from our natural environments and lives. Atomic energy, automation and cybernation must serve the human family as a whole. All of these things are bringing about a destruction of old values in the search for new ones. The big question is: will machines serve man, or will man find the human values necessary to use the machines for an abundant life for all? There is no doubt that cybernation will displace people by the thousands in the near future. It is often said that workers and professionals will have to retrain five times within their lifetime from now on. Has the Government of Saskatchewan looked seriously at this problem and pitched in with the Federal Manpower Retraining Program? Not to any great extent. Cybernation and automation will then in the future replace man on a massive scale. What will become of our students of tomorrow if they are not trained for this new leisure? It is interesting to note that the word "school" is derived from a Greek word meaning leisure or that which is done during leisure. In ancient and medieval times higher education was a privilege reserved for the sons of the wealthy leisured minority. By looking at current statistics we find that only 25 per cent of all university students in Canada come from families earning \$7,000 or less. But 53 per cent of all tax revenues come from families earning \$7,000 or less. So perhaps, Mr. Speaker, we are back to the Greek age in this regard. But let's examine the idea that school meant "leisure" in Greek days. If cybernation will replace people, then surely education for leisure must become an integral part of our educational philosophy. Has the Government

**March 27, 1969**

of Saskatchewan examined that possibility? I doubt it. Instead it says it doesn't need a Task Force to look into the future of education. It assumes that it has all of the answers.

Mr. Speaker, I want to turn for a minute to an evaluation of our schools today. If the Minister of Education would allow a Task Force, he would find I'm certain that our educational system still favors the middle class agreeable child and distresses all others. This is estimated to waste about 85 per cent of some 5.5 million elementary and secondary students in our country. The consequences are building a provincial disaster: children made wretched by the impersonal school atmosphere; dropouts with unused gifts of intelligence and imagination; rote thinking among professionals; bleak and depressed adults whose plan for life is to get through the day as uneventfully as possible; people facing the leisure age with panic because they have no tools for idleness but drink and television. Capacity to read, explore and enquire and discover has been stunned out of them. A generation of young people now is being forced to learn the provisions of the Home Rule Bill, the botanical name for milkweed, and the properties of hydrofluoric acid. But our schools rarely help students to understand themselves or to communicate and sympathize with their fellow men or to make routine household repairs, to raise a family, to judge infallibility of newspapers, television or democracy or to establish a family budget or about law, economics, welfare arrangements, housing problems, war or pollution, all of which will be dominant issues in their lives. The most common opinion offered by students today is, "It's the same old stuff; nothing new or exciting ever happens in schools," and in many instances the teacher who has the ingenuity to try something new and different is often criticized by the preservers of the status quo or called a Communist, a kook, or a radical. Ask the Minister of Public Works (Mr. Guy) and the Minister of Highways (Mr. Boldt). They've got all these terms down pat.

Our curriculum is the number one problem. How can teachers and students become inspired with a curriculum they didn't plan themselves? And I'm not talking here about the basic skills in the elementary grades. How can a curriculum written by a central committee take into consideration the needs and interests of a particular class in a particular area of the province on a particular day? After all, who knows best whether a course was good or bad but the student and the teacher? Hours and months and years of hard mental calculation have gone into organizing and processing the new curriculum for Divisions III and IV, working out the specific details. But by the time that curriculum is worked out, printed and put into practice in our classrooms it will already be outdated. That is why there is a need for a general curriculum with the specifics left to the teacher with regard to the needs and the interests of the students. Knowledge is so vast today that it is sheer folly to tell a student he must learn a certain set of useless facts in order to pass his course. A student will learn the specifics if and when they interest him. In short, a stereotyped

curriculum stifles initiative and interest of teachers and students. As I see it, the teacher's number one responsibility is to the students in his classroom, not the set curriculum or his superintendent or the Department of Education.

I want to turn for a minute, Mr. Speaker, to the subject of examinations, and by the pressure put on students by them. Doctor B.F. Skinner, behavioral psychologist at Harvard University, established that the learning process improved with rewards and encouragement and it deteriorated as stress rises. He found that positive marking caused students to be more relaxed about exams. Advocates of examinations as the only measurement of knowledge were rattled by the results of an experiment conducted in Quebec where 100 regular examination markers were given the same chemistry paper to grade. The marks varied from 30 per cent to 84 per cent. A similar situation arose in England when a headmaster gave the same English class two examinations. One was set by the class teacher and one by a teacher of another English class in the same grade. The results were startling. The boy who passed at the top of the class in one test was at the bottom in the other. All students did better in the exams set by the teacher they didn't know. So perhaps the students have a point when they say that examinations are unfair and really should not be weighted that heavily. In other words, we don't know everything about exams and a Task Force would certainly help to evaluate and guide our educational system in Saskatchewan.

Mr. Speaker, I don't want to indulge much time of this House, but I've tried to pinpoint a few of the problems in education in Saskatchewan today. I am sure that no one person in this Legislature has all the answers. There is no simple solution. Therefore we must continue to search for the truth and make the necessary improvements. There is ample evidence in Saskatchewan that a Special Task Force on education is needed in Saskatchewan today more than ever before. The students in Saskatchewan schools are generally unhappy. Teachers in Saskatchewan today are deeply troubled. Ratepayers in Saskatchewan are extremely disappointed. And any government that closes its eyes to the needs of tomorrow, any government that pats itself on the back, and refuses to search for the truth, is a smug government indeed, a regressive government, a scared government and it is a sick government.

Mr. Speaker, I cannot support the amendment, but I do support the main motion as presented by my learned friend from Saskatoon Riversdale (Mr. Romanow).

**Some Hon. Members:** — Hear, hear!

**Mr. Forsyth (Saskatoon Nutana South):** — Mr. Speaker, I find some of the statements which have just been made so amazing that I'd rather not comment on them at this time, and I would therefore ask leave to adjourn the

**March 27, 1969**

debate.

Debate adjourned.

**RESOLUTION NO. 11 – ESTABLISHMENT OF A COMMISSION TO EXAMINE HEALTH PROGRAMS**

The Assembly resumed the adjourned debate on the proposed motion by Mr. Smishek (Regina North East):

That this Assembly recommend to the consideration of the Government the establishment of a Commission to examine health programs in Saskatchewan and elsewhere, with a view to determining:

- (a) the cost of such programs and the various methods of financing them;
- (b) the number, ages and economic status of persons who are deterred by utilization fees from seeking health services.
- (c) methods of organizing health services which will control costs without placing obstacles in the way of obtaining needed services, and at the same time make possible an improvement in the quality of health services.

And the proposed amendment thereto by Hon. Mr. Grant:

That all the words after the word "Assembly" be deleted, and the following substituted therefore:

commends the Government of Canada for establishing in 1968, a federal-provincial committee which is presently studying the costs of health services in Canada including:

- (a) the effectiveness of present delivery systems for health services;
- (b) the scope of community health services and preventive care programs;
- (c) the planning, organization and effectiveness of present health service programs; and
- (d) the responsibility of the patient in financing a portion of these costs;

and which will recommend to the Conference of Canadian Ministers of Health, positive action required to contain the cost of health services in a logical, definitive and practical way, but not impair the quality or the availability of necessary health services.

**Mr. Brockelbank (Saskatoon Mayfair):** — Mr. Speaker, at this point in the debate on Resolution No. 11 and the amendment offered thereto by the Hon. Minister of Health (Mr. Grant), I think it would be wise to pause and examine at some length the initial comments contained in the Royal Commission on Health Services, more commonly known as the Hall Commission on Health Services in Canada. Mr. Speaker, reading a few passages from the good book here, the number of passages I read of course will depend on the reception that I get from the Members opposite. Beginning at Chapter I.

**Mr. Willis (Melfort-Tisdale):** — Mr. Speaker, this is an opportunity for me to interrupt here on a matter of quite some urgency. If I may proceed, a report from the Flag Selection Committee listed a person in my constituency and they spelled his name wrong. I want to bring to the attention of the House that it is to be Jack Ives rather than Jack Ivor. I thought I should mention this while there is still time to send out the correct publicity.

**Mr. Speaker:** — Well, I think the correct authorities will take note of the change in spelling. The Member has brought the attention to the House of whoever is in charge of this. As I understand the name is Ives, not Ivor.

**Mr. Brockelbank:** — Mr. Speaker, as I was mentioning I want to quote a few passages from the good book and beginning at Chapter I in the Royal Commission on Health Services, Canada, 1964, under the heading “Individual Responsibility for Health,” I think there is a lot of meat in these basic comments under the heading “Basic concepts of this Report.”

#### Individual Responsibility for Health.

The Commission believes that the individual's responsibility for his personal health and that of members of his or her family is paramount to the extent of the individual's capacities. Briefs from the health professions and other experts and studies by our research staff emphasize the wide scope that the individual has for the determination of his own health and well being. With the near disappearance of most communicable diseases the range of self-determination has increased, personal hygiene, cleanliness in the home, balanced diets, precautions against accidents, adequate rest, regular exercise, wise use of time for leisure and recreation, in short, temperate living. All of these are not only of first importance in the maintenance of health but are largely under the control of the individual and are in our opinion clearly his responsibility. However, in this day of advanced medical knowledge and skills, these are not enough. The individual must assume responsibility for wise and prudent use of health services — for periodic



**March 27, 1969**

health examinations including regular dental examinations, - for assuring that the mother received complete pre and post-natal care – for seeing that children are properly immunized and at the first sign of symptoms for consulting a physician or dentist. The wise use of available health services cannot be overstressed. Much serious illness and unhappiness would be avoided if this were done. It goes without saying that since all such resources are scarce, it is the duty of the individual as well as the practitioner prescribing them to see that the services are used with prudence and economy.

There are other obligations. These services cost money. Therefore the individual must also be prepared to assign a reasonable part of his income by taxes, premiums or both to meet the costs of health services which will be faced by every person during the course of his lifetime. In addition the individual must assume responsibility as a member of organized society for meeting a fair share of the cost of providing health resources for the nation, including those which give him protection through environmental controls, the educational institutions that produce our supply of health workers, and the research institutions that advance our knowledge of life and disease processes and new methods of therapy. These obligations and responsibilities we believe to be wholly compatible with the democratic concept of the individual in a free self-governing society.

And that is the end of that paragraph, Mr. Speaker, on the individual responsibility for health. The next paragraph is worthy of quoting at this time, Mr. Speaker, and it is the public interest in individual health. I will quote that paragraph in part:

The public interest in health has been typically manifested by community action to deal with health problems that the individual was incapable of managing himself. In the past this meant community measures to prevent and control communicable diseases, organized health activities in Canada originated in community efforts to stem the epidemics of the last century. In recent decades a number of factors have enlarged the scope of the public interest and given it new force and cogency. The first is the deepening of our humanitarian concern for our fellows. We recognize that the well-being and happiness of the society is simply the sum total of the well-being and happiness of its individual members. It is clear that the well-being of a proportion of the population at any given time is seriously curtailed because of mental or physical disease or impairment that strictly by the laws of chance could strike any one of us.

We seem in a sense to have become insurance-minded in that we now believe that the individual family should not have to bear alone the full costs of risks that could happen to

any one of us. Accordingly, if the resources of the whole can be used to strengthen the ability of families and individuals to manage and plan for themselves, they should be so used. The depression of the 1930s, with its mass unemployment requiring massive national, provincial and municipal expenditures to help individuals regain their independence and self-sufficiency, probably did more to translate into action what is basically a Judea-Christian philosophical concept than any other event in our era. Just as we have accepted that the cost of industrial accidents should be a charge upon the whole productive economy and not borne by the individual injured workman and his family, so are we now accepting that society as a whole must help to bear the costs of accidents and diseases that we know will strike the total population in predictable numbers although we cannot foretell which of its members will be stricken.

The almost immediate response of governments in the thalidomide tragedy is the most recent dramatic example. But everywhere throughout the land, as numerable briefs to the Commission attest, there is an awakened conscience and a growing consciousness of the need of more organized assistance for those families carrying the unpredictable burdens of children with severe mental deficiencies, children deformed or injured at birth or maimed in infancy, of members who are aged or infirmed. There is a growing consensus that since we do not know which of us may be afflicted all should make a contribution to the common fund to assist those who are.

**Mr. MacDougall (Souris-Estevan):** — Send the book over and we will read it ourselves.

**Mr. Brockelbank:** — I'm sure, Mr. Speaker, if I sent this book over to the Hon. Member from Souris-Estevan (Mr. MacDougall) it would make a good prop for his head.

**Some Hon. Members:** — Hear, hear!

**Mr. Brockelbank:** — That is all, Mr. Speaker, that I wish to quote from the Hall Commission Report. I recommend it to all Members of this Assembly, including the Member for Souris-Estevan. I'm sure he requires it most of any of the Chamber. Even the briefest reflection on these two basic concepts, "individual responsibility for health" and "public interest in individual help" should cause all Hon. Members of this Assembly to support the best possible Resolution from this Assembly in the light of our circumstances.

This Liberal Thatcher Government should not be allowed to continue to ravish our health plans. The imposition of deterrent fees was a blunder. Later this Government tried to justify them

**March 27, 1969**

by a province-wide continuing program of inaccurate radio advertisements. But that only served to confound the blunder. Now the Government's proposed ceiling of \$180 per family unit will not alleviate the unequal financial burden for health care that falls on people of low and fixed incomes.

Mr. Speaker, even the ultra-conservative British Columbia Government takes a more liberal stand on deterrent fees than the Saskatchewan Liberal Government.

I would like to quote from a brief article that appeared in the Star Phoenix of November 4, 1968. Mr. Bennett on his way to the Federal-Provincial Conference at Ottawa remarked, and I quote:

I am opposed to the present heavy penalty and deterrent fees that bear heavily on the poor.

Further body blows to our health plan have been delivered since the advent of deterrent fees. The threatened withdrawal of coverage for insured services such as physiotherapy and radiology and other similar services outside of hospitals.

It is my considered suggestion that the deletion of these services, formerly insured, should be delayed at least until the Federal-Provincial Committee which is presently studying the cost of health services in Canada has a chance to study and report.

My information indicates that as recently as January 15, 1969, the Federal Minister of Health and Welfare was unsure as to the manner in which he should deal with those services especially as they are related to Community Health Clinics.

I would like at this time, Mr. Speaker, to table a resolution from the Saskatoon Labour Council. That resolution was a result of their annual conference held in Saskatoon on January 25, 1969 and it reads as follows:

Be it resolved that while this Saskatoon Labour Council will support efforts to have these services included under the Federal-Provincial cost-sharing agreement arrangements, we communicate to the Provincial Government our firm position that there be no cut-off of present diversified availability with the Medical Care Insurance Commission continuing to pay for same, as has been the case when medicare was established in our province.

And this was signed by the president of the Saskatoon Labour Council. A great deal of capital has been invested by Community Health Clinic Associates as well as other community-type clinics to provide these services. It seems to me inconsistent to be calling for cost-cutting on one hand while ignoring on the other hand operations which demonstrably reduce costs. At this session enough genuine evidence has been brought forward to warrant a complete investigation of the claims made by the Community Health Services Association Limited regarding reduction of costs

in insured health services, by their Community Clinics without sacrificing the quality of medical service received by the patients.

Our resolution would have advanced the boundaries of knowledge of the health services particularly as they relate to the Saskatchewan scene. Now, however, the proposed amendment seeks to put the whole investigation in the hands of a Federal Committee. Unfortunately, Mr. Speaker, the whole study is doubly handicapped because there is a Liberal Government at each end of the contraption, and Liberal Governments are not noted for positive thought and action in the field of health care. Politically, Federally and Provincially, they promised national medicare in 1919 and every election thereafter. They promised free cancer treatment but never delivered on it; promised to maintain and improve medical plans and hospital plans, instead they sought to cripple and penalize them at every turn; promised prescription drug care under medicare, and here procrastination seems to be the order of the day; have done irreparable harm to our mental health program and consequently to the lives of many Saskatchewan people.

They have dipped into the estates of Saskatchewan people who are unfortunate enough to suffer severe mental illness. The most notable study, initiated by Saskatchewan Liberal Government in the field of health care, is the one that we shoved them into and that is the Frazier Commission Report. Neither of the recent major health studies in Canada were initiated by a Liberal Government. The Thompson Commission was initiated by the CCF party and used as a basis for the first public medicare program in North America. The Hall Commission Report was initiated by the Conservative party and belatedly is being used as a basis for national medicare.

If the Liberal party had demonstrated even a modicum of concern supplemented with positive action in the field of health care, we would be much more inclined to feel the amendment that they have offered was offered in good conscience. We will be compelled to accept their amendment regardless of whether or not it was in fact offered in good conscience. In order that the Resolution have great relevancy to the Saskatchewan scene, I intend, with the leave of the House to move a sub-amendment. The sub-amendment will direct attention to the Federal-Provincial Committee to the area where we feel the basic principle, that of universal accessibility, has been compromised if not completely violated.

The amendment which I have here, Mr. Speaker, seconded by the Hon. Member from Weyburn (Mr. Pepper) will read as follows:

And further, that this Assembly recommends that the said Federal-Provincial Committee be requested to study and report upon the effect 'deterrent fees' have on people securing needed hospital and medical care.

I do so move, Mr. Speaker, with leave of the House.

**March 27, 1969**

**Mr. Speaker:** — Now to begin with the Member has had one adjourned motion in the House and he can only move the amendment by the leave of the House. Is leave granted?

**Hon. Members:** — Agreed.

**Hon. Mr. Steuart (Provincial Treasurer):** — May I raise a point of order on this amendment?

**Mr. Speaker:** — It is competent for anybody to raise a point of order who wishes.

**Hon. Mr. Steuart:** — If you look at the amendment made by Mr. Grant it says, “commends the Government of Canada for establishing in 1968, a federal-provincial committee which is presently studying the costs of health services in Canada including . . .” And then it lists some and when it comes to “(d) the responsibility of the patient in financing a portion of these costs,” and so on. I think that it is covered in the present amendment to the original motion. With the result I think that it is out of order.

**Mr. Brockelbank:** — On the point of order. I think there are two different things at stake here. The Deputy Premier is quite right in referring to section (d) as meaning the financing of the cost of medicare, but I think this Resolution, this subamendment, refers to not only the financing cost but the deterring effect of these fees. I think that this is the reason that the amendment is offered and I would suggest that it is separate and apart from the (d) part of the amendment offered by the Minister of Health.

**Hon. Mr. Steuart:** — Again, Mr. Speaker, with reference to the point of order. If you read (a) in connection with (d) they are going to study the effectiveness of present delivery systems for health services. I maintain that this will include everything. I am told by the Minister that they intend very much to study the relationship and the effect of present utilization fees in this province and in Alberta and British Columbia where they have had utilization fees for many years.

**Mr. Brockelbank:** — I think, Mr. Speaker, in speaking to the point of order that special circumstances here warrant special consideration and that is why the subamendment is offered.

**Mr. Lloyd (Leader of the Opposition):** — Further on the point of order. It might be pointed out that regardless of what the Provincial Treasurer has said there is no assurance in the Resolution, there is no direction

in the Resolution, that deterrent fees as such would be studied. It may very well be that there is intention to do so, but there is nothing in the Resolution that specifically, directly and conclusively point to the request that deterrent fees as such be studied. That is of course what the amendment offered by the Member from Saskatoon Mayfair (Mr. Brockelbank) sets out to do.

**Mr. Speaker:** — In the first place in connection with whether or not there are deterrent fees, certainly there are other deterrent fees in this world, but where they are is not for me to decide. They are in New Zealand and for all I know someone might want a discussion or a study of them there. But I am a little concerned about the conflict that the subamendment has with the first part of the wording of the first motion. I don't see any conflict between the subamendment and the amendment. The amendment calls for a study of the responsibility of the patient in financing a portion of costs. The subamendment calls for a study of the effect of deterrent fees, wherever those fees may be in effect in the world. But the question in regard to the first part of the motion, the number and ages and economic status of persons who are deterred by utilization fees from seeking health services would almost be a study of the effect of deterrent fees.

I have two ways to go here, one to defer the ruling until such time as I have an opportunity to write a ruling, and the other is to make a decision on the spot. And that is never the best thing in the world to do under circumstances of this kind where there are grey or shady areas. However, I will try and do it because we are nearing the end of the session.

The subamendment in my opinion does not conflict with the amendment because the subamendment seeks a study on the effect of deterrent fees, whereas the amendment seeks a study of the responsibility of a patient in financing a portion of these costs, which can be construed as being two different things. The motion asks for an examination of the number, ages, and economic status of persons who are deterred by utilization fees from seeking health services, whereas the subamendment seeks a study and report upon the deterrent fees as such.

I think that this is a case where a good lawyer or a good speaker could go either way. And because I can go either way on the matter I will rule in the interest of the widest possible discussion and rule the subamendment to be in order.

**Hon. Mr. Stuart:** — Mr. Speaker, I am going to speak very briefly on the whole question that has been raised and the comments that have been made in this debate by the Hon. Member from Shellbrook (Mr. Bowerman) and the Hon. Member from Prince Albert East-Cumberland (Mr. Berezowsky).

The Hon. Member from Shellbrook . . .

**March 27, 1969**

**Mr. Blakeney:** — Mr. Speaker, on a point of order. Are we speaking on the amendment or on the subamendment?

**Mr. Speaker:** — There was a concurrent debate on the motion and the amendment but the question now before the House is on the subamendment and the subamendment can now only be discussed because it is not an alternative, but is merely adding something to the amendment.

**Hon. Mr. Stuart:** — I then ask for permission to adjourn the debate.

Debate adjourned.

### **RESOLUTION NO. 13 – CO-ORDINATION OF GOVERNMENT PROGRAMS**

The Assembly resumed the adjourned debate on the proposed motion by Mr. J. Messer (Kelsey):

That this Assembly recommends to the consideration of the Federal and Provincial Governments, co-ordination of all Government programs and policies respecting agriculture, ranging from production to the consumer, so that the agricultural sector will be treated as an organized body.

**Mr. Heggie (Hanley):** — Mr. Speaker, this all-embracing motion is far-reaching and involves many agencies both government and private built up over the years to deal with agriculture in all its various facets, that careful scrutiny of it is needed in this House. The motion says that all Government programs and policies respecting agriculture, ranging from production to the consumer be co-ordinated so the agricultural sector will be treated as an organized body.

Let us first consider the various bodies that would be involved. There would be the Federal Government, the Provincial Government, there would have to be the involvement of the Provincial Governments of Manitoba and Alberta where grain production is concerned. There would have to be the involvement of the other six Provincial Governments where dairying, beef production, feed grain production, other livestock production, fruit growing and truck farming are the main industries. There would be the involvement of the Canadian Wheat Board, the Board of Grain Commissioners, the Canada Grain Council, Saskatchewan Wheat Pool, the Alberta Wheat Pool, The Manitoba Pool Elevators, the United Grain Growers, and the other line elevator companies. There would be the involvement of the Canadian Federation of Agriculture, the Canadian Livestock Association, other livestock associations, both provincial and federal, the Dairy Council of Canada, the various milling companies, the meat packing and the food processing industry.

I think that this House will agree that the scope of this Resolution is all-embracing in its present form. I hesitate to

recommend a Royal Commission of Canada to examine the whole scope and breadth and state of the agricultural industry, because Royal Commissions usually take two or three years to report and by that time the recommendations are usually out of date. Everyone agrees that there must be some kind of co-ordination of agricultural policies. Too long have the various bodies been allowed to go their own separate ways. I quote from an article in the *Western Producer* of March 13, 1969, from the working papers prepared for the Canadian Agricultural Congress now in progress in Ottawa and it says:

All major farm organizations are sending their top people, planners, and they will be joined by company presidents, senior civil servants and others to round out the 400 delegate-capacity representing some 125 organizations.

So we can see from that that this Congress already in progress, I believe which opened on Monday and would close today, is in part an answer to the Resolution.

I would like to read from a farm paper an article entitled Canadian Agricultural Congress at Ottawa, March 24-27. Of course this was compiled a few weeks ago, and I quote:

A few weeks from now March 24-27 the Federal Government will convene a Canadian Agricultural Congress in Ottawa. This has been announced by Agriculture Minister H.A. Olson, and the Provincial Ministers of Agriculture have been consulted and have offered their full co-operation.

The Congress will provide all groups in agriculture an opportunity to discuss the work of the Task Force in Agriculture, and give their views on the problems facing the agriculture industry and on the development of national goals and long-range programs and policies to deal with these problems.

I think that the Congress that is now convening in Ottawa tends to lean in the direction of the Resolution, there being a recognition of all levels of Government and from all private agriculture organizations that too long have we gone on without a co-ordinated policy, and that at last, brought about perhaps to some extent by the crisis in wheat marketing, there should be some type of co-ordination to make Canadian agriculture a sounder industry for its farmers.

Therefore, Mr. Speaker, I find myself in support of this Resolution on agriculture. I only offer a word of caution that the words "organized body" must never come to mean a body of farmers, so tightly controlled by statutes and regulations, boards and commissions, professional and trade organizations, that the farmer is secure in his production and marketing aspects but finds himself in an economic strait-jacket in other ways.

Prime Minister Trudeau said himself that the agricultural problem could be solved by state intervention. But he knew that



**March 27, 1969**

Canadian farmers did not want that kind of a solution. Therefore, I find on the whole the Resolution to be one which is very acceptable to this House. As I said earlier in my opening words when I spoke on this debate before, that it was a well-documented and well-reasoned Resolution backed up by much information which was useful to the agricultural industry. I find I can support it with enthusiasm.

**Some Hon. Members:** — Hear, hear!

**Mr. Messer (Kelsey):** — Mr. Speaker, I first of all want to thank the Member for Hanley (Mr. Heggie) for his kind remarks toward the Resolution. I hope that the feeling that he has is general with the Members opposite. I surely understood, before I introduced this Resolution, that it covered a very broad field and was far-reaching and that it was going to touch, or would have to touch, if it was indeed going to do what it set out to do, all aspects of agriculture, meaning the Federal and Provincial Governments and all provinces of Canada, agricultural production may have. And then the other segments of agriculture most definitely have to be included within this also.

I realize that we are going to have to take some bad with the good, if we are going to make a move in this regard. And, indeed, probably in some instances we are going to create problems for agriculture, but these problems would be coming up in the future without any foresight into how to solve them at the present rate we are now going. I think that this is really the only single main direction that we can be heading, if we are indeed going to solve the problems that agriculture is being confronted with now and in the future.

In the very recent past and more so since the Congress on Agriculture in Ottawa has started, we have found many voices who are voices of agriculture following the line of co-ordination with regard to the agricultural industry. As I said in my address in presenting this Resolution we can no longer accept agriculture as farming only. We can no longer look at it as a series of black boxes, each one being independent of the other. We have to have some sort of co-ordination throughout the entire industry. And with that, Mr. Speaker, I would close by saying that I hope that all Members opposite as well as the Members on this side of the House will vote in support of this Resolution.

**Some Hon. Members:** — Hear, hear!

Motion agreed to.

#### **RESOLUTION NO. 12 – LONG DISTANCE TOLLS**

The Assembly resumed the adjourned debate on the proposed motion by Mr. Wooff (Turtleford):

That this Assembly recommends to the consideration of the

Government that Saskatchewan Government Telephones assume responsibility for collection of long distance tolls on calls originating with Rural Telephone Companies, or alternatively pay to the said companies full collection costs.

And the proposed amendment thereto by the Hon. Mr. Cameron:

That all the words after the word "Assembly" be deleted, and the following substituted therefor:

commends the Government for its financial assistance to Rural Telephone Companies, and urges that such assistance be continued and expanded.

**Mr. Messer (Kelsey):** — Mr. Speaker, I haven't a lot to say in regard to this Resolution, but I was somewhat disappointed when the Minister in charge of Saskatchewan Telephones amended it, and amended it to the extent that he took all of the content out of what the original Resolution was asking for. If this amendment is passed it means that it leaves the Rural Telephone Companies in exactly the same position they were in before in regard to the collection of long-distance toll charges. It doesn't help the concern that the Rural Telephone Companies have shown in the past years in regard to the problems they have in collecting long-distance toll charges throughout the province.

In many instances a lot of these smaller rural companies are reaching the verge of bankruptcy simply because they only have four, five or six members involved in the original rural company that they set up. Out of 119 companies a great many of them fall into this category of being very, very small companies at the present time. They cannot collect the long-distance toll charges on a monthly basis, consequently it is done on a bi-annual basis and sometimes even a yearly basis because there isn't anyone in a position to go about collecting these dues on a monthly basis. Because of this, a great many of them are borrowing money in order to meet the obligations that they have in regard to long-distance telephone toll charges. It has been pointed out by my colleague, Mr. Wooff from Turtleford, that the \$1.25 per year that is paid by the company for the collection of long distance charges is most inadequate when you take into consideration the bookwork and the mailing and the stationery and so on. The \$1.25 per customer allowance for the collection of these charges is not a very realistic one. The companies themselves have shown for some time now at their conventions that they are very much in favor of some sort of an adjustment in regard to the collecting of these charges. And I would, if I may, Mr. Speaker, just like to read the two resolutions in the last two Rural Telephone Conventions that were presented, I believe, to the Government in regard to increasing and improving situations that they are confronted with over long-distance charges.

In 1967 they passed a resolution reading:

**March 27, 1969**

Whereas the cost of the Rural Telephone Companies in connection with collection of toll charges is continually rising, and whereas the present reimbursement by Saskatchewan Government Telephones of \$1.25 per subscriber to the rural Telephone Company to defray the cost of such collections is totally inadequate, and whereas the cost of this company in the process in making these collections which includes postage, envelopes, maintenance and records, plus uncollectable accounts, has risen to better than \$3 per customer, therefore, be it resolved that the grant to rural telephones companies for collection of toll charges be increased from \$1.25 to \$3 per customer.

The year after that another resolution was passed reading:

Whereas the cost of Rural Telephone Companies in connection with collection of toll charges is continually rising, and whereas the present reimbursement by Saskatchewan Government Telephones of \$1.25 per subscriber to the Rural Telephone Company to defray the cost of such collections is totally inadequate, therefore, be it resolved that the Saskatchewan Government Telephones be responsible for the collection of long distance tolls or give a grant to the rural telephone companies of 10 per cent for long-distance toll charges.

Mr. Speaker, I believe that, if the Saskatchewan Telephone Company undertook the collection of these charges, the people in rural areas who have been obligated to pay long-distance charges would be much more prompt in paying them, when billed by the Saskatchewan Government Telephone Company. As I stated before, in a great many instances the bills are not even sent out in small rural companies on a monthly basis but are done on an annual or six-month basis which increases the charges to the rural companies, because they have had to borrow the money to meet the commitments to the Saskatchewan Government Telephone Company. And I'm surprised that the Minister (Mr. Cameron) would get up and put an amendment to this Resolution and then not even recognize the original motion asking for some consideration in this regard. I can, however, appreciate what he said in his short address in regard to what the Saskatchewan Government Telephones is doing for these rural companies in regard to the grants they get for poles, and the grants they get for new lines, and the \$50 grant, I believe it is, for underground cable and circuits and so on, reimbursements for replacing new telephones with the old ones. But this doesn't solve the problem that the smaller companies are having in regard to long distance telephone charges that they have to collect. I believe that, if we do not recognize this area and give some assistance to these smaller companies, a great many of them are going to have to declare bankruptcy, leaving the people that are relying on these smaller companies for telephone service without this service. Because of this I will not support the amendment but would support the original motion.

**Some Hon. Members:** — Hear, hear!

**Mr. Wooff (Turtleford):** — Mr. Speaker, for the Minister (Mr. Cameron) of a department to indulge in the exercise of a self-admiration society by bringing in such an anaemic stand-pat amendment to the Resolution means that he just refuses to face the immediate problem outlined in the original motion. I have neither the desire nor the intention, Mr. Speaker, to prolong the debate to any extent. I can only remind the Government that rural telephone companies cannot continue to collect toll fees at hundreds of dollars loss year by year. May I point out that SaskTel was not in a financial difficulty but was really making a handsome and substantial profit when the Board saw fit to increase the telephone rates some two years ago. Just why SaskTel should make a profit of some \$4 million while rural telephone companies must collect long distance toll fees at a loss, I can't understand.

Whatever the Minister (Mr. Cameron) has to say about increased commissions for collecting toll fees, to rural companies or increased construction grants to rural companies, Mr. Speaker, these increases have not kept up with the increased cost of doing business. That is just a grim reality. Once again in closing, may I point out to the Government that rural telephone companies are seriously considering refusal to collect these fees in the future. Now this is the situation that exists and I was instructed by some of the telephone board members to bluntly state this in the House and this is why I brought this motion forward, Mr. Speaker, and this is why I once again remind the Government that these boards are getting into a pretty antagonistic state of mind over the existing situation. I would say that within the next year or two it is definitely going to come to a showdown. And so I would once again plead with the Minister to take a realistic view of this and at least meet the bare cost.

I will not be supporting the amendment, Mr. Speaker, but I will support the motion.

Amendment agreed to.

Motion as amended agreed to.

#### **REPORT OF COMMITTEE ON PUBLIC ACCOUNTS**

**Mr. Wood (Swift Current)** moved, seconded by Mr. Howes (Kerrobert-Kindersley), **That the First Report of the Select Standing Committee on Public Accounts and Printing be concurred in.**

He said: Mr. Speaker, I would propose to move concurrence in this report and in so doing I have a few word which I would like to say.

I believe, Sir, that this year's report of the Select Standing Committee on Public Accounts and Printing is largely self-explanatory and it is not my intention to go into a detailed discussion of its clauses. There are one or two points, however,

**March 27, 1969**

that I would like to make.

I would like to point out that at the close of Clause 2 of our Report it says:

All information requested from the Department by the Committee was provided.

This of course is true in regard to any requests that were concurred in by the Committee. It does not mean that all questions by all the Members were answered. I'd like to make that clear.

I would like to say something further in regard to Section 6 which deals with a couple of losses by theft during the year under review. I'd like to point out that in our discussions of this in Committee, the Provincial Auditor made it clear that police investigation did not tend to place the staff of the department in question under any cloud. Indeed it was indicated by the police that the thefts appeared to be the work of professionals. Your Committee was of the opinion that in view of the large amounts of money handled, the record of the Saskatchewan Civil Service in regard to losses is indeed an enviable one.

I would like to say something about the purpose and workings of this Committee. As these things have come in for quite a bit of discussion this year, if the Assembly will bear with me, I would like to review again some of the background of this Committee.

In 1963 the Legislature agreed to a motion which runs as follows:

That Mr. Johnson, as chairman, together with Messrs. Brockelbank, Thiessen, Mrs. Strum, Berezowsky, Thatcher, MacDonald and Gardiner, be constituted a Special Committee to examine into and evaluate the function, terms of reference and methods of the Select Standing Committee on Public Accounts and Printing, and the adequacy of the information and assistance provided to the Committee in its work of examining the public accounts and to report thereon with recommendations at the next session; the said Special Committee to be empowered to consult with the Provincial Auditor, officials of the Treasury and other Departments, to gather information from other jurisdictions, and to sit after prorogation.

This Committee, Mr. Speaker, was set up and in 1964 its Report was tabled in the Legislature. I believe an examination of the records will show that there was some opposition to the implementing of the Report and the Government of the day did not wish to proceed with such implementation in view of the opposition. After the change in Government, however, the recommendations of the Report were implemented. It took some years to make the changeover in the auditing procedures as recommended and the first Public Accounts Committee to operate under the new system was set up at the 1967 session of the Legislature

with Mr. Brockelbank as chairman.

During this Legislature it has carried on with myself as chairman. While I have not had the legislative, governmental or treasury experience of my predecessor, and have certainly made mistakes, I think that particularly this year we have in many ways gotten down to the sort of business that this Committee was formed to perform.

Let me review some of the things which were said in the report of the Special Committee on Public Accounts Procedures. If you will note with me the third paragraph on page 10 of the Report. It says here, if I may quote:

The function of the Public Accounts Committee is to examine the accounts of the government. This is an examination on behalf of, and from the point of view of, a legislature which by its laws has granted the government the authority to do specified things, and has granted the government the funds to spend on these things. The purpose of the examination by the Public Accounts Committee is to determine systematically and thoroughly whether the Government has in fact acted within and according to the legal authority granted it by the legislature, and where it has not, to find out why and deter the government from future misuse of funds. The Public Accounts Committee completes the circle of control: it makes certain that the government is held truly responsible to Parliament for its use of funds and authority.

I think we spent more time and hopefully made more headway along these lines in our Committee this session than has ever been done before. You will note in our Report that one of the sections dealt with the provisions of legislative and Treasury Board authority for the handling of advance accounts. We are hopeful that the situation in this regard can be improved.

Let me read further from the report of the Special Committee On Public Accounts Procedures. In the last paragraph on page 11 of the Report:

When a Public Accounts Committee is effective . . .

This I am reading from the Report, Mr. Speaker.

. . . it is a committee of the legislature rather than a committee of parties. In the Public Accounts Committee party discipline is relaxed and the members of the committee – government or opposition – have the free opportunity to investigate the transactions of the government systematically, thoroughly and with the expert assistance of a legislative auditor. Without this opportunity for non-artisan investigation, a Public Accounts Committee cannot make the necessary examination and there is no assurance that the ground rules of parliamentary finance

March 27, 1969

are being observed.

Because a Public Accounts Committee examines past expenditures after, rather than before they are made, it cannot determine whether a given expenditure should be made, for this has been determined at two earlier stages: first, during the examination, criticism and approval of a program when the Act authorizing it was passed by the legislature; and secondly, during the annual examination, criticism, and approval of the appropriations for the program. Rather, the function of a Public Accounts Committee is to examine the expenditures that were made, to determine whether they were made in accordance with the principles of our system of responsible parliamentary government and to establish how the legislature can ensure that expenditures will conform with these principles in the future.

A Public Accounts Committee can improve the process of government in many ways. One of the most important of these is the opportunity it gives its members to improve their knowledge of the government's administration. To make our system of government work effectively, the public must be well informed; it is even more important that the members of the legislature, as the elected representatives of the public, should be informed and able to criticize the details of the government's administration. An effective Public Accounts Committee through its review allows its members to study the administrative processes and the programs of the government in detail, and at the same time to contribute their experience, interest and abilities to the processes of government. It makes the individual member of a legislature a stronger more effective part of the political system.

That's the end of the quote from the Report of the Special Committee on Public Accounts Procedures.

I think that Members will agree that they have found the meetings of the Committee profitable in learning about government administration which will help them to be more informed and more useful Members of the Legislature. But in being a Committee of the Legislature rather than a committee of parties we have not always been so successful. I'm afraid upon occasions we had quite partisan discussions. Much of this has been in regard to the type of questions to be answered in the committee.

The terms of reference of the Committee as set out by the motion passed in the Legislature upon the setting up of the Select Standing Committee makes it clear that the Committee had wide powers to send for persons, papers and records and to examine witnesses under oath. Such being the case, I find it very difficult for the chairman to rule out of order questions asking for certain documents. However, I cannot but agree that questions should not be answered in the Committee which the Government would find to be not in the public interest to have

answered in the House, otherwise our Committee could not long continue to operate.

This then places the onus as to whether questions should be answered or not, upon the Deputy Minister of the Department which may be before the Committee or by the Committee itself. While these Deputies of Departments are knowledgeable and discreet men it is not always fair to place them as Civil Servants in such a position. Government Members on the Committee, often being composed entirely of Private Members, themselves feel that they are not always competent to judge; having not been in on departmental or Cabinet discussion of the matters in question, they are not in possession of all the facts. Thus they find it difficult to act as the watchdog of the interests of the Government if questions arise which might be thought of as having political overtones.

In an effort to arrive at a solution in the Committee this year, it was agreed that, if any member asked for notice on any question, it would be granted without discussion and the question held over to another meeting, thus allowing the Deputy Minister or Government Members to discuss the matter with the Minister concerned. While in practice this procedure left something to be desired, I cannot but think it has possibilities. The Provincial Treasurer (Mr. Steuart) and I have had a discussion upon the working of this Committee and I find that we agree in many ways.

In assessing this Committee and its operation we must consider that it has been in operation only three years. Such a committee has been in operation in the British House of Commons for over 100 years and has been found to be a very useful instrument in the democratic parliamentary process. Who is to say, however, that it functioned perfectly from its inception? In your Public Accounts Committee, we are venturing in what has been for this Legislature, unknown waters. I think that an objective assessment will show that the project is worthwhile and with a little more experience we will have as useful a committee as is found in its British or Canadian counterparts.

In closing, Mr. Speaker, I would like to commend the Government on the appointment of Mr. Hodson as Provincial Auditor. Given sufficient staff his able and faithful work in the past will, I believe, ensure for the Legislature a careful and knowledgeable scrutiny of the public accounts. So I would thus move, Mr. Speaker, seconded by the Hon. Member from Kerrobert-Kindersley (Mr. Howes) that the first Report of the Select Standing Committee on Public Accounts and Printing be now concurred in.

**Mr. Howes (Kerrobert-Kindersley):** — Mr. Speaker, in rising to second the adoption of the Report of the Committee on Public Accounts, I would like to, Sir, remind you that this is the third year the Public Accounts Committee has operated in the manner in which it has and of



**March 27, 1969**

course, Sir, you will realize as all of us, I think, in this House do that the Committee is still suffering from what might be called birth pains, and whether or not the Committee is fulfilling the function that was envisaged when it was established in the present system, is not fully apparent at the present moment. I'll have more to say on this subject in a moment or two. In the meantime, however, I would like to refer to Item No. 7 of the Report. This item calls for the Attorney General's Department to give consideration to the use of law stamps. It also states:

That some members of your Committee felt quite strongly that the use of law stamps should be continued.

I would like to say in this House at this time, Sir, that I am one of those members. I feel that whether or not law stamps are retained is a policy decision for the Government to make, but I personally consider the lawyers in the small towns of this province would certainly recommend to the Government that the present policy is a good one. It may require some legislative or Treasury Board authority but I personally feel it is an excellent policy and wish to have my opinions on record before this House at this time.

Now, to go back to what I said a moment ago, insofar as the recommendation that the method of the operation of this Committee be referred to the Inter-sessional Committee on Procedures, a great deal could be said. I think anyone who is a member of this Committee this year realized the difficulties of the Committee to see Public Accounts function in an efficient and practical manner and until some procedural problems are solved. It is doubtful that this can happen. I feel very strongly that the Inter-sessional Committee on Procedure should give the operation of this Committee very serious study and make further recommendations to the Assembly as to its mode of operation and its powers.

Another item that should be clarified by the Legislature is Item No. 10. This is with regard to the various boards, agencies and organizations whose financial operations are not reviewed by anyone in this Legislature. I do not think we should review the operations of many of the boards and agencies. Agencies that receive large sums from the Government, such as the University, I feel should not be subject to call before the Public Accounts Committee, but there are other agencies such as the Crop Insurance Board which are possibly in a different category. And I think consideration should be given by the Legislature as to what the exact situation is with regard to agencies like this.

I've got quite a bit more to say, Sir, and I would ask leave to adjourn the debate.

Debate adjourned.

## ADJOURNED DEBATES

### SECOND READING

The Assembly resumed the adjourned debate on the proposed motion of the Hon. Mr. Coderre (Minister of Labour) that **Bill No. 35 – An Act to amend The Trade Union Act** be now read a second time.

**Mr. Blakeney (Regina Centre):** — Mr. Speaker, when we drew our discussion of this matter to a close last evening, I had mentioned one or two objections which I had to the Bill. I had outlined, largely in response to the comments made by other Hon. Members in this debate, some views I had with respect to the 30-day vote provision. I had said nothing about what has been called the “hot cargo” provision and I had said next to nothing about the independent contractor provision. Nor, Mr. Speaker, had I had any opportunity to discuss in any general way my comments on the background of the Bill. I had felt that I should attempt to deal with the particular points raised by the Hon. Members opposite while they were fresh in everyone’s mind and so as to give the debate that measure of immediacy.

I did, however, want to address to the House some general comments on the Bill and, if I may be forgiven, Mr. Speaker, for making this comment, I am delivering to the House or commenting to the House, using some notes which had been prepared by the Hon. Member for Moose Jaw South (Mr. Davies) who, because of his inability to be in the House on this occasion, will not, as it appears now, have an opportunity to address the House on this Bill on which I know he feels rather strongly.

Of course everything that I say I adopt wholeheartedly and I am by no means following all the ideas expressed by the Member for Moose Jaw South. His views and mine coincide fairly closely on this matter as on many other matters, but there are divergences, and the remarks you will hear will be mine.

Mr. Speaker, the amendments that the Minister (Mr. Coderre) brought before the House may not at first blush appear to be that important. The Bill is short, it covers a mere two pages. The changes don’t appear to be numerous and accordingly the impression might be left that the Bill is not really of any great importance. I think this would be a wrong impression. I think the Bill is a damaging Bill to labor relations in Saskatchewan and I am choosing perhaps the mildest adjective which comes to mind in describing the Bill. I will try, in explaining the Bill and in dealing with particular provisions, to show just how damaging and in some respects lethal this Bill will be for some groups of trade unionists and for some aspects of labor-management relations in Saskatchewan.

It is clear I think that the amendments follow the pattern and the texture of the amendments to The Trade Union Act made in 1966 and in 1968. They follow the same line which I think might

**March 27, 1969**

fairly be called prejudicial and pernicious in its approach to labor relations. Summed up, Mr. Speaker, these changes, along with the other changes which were made in 1966 and 1968, restrain and constrain employee organizations, make it more difficult to organize, make it more difficult to bargain, enlarge and increase the penalties against trade unions and trade unionists, reduce the protection which organized workers have and unorganized workers have, and, by the substance of numerous statements, indicate to employers in general and bad employers in particular that effective employee organization has little status or significance with the Government in power.

**Some Hon. Members:** — Hear, hear!

**Mr. Blakeney:** — Mr. Speaker, we have already raised in this debate the point that, at least in the minds of a good number of trade unionists in this province, they had a commitment from the Premier, or at least a statement from the Premier that there would be no amendments to The Trade Union Act this year. It is said that that is not true. Let's be clear that the Government met a very large delegation of the Saskatchewan Federation of Labour. It wasn't a small group. A large group of people went away with this impression and I invite Hon. Members opposite who wish to dispute this to poll that group. They are very fond of votes. Let's have that one voted on and let's see what they concluded.

**Some Hon. Members:** — Hear, hear!

**Mr. Blakeney:** — We are about to be treated to what was said. I would have wished that the Minister of Labour (Mr. Coderre) might have mentioned that in his opening remarks, but perhaps it had not been brought to his attention. I think that is in the highest degree unlikely, but perhaps it had not been brought to his attention as it was to me and to every other Member of this House by the numerous bits of correspondence which have come to our desks that, at least in the minds of a good number of trade unionists, this commitment had been made.

Mr. Speaker, we now have, notwithstanding the comments which were made to the Saskatchewan Federation of Labour delegation, these new and damaging amendments to The Trade Union Act, these new and damaging attacks on the rights of trade unionists. And is there any doubt under these circumstances that once again thousands of trade unionists in this province have reason to doubt the sincerity of the Government and its Leader?

May I just point out to the Minister of Labour (Mr. Coderre) that the 1966 amendments to The Trade Union Act — and they didn't meet with my favor — at least came out of a Joint Committee at which time both management and labor had been consulted. The 1966 amendments followed the Leslie Report and the exhaustive study of trade union relations which had been done to write that report. Now, Mr. Speaker, 1966 isn't that long ago and we had

at that time an exhaustive study of trade union relations, participated in by both management and labor. Now, Mr. Speaker, I think under those circumstances it is fair to ask: did the Leslie Commission recommend the changes in this Bill? And the answer of course is No. These at least in 1966 were not perceived to be problems, these changes in 1966 did not even commend themselves to the employer representatives on the Leslie Commission.

**Some Hon. Members:** — Hear, hear!

**Mr. Blakeney:** — Now what I suggest this House is entitled to know is what has happened between 1966 and 1969 to cause this Government to leave aside the recommendations of the Leslie Commission, to depart from them and to bring in this restrictive and constricting legislation? It is bad enough, Mr. Speaker, that the Government has departed from the proposals of the Leslie Commission which was their Commission and which was a Labor-Management Commission. But how much more unfortunate is it that the Government has not even waited for the opinions of the Labor-Management Committee which it employed, which it appointed, in the field of construction work. How much more reprehensible is it for a Government to appoint a labor-management body and, before that labor-management body can express its views, to rush into legislation dealing with many of the very subjects which this Committee is now studying. And let's be very clear on this before we hear from Members opposite that the Committee is studying some small area of labor relations. The construction trade produces at least half of the labor disputes in any province. This is where the difficulties are. This is where there are the multiplicity of bargaining units. This is where there are the many crafts. This is where you get, in many instances, hot cargo problems. This is where you get sympathy strikes, and people declining to cross picket lines, and strikes by relatively small numbers of one craft holding up on construction projects. This is where many of the difficulties in labor-management relations lie. I think many of us know that in respect of many of the big industrial plants where there is one large employer and one large union, frequently these plants can go on for decades without any interruption in the free flow of labor-management relations. This is characteristic of the pattern of labor-management relations in Canada. And I think all of us know, and the Labor-Relations Board of Saskatchewan takes the view that they don't like to see split bargaining units in industrial plants, they don't like to see two or three unions, because of the possibility of a dispute between the employer and one smaller bargaining unit affecting other employees. But we all know that this isn't true in the building trades and we all know that this is the source of many of the difficulties. And we all know that the Government appointed a Committee to go into those very difficulties. We all know that any examination of those difficulties is going to take them over a wide range of labor-management difficulties. We all know that this Committee has been working and we all know that it is about to report to the Government, and we all know also

**March 27, 1969**

that any Government acting in good faith would not have brought in legislation until it had that report.

**Some Hon. Members:** — Hear, hear!

**Mr. Blakeney:** — Bill 35, Mr. Speaker, is a mockery of those deliberations. The Government's action as expressed in this Bill is derogatory of the Committee which it appointed itself. These people have sacrificed their time and their work to deal with many of the very problems which the Government is now prejudging by bringing in this Bill. This I suggest, Mr. Speaker, is irresponsible and illustrates, in my view, the improper approach to collective bargaining of this Government.

The Government when it comes to labor-management relations is almost wholly backward-looking in its approach. It gazes stonily into the past. Its belief expressed in the 1966 legislation, in the 1968 legislation and again in this legislation is that the way to deal with collective bargaining relations is to have more and more rules, more and more regulations, more and more impediments to free collective bargaining, more and more impediments to free organization of employees into bargaining units. Mr. Speaker, it would be bad enough if we could just believe that the Government opposite was simply Neanderthal in its approach to labor-management relations. It would be bad enough if we could believe that the Government was really only motivated by a mistaken belief that this was the way to go about the problem. But unfortunately, Mr. Speaker, there is the uneasy feeling that this is not the whole story. There is an uneasy feeling that the Government is actually trying to be provocative. There is an uneasy feeling that the Government is actually trying to find a scapegoat, and uneasy feeling that the Government is trying to characterize the trade union movement as the bogey man, which is causing that Government opposite so many of their financial difficulties.

Mr. Speaker, we know what the problems of working people in this province are. Most Members in this House know what they are. There are problems of unemployment and education and industrial growth. There are problems resulting from low farm prices, from damp grain. There are problems from bad housing. But whenever any of these problems are mentioned - in this House or outside this House - if you talk about education, Members opposite, in less time than you can take to wink an eye, begin to talk about aggressive demands by teachers; if you talk about damp grain they say, "What about the grain handlers?" And if you talk about housing they say, "Oh, those trade unionists in the building trades are driving up the price of houses." Mr. Speaker, this sort of characterization of all of the problems of this society, and particularly all the shortcomings of the Government opposite, as being the fault of the trade union movement is all too indicative of the desire of this Government to characterize the trade union movement as the bogey man for all its difficulties.

This Bill is another attempt to exacerbate the relations between not only labor and management but between the trade union movement and the Government. It is I suggest another device to get people's minds off the genuine difficulties that we face in this province. I am not asserting that they are horrendous difficulties. Any Government will always face difficulties. But I suggest they ought to be faced squarely. And this is an effort to get people's minds off this and on to a course of building up dissension, mistrust by one group of society against organized labor. Nothing new here, nothing new here, it's a well-known technique of Members opposite. It's the old divide and rule. It is the cynical old game by those people over there and they have been pursuing it with diligence in these last few years.

**Some Hon. Members:** — Hear, hear!

**Mr. Blakeney:** — Well, Mr. Speaker, I suggest that this procedure of the Government, as it has proceeded and it is now proceeding by this Bill 35, is a contemptible practice and it is thoroughly unworthy of a responsible political party.

Mr. Speaker, it is not often that I stand in this Chamber and find myself in substantial agreement with large blocks of policy enunciated by the Federal Liberal Government, but I would commend to Members opposite many of the recent statements of the Hon. Bryce Mackasey. Now I am not saying that he is the epitome of all wisdom but he is indeed the Minister of Labour appointed by the Federal Government. He has brought to labor relations in the Federal sphere new and more vital approach to employee-employer relations. He has made some headway in cleaving to the main issue and pointing to the need for a spurt forward in improved procedures through better understanding achieved by some effective consultation. His ideas have been frequently expressed during the last six or eight months that he has been in office. I have little doubt that Members opposite – the Premier, the Member for Milestone (Mr. MacDonald) who is now making some notes, and the Minister of Labour (Mr. Coderre) – would find themselves in substantial disagreement with Bryce Mackasey and his views. But I would suggest that they take a little time to read what he has said on many, many of these issues. The gist of what Mr. Mackasey tells Saskatchewan Liberals and the public at large is that management-labor peace is not won by labor laws, which restrain and coerce, but by looking into the causes of the conflicts in the whole field of labor relations.

Now contrast Mackasey's approach when he is talking about the problems of the Port of Montreal with the approach of the Premier. Every time I hear the Premier talk about the problems of the Port of Montreal, he is talking about the need for hard-fisted legislation which would somehow stop the labor problems at the Port of Montreal. And this is his constant approach, I have never heard him make any other constructive – assuming that is to be constructive – approach to the labor problems of the

**March 27, 1969**

Port of Montreal which I may say very frequently find their way into his speech. Contrast his approach and the Hon. Member for Hanley's (Mr. Heggie) who virtually went along with the same idea yesterday, with the Federal Minister's approach. He was visiting Montreal last October and in speaking to news representatives Mr. Mackasey said that the workers problems had been accumulating for years and had not received a proper response from management. He said that the provisions of the Picard Commission and the Cohen Committee Report recommending steps to solve these problems, dealing with productivity, job security and technological change, had not been implemented by management. As the result of Mackasey's insistence the National Harbours Board implemented the main provisions of the Cohen Report and has appointed an Industrial Relations Officer to deal with the grievances that have not received attention from his employer. Mr. Mackasey's news statement catalogued a whole series of steps he had taken to cut down tension on the Montreal waterfront. And his statement left little doubt that he laid a very large part, well over half, of the blame for the problems of the Port of Montreal on management. Now I wonder how many times we have heard that from Members opposite. I am not saying that the labor unions on the Port of Montreal are blameless, far from it. But I am saying that they are every bit as blameless as the management of the Port of Montreal. I am saying that I have criticized the trade unionists in the Port of Montreal far more times than those people over there have criticized the management in the Port of Montreal, and I may say that I have not launched into any vitriolic diatribe against the management of the Port of Montreal, because it is as ill considered to let go with a vitriolic diatribe against management as it is against labor in trying to solve labor-management relations.

**Hon. Mr. MacDonald (Minister of Welfare):** — Those terrible capitalists.

**Mr. Blakeney:** — Well, I am not saying that I have not spoken with some heat on occasion against corporate capital, but in respect of the handling of labor-management relations I am not here to say that the fault is all on one side and in that regard I am very, very different from Members opposite. I hear the Minister of Labour speak but, as the Member for Saskatoon Mayfair (Mr. Brockelbank) has said, what he does is speak so loud that I can't hear what he says. I well know that, even if he does make an occasional bow to the trade union movement of this province, he is almost immediately blotted out by four Members who are standing up and castigating this trade union and that trade union and the next trade union.

Mr. Speaker, I commend to the Government the approach of the Federal Minister of Labour who goes into a situation like the Port of Montreal, looks into, shakes it up a bit, has a Cohen Commission Report, leans on management a bit to see that they try to remedy their difficulties, leans on the trade unions a

bit not to be stupid and oppose technological change, as the unions in the Port of Montreal have on occasion done, and by this method achieves some rapprochement between the bargaining and sometimes virtually warring parties.

Mr. Speaker, I suggest that this is an appropriate stance for the Liberal Government of Saskatchewan and far more appropriate than legislation of the kind contained in this Bill, which I note with a good deal of care the Hon. Mr. Mackasey has not felt it necessary to introduce. Mr. Speaker, as a result of this and similar examples the Government of Saskatchewan, instead of deciding about the repressive measures which are contained in Bill 35, might have considered this Mackasey approach and have seen that some of the problems of Saskatchewan trade unionism are going to be caused by plants, that closed down without notice to their workers, and it might have taken the Mackasey approach by saying perhaps we should include in this legislation or some other appropriate legislation, a provision which indicates that no employer can close down his operation and lay off all his staff, unless there may be pressing economic reasons for so doing, without giving x-months' notice. This would be a constructive approach. This would allow trade unionists and others to plan their lives. This would allow us to keep our working force at a maximum level of productivity. But I don't find that in the Bill.

Last November, Mr. Speaker, Mr. Mackasey speaking in the House of Commons said this:

All too often the disruptive forces of technological change are borne solely by the laboring classes. Why is it always the Canadian worker who must bear exclusively the terrible personal and disruptive effects that stem from technological change? Surely this cannot be accepted as inevitable.

Well, Mr. Speaker, we know that Mr. Mackasey has consistently taken that approach in the House of Commons. He has consistently supported the provisions of the Freedman Report and I would have hoped that Members opposite would have decided that they could lend their support to the Freedman Report which Mr. Mackasey supports, and I would have hoped that some of those provisions could have found their way into The Trade Union Act. I would have hoped that the Act, if they felt that they had to put in all of these provisions suggested to them by Mr. Ralph Purdy, might at least have had added . . .

**Hon. Mr. Thatcher (Premier):** — Mr. Speaker, I wonder if the Hon. Member would let me say a word. This is about the third time that he has suggested that Mr. Purdy had something to do with the attitude of this Government. May I tell him most emphatically that Mr. Purdy had nothing whatever to do with this Bill or the attitude of the Government. Now Purdy was secretary of some association that came in to see us, but that is all. I give him that assurance.



**March 27, 1969**

**Mr. Blakeney:** — It is perhaps the case that it just happens that the Premier's views and Mr. Purdy's views are identical.

**Hon. Mr. Thatcher:** — I can't even accept that . . . too far to the left.

**Mr. Blakeney:** — Well, Mr. Speaker, I am pleased to have the Premier's assurance that Mr. Purdy's views are too far to the left in labor-management. I'm speaking of Mr. Ralph Purdy.

I want to make it very clear, Mr. Speaker, that we are talking about Mr. Ralph Purdy of the Employer's Association. I wouldn't want to accuse another Mr. Purdy of similar views. Mr. Herb Purdy of the Saskatchewan Chamber of Commerce, which is not normally, shall we say, a repository of radical views on labor management relations, is far to the left of Mr. Ralph Purdy.

Now, Mr. Speaker, the point that I was making before we had this little interchange was that I would have hoped to see in Bill 35 some provisions which would reciprocate, some provisions which would offer something for trade unionists. I offer, and I seriously offer, to the Government the proposal that they might adopt Mr. Mackasey's views with respect to the Freedman Report. I might provide some protection for Saskatchewan working people when the places in which they work are changed or the working conditions are changed, by rapid technological changes and they find themselves displaced. I would have thought that this was an appropriate area for the Government to look into. I would have hoped that it would have found its way into this Bill. But again, Mr. Speaker, contrast Mackasey's wholesome and cordial approach with the approach of the Minister of Labour and the Government opposite which I think can only be described as obdurate and sometimes arrogant.

Their labor policy sometimes has been characterized by what I can only call a short-term approach, superficial, and, I suggest, sometimes deliberately provocative. Their policy isn't one of providing basic solutions. It strangles and it confines, and it won't work. Already it has inflamed relations between labor and management in this province. Already, we have more real fundamental disharmony between labor and management than we have had in the 1950s and in the 1960s. This, Mr. Speaker, is an unfortunate approach. We have already heard the Leader of the Opposition quote the Assistant Deputy Minister of Labour, Mr. Bernard Wilson. I want again to remind the House that he told the House of Commons Committee on his views on the philosophy which ought to pervade labor management relations, and labor legislation particularly. Mr. Wilson said that certain controls now provided in labor legislation might better be removed rather than new controls added. He went on to say, "more confinement of labor leads to more unrest." Let me say that again, "more confinement of labor leads to more unrest." I ask what does this Bill do. It confines labor. Every change is designed

to limit the right of workers to build their own effective organization, every one of them. The first one says to people who might by some lawyer be called independent contractors, "Thou shall not have the right to bargain collectively." The next one on hot cargo says, "Thou shall not have the right to withdraw your labor, thou shall be conscripted." The third one says,

**Hon. Mr. Steuart (Provincial Treasurer):** — Thou shalt have the right to vote . . .

**Mr. Blakeney:** — "Thou shall not have the right to run thine own organization. Thou shall have the Labor Relations Board running it for you."

**Some Hon. Members:** — Hear, hear!

**Hon. Mr. Heald (Attorney General):** — Louder, louder!

**Mr. Blakeney:** — Louder. I am against imposed secret ballot. And if you want me to say that the Liberal Caucus shall have a secret ballot on this Bill or the Estates Bill or some other, I would enjoy that. I would like that.

**Hon. Mr. Heald:** — . . . Go up to Hudson Bay. They wanted a secret ballot to go on strike and they couldn't have it.

**Mr. Blakeney:** — They wanted, they wanted! I have heard this before and Members opposite can get up and stand up. The Member for Gravelbourg made this statement. He said he had letters, and he said he had calls. But he didn't file anything, he didn't let us know. It is very easy to say that you want a secret vote.

**Hon. Mr. Heald:** — We'll tell you.

**Mr. Blakeney:** — Alright. All I want to say is this, I am not saying there is nothing to be said for a secret vote. I am not saying that at all. But I am saying that this provision does say, "Thou shalt not have the right to run thine own organization."

**Hon. Mr. Steuart:** — . . . Unfair labor practices. How about that one?

**Mr. Blakeney:** — Alright, with respect to unfair labor practices, I'll come to that, Mr. Speaker. But what in effect it does is to say, as the Minister well knows, that insofar as disputes

**March 27, 1969**

between labor and management, it shall now be open to management and labor to lay frivolous charges in the courts, to use the courts as a device in the course of collective bargaining by laying unfair labor practice charges.

**Hon. Mr. Estey (Minister of Municipal Affairs):** — What Section are you referring to?

**Mr. Blakeney:** — I am referring to the Section which makes it no longer necessary for the Labour Relations Board to consent prior to prosecution being initiated with respect to an unfair labor practice. That's the Section I am referring to. I am saying that this opens the door to harassment.

If I may, Mr. Speaker, I will resume my remarks and after I take my seat, I would invite any and all questions from Members opposite, and I will attempt to answer them. Right now, it seems to me that I have attempted to answer the Minister of Labour, the Attorney General, the Provincial Treasurer, and the Minister of Municipal Affairs, and if I may say so, the thread of my remarks is becoming diffuse. I don't want to suggest to any Members opposite that I am not willing to answer questions and I think you appreciate that point. But I am developing the point that Mr. Wilson, the Assistant Deputy Minister of Labour in Ottawa, has said that in his view it would be far, far better if labor legislation was less restrictive rather than more. I was attempting to illustrate that every one of these provisions – and perhaps I over-stated it – the substantial majority of these provisions are restrictive in nature and will do the very thing many of the suggestions to curtail labor unrest ignore the basic rights and freedoms of both labor and management. It was also difficult to control one factor in the economy while allowing other factors to remain free, he said. We have not reached the point where the wages of labor can be controlled while rents, profits and interest rates remain relatively free. May I commend that to Members opposite. Management is free to shut down its plant when it wants to, giving an appropriate notice admittedly, but it doesn't have to maintain its continued operation. It doesn't have to give its capital to the workers to allow them to earn a living. In a free economy, we can do little else but retain that right as management. I think it ought to be hedged around, I think they ought to have to give some notice. But I think that under this sort of an economy where we allow management to have free control of its capital, it's a little bit unfair to them say to labor, "You cannot withdraw your labor, you must work, you do not have what was thought to be the basic right to work or not to work as you see fit." This is what this Bill does, Mr. Speaker. I'll come to and elaborate on that a little later, but this is what the Bill does. It takes away from people the right to withdraw their labor. Mr. Speaker, it would be so much more helpful if the Government opposite would listen to men like Wilson and listen to men like Mackasey and

take into its consideration the ideas which suggest that labor management relations should be relatively freer of controls rather than more controlled. I commend to Members opposite, as was already mentioned, the remarks of the Member for Regina South West (Mr. McPherson) last year when he made the same point.

Mr. Speaker, we know that it can't be alleged that strikes in Saskatchewan have driven up prices, it can't be alleged that we are somehow pricing ourselves out of the labor markets of the world. It can't be alleged that the activities of trade unions in Saskatchewan have really damaged the economy of Saskatchewan in any material regard. I am not suggesting there haven't been work stoppages. I am not suggesting there aren't economic losses arising out of work stoppages; obviously there are. But surely this is a small price to pay for a free economy, where free men can work or not work as they freely decide. Mr. Speaker, we know that salary rates and wage rates in Saskatchewan, far from being driven up from trade union activity, have risen more slowly in Saskatchewan than elsewhere in Canada. We know that since 1964 at least the rate of increase of wages in Saskatchewan has been less than the Canadian average and not more. We know too, that during this same period the cost of living has increased by 20 per cent. We know too that economists generally admit that wage increases don't precipitate increases in the cost of living, but follow increases in the cost of living. We know, if we look at the business cycle, that the crunch always comes between management and labor, not on the upside of the business cycle, but on the downside of the business cycle. This happens because at this time employees are trying to catch up that which they have lost by galloping inflation, at a very time when the employer is making less money because of a down-turn. And then we have a confrontation. These confrontations can't be controlled by this type of legislation. They can only be controlled by some ready effective way of controlling the rate of inflation, and then having free collective bargaining throughout the whole business cycle.

Mr. Speaker, it would have been better if Members opposite had taken this advice and had done something to act to control the cost of living, if they could have acted, rather than serving up another dose of restrictive labor legislation of the kind that we have had in the last several years. I think it is pretty ironic that the Minister of Labour should stand in his place a few days ago and pay tribute to the International Labour Organization and then in the next couple of weeks introduce in this House a Bill which defies almost all of the principles which the International Labour Organization has sought to propagate.

Well, Mr. Speaker, I wonder then if I might turn to a little look at what this Bill does. I wonder if I might look at the precise provisions in this Bill and let us decide for ourselves whether they encourage or discourage free collective bargaining. Let's talk a bit about the Bill, and let's talk about the principles contained therein. I want to refer to Section 2

**March 27, 1969**

and the provisions dealing with the so-called independent contractor. First of all in dealing with this definition of employee, we are now asked to exclude from the definition of employee, persons, "having the status of an independent contractor." Now why would we want to exclude people having the status of an independent contractor? Let's be very clear, Mr. Speaker. These people cannot be in the bargaining unit unless the Labour Relations Board says so. They cannot be in the bargaining unit unless the Labour Relations Board says that they are employees, because that's all The Trade Union Act allows to be in a bargaining unit.

Mr. Speaker, there is no doubt that the Labour Relations Board would never include as an employee anyone who could fairly be called an independent contractor. Why would they? Why would that Labour Relations Board, with the members of it appointed by the Government opposite, throw out the net and try to bring into a collective bargaining unit genuine independent contractors? It never has done it and it never would do it. The only people it has included are "dummy" independent contractors; people who were effective employees but who were employed under a subterfuge of having some measure of independence. The Labour Relations Board has penetrated, on occasion, that subterfuge and has said, "If these people are genuine employees, we will allow them to have the right to collective bargaining." Mr. Speaker, this Bill is going to say to the Labour Relations Board, "You shall not look behind the subterfuge." If the employer wants to pump a little smoke around something, put up a smoke screen; he can do it and by so doing deny the rights of collective bargaining to people who very, very much need those rights.

The Minister of Labour shakes his head, but under what other conceivable circumstances would he want to include this in the Bill? I would like him to answer this. I would like him to tell me what single independent contractor who had any measure of independence was ever included in the collective bargaining unit by the Labour Relations Board of Saskatchewan. Just one! Who is this being aimed at, Mr. Speaker? Let us not kid ourselves as to just who is going to be hurt and who is going to be hit by this. I have run into a few of these cases. I know just how it is going to be done. The dairies will now say to the milk drivers, "You are no longer employees, you are independent contractors. You can rent this truck from us, and you will cover this route and we don't care when you do it. You have every right to cover that route anytime you want to. Just get it done by noon. You can start any time you like. But after 5:00 a.m. the milk will be here then. You can do it anytime between 5:00 a.m. and noon, and you are independent, you can rent this truck." The facts are that the man has to hop to it, and there is no way he can do it but work steadily between 5:00 a.m. and noon to cover that route. But never mind, he is independent. This is going to be one of the independent contractors we are going to find.

How about beverage-route men? I have already seen this little device used. A person runs a soft-drink plant and he has got a truck going out around the country delivering beverages. He says to this fellow, "Oh you're no longer going to be an employee, you're going to be an independent contractor. You're going to have the right to cover this route, and you can rent this truck of mine; you can even buy it, subject to my right to buy it back if you leave the employ." This sort of thing. For anyone who wants to see one of those contracts, I think I have one in my office – I certainly had one – and I know just how much independence that man had. He was in all material respects an employee and yet he will be called an independent contractor, and he will not have the right to bargain collectively.

How about dry cleaning route men? This device has already been tried in Regina. They are told, "You employees, you go about picking up all the dry cleaning you can, you can even generate business of your own if you bring it in. That is just how independent you are. However, we will start you off by giving you the orders that come in on the phone" – which turns out to be 99 9/10 of the work he gets. "Then you can go out, you can even bring in business yourself, you're really independent. You can rent this truck and you can bring it in and get so much." This man will get the magnificent sum of \$297 a month or whatever it will be. He is a big contractor. This will be done.

How about the contractor? I can give Members chapter and verse of just how this is done. A building is erected and a contractor hires a bricklayer, who is in all material respects an employee. The contractor says, "You do as you like. You can put those bricks in there just as long as you put them in right – you can work seven hours a day or eight hours a day or nine hours a day, and you are an independent contractor. I'll pay you so much a 100 bricks." This man is going to turn out to be an independent contractor, without the right to bargain collectively. This has been done in Regina. Another contractor in Regina says to a person, "You put the finish carpentry in the basement, and I will pay you X dollars." He does this for each house. This man is now classed as an independent contractor. Whether he works or doesn't work depends upon whether that contractor builds houses. He's under the direction of the foreman on the job. But no, he's an independent contractor. He will not have the right to bargain collectively.

Mr. Speaker, this will be done with respect to floor layers and tile layers, and everybody else who works in the building trades. Now the Labour Relations Board in the past has said to contractors, "You can't get away with that stuff." If you put a man on the job and he is subject to your foreman, and he virtually tells you – the foreman can tell you how to do things, then surely he has got to be an employee.

**Hon. Mr. Thatcher:** — OK Allan, this will do!

**March 27, 1969**

**Mr. Blakeney:** — Oh, now, Mr. Speaker, I think that they are getting impatient over the recital of the real problem.

**Mr. Willis (Melfort-Tisdale):** — An upgrading class . . .

**Mr. Blakeney:** — That's right. The Member for Melfort-Tisdale offered a comment, I don't offer it, but I repeat it because some of you may not have heard it. But he says that Members opposite, some of them at least, might regard it as an upgrading class.

**Hon. Mr. Steuart:** — . . . for him . . .

**Mr. Blakeney:** — Well, let's be clear, Mr. Speaker, that there have been any number of examples in the past of employers trying to defeat the right of the affected employees to bargain collectively because of the subterfuge of independent contracts. The Labour Relations Board has penetrated them. I suggest to you that this provision will now make it virtually impossible for the Labour Relations Board to penetrate them, and we will have a large number of people who previously had the protection of a trade union contract who will no longer have that protection. There is no other reason, as I have said before, because any genuinely independent contractor cannot now be included in the bargaining unit.

Mr. Speaker, I want to turn to what might be called the "hot cargo" subject, Section 3 of the Bill. I cannot really discuss this fully, because I gather from the Minister of Labour that he is going to introduce some amendments which totally and completely change the principle of the Bill in this regard. I would hope that this is true, because all I can say is that this Bill, as it stands, is one of the most remarkable pieces of labor legislation that I have ever seen. I am sure that, as it stands, it is the single most restrictive piece of labor legislation that has ever been introduced in this province and probably in Canada, because as it stands it totally denies the right to strike to a large number of people who are not in any sense in sensitive industries, but who are merely in an industry where a part or a substantial part of their job will be loading and unloading cargo. As it stands, it says to the employees of the Saskatchewan Liquor Board, "There is no point of you thinking of going out on strike: yes, you can go out on strike, you over at the warehouse go on strike if you like, but if we back a truck in there which has liquor on it and the truck isn't a Liquor Board truck, you have to unload it. Go on strike if you like, but if we back another truck in there that isn't a Liquor Board truck, and we tell you to load, you have got to load it. All you do is load and unload all day. That you have to do. And if you don't you go to jail." That's what this provision now says. Well, all right, I hope the Government is going to change what it says. I hope the Government is going to say that this was wholly and totally ill-conceived and that it is now going to restrict it, so that it will not apply to employees who

are properly engaged in a legal strike. It is not a very long provision. I would have thought, as the Minister perused it, he would have been watching for the damage it could do to trade unionists, rather than the protection it should give to his employer friends. And he would have caught this very clear meaning in it. But it is rather clear the perspective with which he read this before it was approved for printing, when he did not catch what I think is the plain and simple and clear meaning that it bears.

**Hon. Mr. Stuart:** — First mistake we ever made!

**Mr. Blakeney:** — Well, Mr. Speaker, but suppose it is changed. Once again, you appreciate my difficulty, Mr. Speaker, in discussing the provisions of a Bill which aren't before us. I understand that the Member for Regina North East (Mr. Smishek) asked for a copy of the amendments and they were forthcoming. I may be in error there, but . . .

**Hon. Mr. Thatcher:** — Wait 'til Committee!

**Mr. Blakeney:** — Right, but this only precipitates an argument on third reading. If the principle of the Bill is going to be included in amendments introduced into the House, what can one do but argue about the principle on third reading?

Let us suppose, Mr. Speaker, that the Member for Gravelbourg (Mr. Coderre) is going to introduce changes which do effectively restrict this Section so that it will not apply to members. It will say this, Mr. Speaker, it will say that an employee who is not on strike with that employer cannot refuse to load or unload. That, Mr. Speaker, any way you cut it, is conscription. Any way you cut, it is conscription. Suppose a person is at Safeway, and suppose California grapes come in there, if I may use California grapes as an example. Suppose a fellow at Safeway says, "I am not going to unload California grapes. I morally will not unload California grapes!" I want to say this. He obviously risks firing by Safeway. But suppose he is willing to risk being fired by Safeway, he in addition if he is bringing economic loss to either Safeway or the carrier can be sued. He can be sued in the courts. But suppose this man says, "This is a matter of moral principle with me, I will risk being fired from my job, I will risk being sued in the courts. This is what I believe. I will not be conscripted to do this job." What does the Government opposite say? It says, "This is not enough sanction. So you may be fired, but we have got to be tougher than that. You may be fired and sued but we have got to be tougher than that. We have got to provide that no matter what your moral scruples are, and no matter that you may be fired and no matter that you may be sued, you can also be put in jail."

**Some Hon. Members:** — Hear, hear!



**March 27, 1969**

**Mr. Blakeney:** — That is what this Bill does. It is quite inexcusable. I say this fellow is already facing a few sanctions. He is not likely to refuse to do this when he might lose his job: he is not likely to do this when he might be sued. But yet these are not enough sanctions, this is not a big enough club to beat about a grocery clerk at Safeway. Oh no, we have got to have something else. We have got to make it an unfair labor practice. We have got to make him subject to a large fine and we have got to make him subject to more; if he doesn't have the money for the fine, we have to make him go to jail.

**Hon. Mr. Stuart:** — . . . about the union?

**Mr. Blakeney:** — That's the way. Ah, but you don't restrict it to unions. If you said that the union, which was going to engage in promoting secondary boycotts, was going to be fined, that would be one thing. But you don't say that. You say that every grocery clerk who refuses is going to be jailed, or can be jailed. I am reading the Bill and I would invite Members opposite to read the Bill. It makes refusal an unfair labor practice. You know and I know that the Bill says that anyone who counsels or procures an unfair labor practice is guilty of an unfair labor practice and can be fined and jailed. I say that this is just too rough. It is just too big a club for too small a problem.

**Hon. Mr. Heald:** — We don't read.

**Mr. Blakeney:** — Well, all right, you may not read the Bill as I do on the counselling, that may be an extension. You may say that the mere urging of people to engage in a secondary boycott is not counselling. It gets awfully close.

Oh, Mr. Speaker, if we wanted cases to argue that anybody who urges people to engage in a secondary boycott is counselling them we could find lots of cases which say that this does amount to counselling. However, I am not worried about the counselling bit. I am worried about the employee who has got a few rights around here. Under what circumstances shall an employee be made to work, made to do a job which he doesn't want to do and so firmly doesn't want to do it that he is willing to face being fired and sued? Why must we have penal sanctions to force individual employees to work when they morally do not want to work or for a dozen other reasons may not want to do that job? What is the justification for that? If Safeway is hurt, if the carrier is hurt, they had their remedy. If they are suffering a loss they can sue. But that isn't good enough for Members opposite. They have got to use the penal law to protect Safeway against financial loss. I think this is just going too far. The carriers of this province don't need penal laws to stop them from suffering financial loss, and the employers of this province don't need to use the jails to keep them from suffering financial loss.

Mr. Speaker, I agree that many secondary boycotts are unfair and improper. But I don't suggest that they have been a very great problem in Saskatchewan. I don't think that the remedies that are available have been fully used. I don't think that the remedies of discharge and of civil suit which are now available were used. And I think there is absolutely no justification for using penal sanctions to force people to do jobs which up until now they had a perfect legal right not to do.

**Some Hon. Members:** — Hear, hear!

The House recessed from 12:30 to 2:30 p.m.

### WELCOME TO STUDENTS

**Mr. Speaker:** — On behalf of all the Members of the Legislature I wish to extend a very warm and cordial welcome to the following student groups: in the west gallery from the constituency of Saskatoon Riversdale, represented by Mr. Romanow, 33 students from St. Mary's school in Saskatoon, escorted by Miss Marwick and Mr. Henderson.

In the east gallery from the constituency of Weyburn, represented by Mr. Pepper, 70 students from Weyburn Junior High school, escorted by Mr. Fletcher and Mr. Nedelcov.

On behalf of all the Members of the Legislature, I express the very sincere wish that the visit of these students with us here today will be pleasant, interesting and informative and they will have a very safe trip home.

**Hon. Members:** — Hear, hear!

**Mr. Speaker:** — I also wish to say that I didn't think it was necessary for me to repeat what the Chairman said, when this was done previously, when he suggested that Members might wish to rise when their students were introduced. If I should have said so, I apologize. It was for that reason that I mentioned the names of the Members.

### SECOND READING

The Assembly resumed the interrupted debate on Bill No. 35 — **An Act to Amend The Trade Union Act.**

**Mr. Blakeney:** — Mr. Speaker, before 12:30 o'clock I was expressing my opposition to the Bill to amend The Trade Union Act, Bill No. 35, and I had commenced the review of the major principles which are contained in the Bill. It will be recalled that I was dealing with the 'hot cargo' provision, so-called, and that I was expressing my opposition to this and my view that it was quite unnecessary to apply penal sanctions to force any

**March 27, 1969**

employee to do a job which he did not wish to do, having regard to the fact that he could already be discharged from his job, and if his failure to work caused any one financial loss he could already be sued. My further reason for believing that this club of putting a man in jail for exercising his right not to work is unnecessary is that there has been no wide-spread abuse of the tactics of secondary boycott. I can remember one case in the past year when this arose, and prior to that I can't remember a case in Saskatchewan – there may well have been some where the secondary boycott was used to cause any particular economic loss. Having regard to the slow pace with which the Government faces some other problems, I think that its haste in dealing with this alleged threat is indecent. I'm reminded of the Minister of Highways (Mr. Boldt) who builds overpasses before there are roads, and I'm reminded of the activities of other Ministers, the Minister of Highways again, who builds a road up into the northwest corner of the province before there are any people up there or before there is any mill up there. I think that the same sort of undue haste has infected the Minister of Labour (Mr. Coderre) and now he is attempting to deal with this isolated problem by negating the civil rights of a very large body of Saskatchewan people, indeed threatening them with jail for declining to work.

Let me go on, Mr. Speaker, to another main feature of the Bill – the one contained in Section 4 dealing with the employee votes during a strike period. I think a quick reading of this by anyone not involved in labor-management issues might suggest that this was a good provision, and they may not see how the dice are loaded in this provision. The provisions say that where a strike has gone on for 30 days, the employer or any one employee – and I ask you to note that – involved in the strike, can ask the Labour Relations Board to conduct a vote among the workers in the bargaining unit to discover whether a majority of those voting wish to return to work on the basis of the last offer by the employer. I leave aside the little problems of sorting out what was the last offer of the employer; doubtless these technical problems can be solved. But note that the Section says that when this request is received the Board must forthwith conduct a vote. Note once more, Mr. Speaker, the double standard which is applied. The Act provides for interference with the trade union and its organization by providing for a Government-sponsored vote. It provides for no similar Government-sponsored vote of the board of directors or the shareholders or anyone else representing the employer. Note, Mr. Speaker, that it is not the employer alone who can cause a vote to be held but any one employee. He doesn't even have to be in the bargaining unit. As I read it, any one employee affected by the strike can cause a vote to be called. It seems to me that a junior management employee could assert that he was affected by the strike and cause a vote to be taken. I ask the House to look at the principle involved, look at the responsibilities of union harassment during a strike period and during a period when a strike has gone on for 30 days. Belts will have been tightened, some domestic budgets will be very severely

strained. I suggest that there are very few strikes in this province when after 30 days the employees are not feeling the pinch. Now in this background the employer, usually acting through a nominee, calls for a vote and the Board conducts it immediately. There is no hearing to decide whether the request for a vote is frivolous or not. There may indeed have been a union meeting the night before, and maybe 85 or 90 per cent of the employees had voted to continue the strike, maybe all of them in the bargaining unit had voted to continue the strike. Even with a secret vote. Suppose for example, every single trade union member of the bargaining unit had during a secret vote decided to continue the strike. They don't always have a secret vote. Suppose they did. The answer then still would be that a management employee who was affected by the strike could cause a vote to be taken. Now you'll say, "So what, how does it hurt to have the employee simply ratify their leadership?" Well, let's see just how it can be used. Note carefully that in effect the employer can choose the timing. Now, it may be that the effect of this Section will be ameliorated by the House amendments which the Minister says he is going to bring in. I point out that as it sits now it permits a whole series of votes at times selected by the employer. I understood the Minister to say in the course of his second reading remarks that he was going to provide for one vote and one vote only. That will help a bit.

**Hon. Mr. Heald:** — It is in the House amendment.

**Mr. Blakeney:** — I am advised that it is in the House amendment. Members will appreciate that we on this side of the House have not seen the House amendment.

**Hon. Mr. Heald:** — I thought I'd like to save you a little time.

**Mr. Blakeney:** — This then will ameliorate it to that extent and I think what we will see in some cases, as soon as the 30 days is over, the trade union asking for the vote. That may be a good idea, at least it will dispose of that little matter. I suspect that as soon as they do it we will then have an amendment next session saying that at least one of the votes must be at the instance of the employer. I would expect that naturally to follow having regard to the philosophy which has permeated these acts.

**Some Hon. Members:** — Hear, hear!

**Mr. Blakeney:** — But, if the union does not do that, if the union does not take that defensive measure immediately after the 30 days, and if they are getting their advice from me, I will advise them to do it. Then they will be subject to a vote at the time selected by the employer. Now we are all aware how these strikes

**March 27, 1969**

operate. We are all aware of the fact that after a strike has been going for 30 days or 35 days people begin to pick up jobs around, temporary work here and there; they go away, they go to Moose Jaw or somewhere to get a job, wherever they can get a job. But these people may be the ones most affected by the strike and may be the most energetic employees affected by the strike. They will be effectively disfranchised unless they come back to vote, and they have to come back pretty quickly because the Board is forthwith going to hold a vote. And the people who then will decide will be those employees who happen to be on the spot when the employer picks as the appropriate time to have a vote. That's what we are faced with.

Note again, Mr. Speaker, the double standard applied. If there is to be a strike, there is now a secret strike vote. Who votes? Well, all of the employees vote and you have to get, as well as I recall the figure, 60 per cent of all the employees who could possibly vote. I am saying that with respect to calling a strike – and that is not in the amendment but in the Act itself – with respect to calling a strike. In order to call a strike you have to have a majority of all of the employees, not the ones voting, but all of the employees. But to kill a strike, to knock out a strike, that's n the rule, oh, no, not the same rule for terminating a strike as for initiating one. For terminating a strike it only requires a majority of those voting at the time selected by the employer when he will hope that a goodly number of employees will be away on other tasks because of the length of the strike. And I point out again this sort of loaded dice. One test for starting the strike, another test for ending the strike. One majority will allow a union to initiate a strike, another majority virtually forces a union to stop a strike – a different constituency although obviously the same employees are involved.

Mr. Speaker, I have already pointed out with some care that the vote will effectively force the union to settle on those terms but will effectively enforce the employer to do nothing. Now I admit that if the employer asks for a vote there is going to be some social pressure on him to settle at that offer. If he makes an offer and then asks for a vote there will obviously be some social pressure on him to settle on that basis. The allegation of bad faith would be so well founded. But employers are not naive enough to ask for the vote themselves. They will have one employee who they can induce to ask for the vote Then if the vote carries the employers will say, "Well of course it wasn't my idea. Certainly that was my last offer but I didn't say it was still open, I'm not willing to settle for that anymore." And the employees in the union are thoroughly and completely undercut by this device. If the Bill had said that the employer had to accept the offer that would have been a different story. But once again there's a total lack of mutuality. Now, Mr. Speaker, I don't want to labor that fact. I have mentioned it in my earlier remarks and I mention it again now to recall it to your minds.

I want now to move on the next Section which I want to comment on and that is the Section which prohibits a newly selected bargaining agent from opening up negotiations until the end of an existing contract. I think it is worthwhile to recall how that works. Now it is possible as I view the law for a union contract to be negotiated and to last for three years. It is possible for an employer who is starting up an undertaking, which may have a very large number of employees, to get certified a tame union, if I may put it that way, an employees' association, one which will be company dominated, whether or not it appears on the surface to be company dominated. Many of those are frankly illegal unions because they are company-dominated unions and they are prohibited by the Act. Now of course proof is another thing, but we are, I think, well aware of the fact that there has been a mushrooming growth of employee associations, almost universally advised by one or two solicitors who are very active in advising employers who are normally found to be at the side of Mr. Ralph Purdy advising him on labor relations. Whether or not they are really appropriate advisors for a trade union is another matter. I would have thought that I would view that trade union with some suspicion. But see how this is going to be done. And I could give you instance after instance where this has been done. A large organization is beginning. An employer has six or eight people and he selects the first group obviously. He will select six or eight or ten faithful people. They will apply for certification for this tame union – I will call it this. A three-year agreement will be entered into. Eventually one hundred or two hundred employees will be gathered together in this enterprise and at this point they will want a real live union and they will choose another bargaining agent for themselves. But unfortunately they will be stuck with this contract for three years. Now this didn't used to be the law. The law was that at the end of the first year perhaps and the second year certainly, the newly certified union could have applied to open up that contract. But now this is made impossible. They will be stuck with the sweetheart contracts which an employer negotiates with a union which he hand picks at the beginning of his operation. Now I know that on some occasions the Labor Relations Board will refuse to certify a union when the number of employees represents a very small minority of the total, which will be in the work force when the plan is in full operation. I commend the Labor Relations Board for that stand. But on other occasions, and anyone who has done any trade union work will know this, we have seen certifications granted where the ultimate work force was going to be 100 or 200 and the work force when the certification was granted was six, eight, ten or twelve people – hand-picked, so that they would agree to the employees' association, what I call the tame union. Now all of these new employees who come onto the job are going to be stuck with this contract for three years. I think that this is unfortunate, I think the old law brought no hardship to anyone except perhaps a few of the friends of the Provincial Treasurer (Mr. Steuart) and I think that there is no need for this change in the law.

**March 27, 1969**

Mr. Speaker, I think I will refrain from commenting on the other Sections of the Bill. I want to bring my remarks to a close. I reiterate the remarks which I said earlier about the possibility of prosecutions being a device for harassment. The fact that the Labour Relations Board was able to prevent this and has done it from 1945 until 1969, with no hardship being wrought on any employer or employee that I am aware of has prevented this device from being used in the past. We are now to see this shield removed and it will once again be every man for himself, as the elephant said to the chicken. And that's just about the proportions it will be when most employers are dealing with union groups in this province, because the facts are that most union groups in this province are small and ill-financed. Of the 57,000 odd members in trade unions which are scattered over this province, most of these unions have very small financial resources. I would invite Members to take a look at the unions which are certified around here and to estimate for themselves what sort of financial resources a local can have, when it has 100 or 125 members and it has to pay one-third of the salary of a business agent who services their contract. The facts are that the unions even with a relatively high scale of dues are barely able to pay their necessary expenses, and they certainly have no money for engaging in legal fisticuffs with the employers of this province. I think that we can see that this Section can and I fear will be used to harass particularly the smaller unions.

I was saying, Mr. Speaker, that the trade union movement of this province deserves better treatment from the Government. The trade union movement is composed of people who are good citizens and have done much to bolster and brighten the economic and social life of this province. The record of these unionists and there are thousands of them, they are sons and daughters of the farm Members opposite and farm Members on this side. Worker productivity in Saskatchewan is high. I have heard it said that it is among the highest in Canada. Strike losses in Saskatchewan are low. For decades the strike losses in Saskatchewan have been well below the Canadian rate, usually half of the Canadian rate or less. There is absolutely no need under those circumstances for the sort of vindictive and restrictive approach which we see in this legislation. What this Bill is doing is not foster good relations between management and labor, but rather to exacerbate employer-employee relations. They will arouse rather than reduce tensions. You cannot eliminate conflicts by bludgeoning one party. You have to discover the causes. You try to discover the causes, if you are a responsible Government, and you try to perform the legitimate role of the Government in providing skilled and impartial advice and help. This is the role, which as I tried to point out, the Federal Minister of Labour, Bryce Mackasey has talked about, and this is the role which he appears to be trying to fill, and this is the role which the Government opposite so clearly spurns. In the last analysis the gross defects of this Bill are not so much that they are going to damage unions, it is that they are going to damage the public interest, because

the public has a great interest in the improvement of employer-employee relations.

**Some Hon. Members:** — Hear, hear!

**Mr. Blakeney:** — And I suggest, Mr. Speaker, that on a reflection the Government ought to give serious consideration to allowing this Bill to die on the Order Paper. I am not suggesting that it wouldn't bring it up at the next session if it is thoroughly convinced that these changes are necessary. But I do suggest that no case has been made for making these changes at this session. I want to suggest that there is a very good case for not making these changes at this session. There are a few particular reasons for asking that the Government give additional consideration to this. One has already been alluded to: - the fact that the Government has a Committee, admittedly of the building trades, studying many of the problems of labor-management relations. And this Committee when it makes its report can be expected in the manner of the Leslie Commission to make recommendations in those areas which require immediate attention.

**Some Hon. Members:** — Hear, hear!

**Mr. Blakeney:** — May I say, Mr. Speaker, that, if in the opinion of that Committee, there had been any matters which required urgent attention at this session, I am sure the Committee would have made an interim report. They did not do so, they saw no need for urgency, they saw no need for making these changes. I suggest that that Committee appointed by the Government itself deserves to be respected at least to the extent of the Government waiting to see its recommendations before it rushes in with Legislation.

The second point I want to make is that we now have the benefit of the so-called Task Force on Labor Relations in Canada, the so-called Woods Commission, which has tabled its report in Ottawa – was it yesterday or today? – yesterday, I believe. Now I had a very cursory look at this and it indicates that it is a report which recommends that labor legislation ought to go, not in the direction of this legislation, but in the direction of doing away with restrictive provisions. I think the Government ought to have an opportunity to look at that Committee report, two years in the making, perhaps the most exhaustive report on labor relations ever done in Canada, before it puts legislation before this House. Now I am not asking the Government to say that its decision when it decided upon this Bill was wrong. I am not saying that. I am asking the Government to say that perhaps there is a case for having a second look. I am asking the Government to say, “While we believe that everything in this Bill is sound,” – when I say, we, I mean Members opposite since I certainly don't – I'm asking the Government to address us in this way: “While we believe that everything in this Bill is sound, we accede to the request of trade union people and many other people across the province



**March 27, 1969**

that we have a second look. We will look at what our Committee has to say, we will look at the reports of the Woods Commission and on the basis of that we will decide whether at the next session we will come in with this Bill or an amended Bill or no Bill.” Now this would be a position which would be eminently responsible on the part of the Government and would ask nothing of the Government by way of loss of its position as a Government or loss of face.

**Some Hon. Members:** — Hear, hear!

**Mr. Blakeney:** — And because I believe that that would be an appropriate stance for the Government to take and an appropriate position for this Legislature to take on this Bill, which I assert, Mr. Speaker, and Members, is highly controversial, I am going to move, seconded by the Member for Cutknife (Mr. Kwasnica):

That the word “now” be deleted and the words “six months hence” be added to the motion.

**Some Hon. Members:** — Hear, hear!

**Mr. Blakeney:** — Mr. Speaker, a very short explanation of the traditional six months’ hoist – it is obviously an effort on our part to have the Bill defeated at this session. I couple it with my request that the Bill be withdrawn. If any Member opposite will indicate that the Government proposes to withdraw the Bill, I would be happy, with the consent of my seconder, to withdraw the motion. Our position is that the Bill ought to be defeated, if it is going to be proceeded with. But we do not ask the Government to join with us in defeating the Bill – obviously we can’t do that. But we do ask the Government to withdraw the Bill. Have a look at it over the summer and let’s consider it at the next session.

**Hon. Mr. Heald:** — Mr. Speaker, the Hon. Member indicated in the course of his remarks that he would agree to answer a question or two and I want to refer to something that he said last evening – it seems like about a week ago but I guess it was only last evening. When you were referring to Mr. Purdy, you made the comment that he had his company struck off the register a couple of times and back and forth and you made the statement that – I don’t want to misquote you but I just want to be sure I understood what you said correctly – he was scourged on the edges of illegality, is that what you said?

**Mr. Blakeney:** — I think I said on the edge of legality.

**Hon. Mr. Heald:** — . . . I think you and I agree here that, if a company has been struck off the register, the Companies Register in the

Province of Saskatchewan, they would be doing so illegally and you will agree with that.

**Mr. Blakeney:** — Right.

**Hon. Mr. Heald:** — Thank you very much.

**Mr. Blakeney:** — Yes, as I understood the question, the question was whether or not when a company is on the record and struck off the record and continues to carry on business that is acting illegally. The answer is, Yes, in a pure civil sense, there are no penal sanctions particularly, it happens frequently but . . .

**Hon. Mr. Heald:** — But it is illegal.

**Mr. Blakeney:** — It is illegal in the sense that it fails to comply with the Statutes.

Amendment negatived on the following recorded division:

**Yeas — 22**

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

**Nays — 30**

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

The debate continues on the motion.

**Hon. Mr. Steuart (Provincial Treasurer):** — Mr. Speaker, I think I would first in entering this debate like to make it clear that the only commitment that we gave to the unions was that we would not proceed with labor

**March 27, 1969**

courts and we gave them no other commitment.

**Hon. Mr. Thatcher:** — At this session.

**Hon. Mr. Stuart:** — At this session. Thank you very much, that was my next line and you stole it.

**Some Hon. Members:** — Hear, hear!

**Hon. Mr. Stuart:** — As the Premier so ably put it, at this session, and that's the only commitment that we gave them.

I must say that when the Hon. Member who just finished speaking got up in the beginning and said that he was speaking the words of the Hon. Member for Moose Jaw South (Mr. Davies), I must admit that he really didn't need to tell us this, because not only was he as long as the Hon. Member from Moose Jaw, he was as long as both of them put together and he was twice as boring.

**Some Hon. Members:** — Hear, hear!

**Hon. Mr. Stuart:** — But the Hon. Member tried or attempted to put over the propaganda that we have never criticized management or that we never support labor. Well, Mr. Speaker, this is patent nonsense. We know and we recognize that over the years many managements have been guilty of unfair labor practice, and many of them have a record of unfair labor treatment that is a disgrace to any system of economic development. We also recognize that labor, the labor unions at times have been guilty of unfair labor practice, and practices have been to the detriment of their own members. We have taken the stand and we will always take the stand that, when we think that big business or small business, when we think that management should be stepped on or should be prosecuted, we have and we will continue to prosecute them, but at the same time we have always taken the stand that we will protect the working men and the working women of this province against exploitation whether it be from management or whether it be from some other so-called friends, the large unions. Mr. Speaker, to call this Government anti-labor is vicious hypocrisy. Our Liberal Administration has done more to help working men and women in the five years that we have held office than the so-called friends of the working people opposite did in the 20 years that they held office.

**Some Hon. Members:** — Hear, hear!

**Hon. Mr. Stuart:** — I just ask the Members of this House to look around, especially in Northern Saskatchewan and take a look at the wages and the jobs that we have produced at Hudson Bay, Prince Albert, in fact all over Northern Saskatchewan. That whole area is enjoying more jobs at higher wages than they ever did at any

time in the history of this province. I think the workers, sure they are interested in good labor legislation, but they are also interested in good jobs at high wages. Wages last year, I would remind this House, passed the \$1 billion mark for the first time in the history of Saskatchewan. I would also remind Hon. Members that, while we have never declared war on any union or any union leader as a government, it was the Saskatchewan Federation of Labor meeting in convention that stated their intention and their resolution to work towards the downfall of our Administration, and this was within a few weeks of our first election to office in 1964.

Mr. Speaker, every time we bring in any necessary labor reforms, union members opposite scream anti-labor and try to smear us with being against working people in this province. Mr. Speaker, this is utterly false, it is as contemptible as the attempt of the NDP-CCFs to take over the Co-op movement, and that is to move into the labor movement, move into the Co-op movement for their own political gains.

You know when I listen to the speeches of the Members opposite, I wonder if we are still talking about the same Bill. For example take the 30-day strike vote. This provision does not force striking workers back to work. It simply allows workers who have been out on a strike for a long time to express their wishes about continuing this work stoppage. After all they are losing money every day they are on strike and any gains that they make would be rapidly eaten up by such a prolonged strike. If the union is giving its membership the opportunity to decide when to stop striking, they have nothing to worry from this provision. In fact they should know in advance how such a vote would go. But if they attempted to deny the democratic right to their workers then they obviously have something to fear from this Bill, and I say they should be exposed and forced to allow their members to take such a vote after they have been on strike for at least 30 days.

Mr. Speaker, we have had in the last year an example of this type of situation. It has been referred to in this House and I think it needs repeating, and that was up in the Hudson Bay area. In Hudson Bay there were two strikes called at two of our lumber operations in that town. The negotiator was a man residing and having his office in Vancouver. The local people were instructed not to negotiate with the company unless he was present. He was out of the province most of the time the strike was on, and it was very difficult for the Government or the mediators, the Department of Labour officials to contact him and to try and get the workers and the management back to the bargaining table so that the strike could be mediated or be settled. To complicate the matters, this man was involved in an election for high office in that particular union. We have every reason to believe that he used this strike or attempted to use this strike to further his own political ambitions within that union.

**March 27, 1969**

Mr. Speaker, there is no question the substantial number of men and women involved in that contract dispute who contacted the Minister of Labour (Mr. Coderre), pleaded with our Government to try and do something at least to get a settlement or at least to give them a chance to voice their opinion in a democratic way, so they could in fact get the strike settled and to go back to work. But there was no way where anyone could ascertain whether in fact these employees really wanted to stay out on strike or whether they in fact wanted to go back to work. This situation was a disgrace to any democracy and I say it must be stopped. This Bill will stop it and guarantee the democratic rights of workers who find themselves in the same kind of unhappy situation.

I would like to take a look now at the so-called hot cargo amendment. There is nothing in this Bill that prohibits anyone to refuse to unload, say, California grapes or to refuse to buy California grapes if that's what they want to do or to any other product. For example, the provision, as it will be amended, simply says that the employees who are not involved in a valid dispute – and I think this is important to know – who are not involved in a valid dispute, cannot refuse to load or unload goods from the truck or boxcar or any other type of carrier. Last summer a group of workers refused to unload steel frames because they had been pre-fabricated, being fabricated at a plant that was on strike. This occurred at the construction site of one of our potash mines. None of the contractors of the potash company itself or the workers had anything to do with it. However, their job was shut down, the employees were put out of work, there was a strike on for several days, and it cost those employees thousands and thousands of dollars. Now the statements made by Members opposite and I quote here from the Leader Post:

That even 11 Regina priests who recently published a pamphlet urging people not buy California grapes because of a dispute between pickers and growers would be guilty under the proposed section of the Act.

This was stated by the Member for Regina South East (Mr. Smishek). Well again this is just nothing but sheer nonsense, unmitigated dribble. I sometimes wonder if the Hon. Member actually read the Bill. Nothing in this Bill or this Act would prevent anyone from speaking out about a dispute or advocating any course of action – priest or anybody else. The prohibition is only against the people who take the action to refuse to unload or refuse to handle so-called hot cargoes. Why should employers or employees for that matter suffer because of a dispute that they are not party to and have no way of doing anything about it. Why should a union leader in Ontario, Chicago, or Cleveland be able by his actions, in calling a strike in his own area, in fact be able to close down a job in Regina or anywhere else in Saskatchewan and thus throw Saskatchewan people out of work.

Mr. Speaker, let's look at another Section dealing with the enforcement of unfair labor practice orders. The Act now provides that the Labor Relations Board determines whether an employer, a union or an individual has committed an unfair labor practice. The subsection being repealed provides that a consent to prosecute must be obtained from the Board before any person can be prosecuted for committing an unfair labor practice. In effect this means that you may have to make two appearances before the Board before you can bring a party guilty of an unfair labor practice before the courts. Now this Section will eliminate the necessity of going back to the Labor Relations Board for a consent to prosecute for an unfair labor practice. This eliminates the long delay that can now take place and makes the unfair labor practice section more effective in remedying injustices. For example, as it stands now, if an individual employee were fired for union activity, he could get an order from the Labor Relations Board, if the employer had acted in an unfair manner. The employer could refuse to obey the order, he then would have to wait for 30 days to get consent from the Board to prosecute. This means that that particular individual through no fault of his own would be out of work for at least a month and one-half. I say that this needs reforming. I also say that the facts will show that, for all the number of unfair practices that were ever brought against employees by management, there are 99.9 per cent of such unfair labor practices brought by employees against employers. So to stand up and say that this will work a hardship on employees is again misleading or attempting to mislead the people about the truth of this necessary reform. The truth is that this was put in to protect the working people, to protect the employees against unfair labor practice.

Mr. Speaker, this is typical of the NDP approach. Even though this Bill brings in many needed reforms to help workers, not management, they ignore these or twist them in order to try and scare working people into thinking that they are the only true friends that labor has. This is of course not true. Our Government was elected for the most part by working people and I'll say to you, Mr. Speaker, we will be re-elected by the same working people, because we have in fact done more than talk or pass Bills. We have increased the job opportunities and the wage opportunities for working people. We have made employers go out on the open market and compete for the labor and for the skills of the working people of this province. For that I think the working people of this province thank us and they have shown us by electing us once and re-electing us the second time. I don't think they are going to be misled by the hysterical outburst by the Members opposite in an attempt to smear this as an anti-labor Bill, when in fact most of this Bill is a reform brought about at the behest of working people and in the interest of working people. I will certainly support the Bill on second reading and when it goes into Committee.

**Some Hon. Members:** — Hear, hear!

**March 27, 1969**

**Mr. Dewhurst (Wadena):** — Mr. Speaker, I originally hadn't planned on taking part in this debate some days ago when this Bill was first introduced, but due to the nature of the Bill I think it is essential that this Bill be exposed for what it is.

I was amused by the gentleman that just took his seat (Mr. Steuart). He said that the Government had sometimes been accused of never supporting labor and never opposing management. He said that was patent nonsense. Well after listening to his speech I agree that he must have a patent on nonsense.

**Some Hon. Members:** — Hear, hear!

**Mr. Dewhurst:** — Now, Mr. Speaker, this Bill is a Bill which could be called affecting the Magna Charta rights of laboring people. Trade unions throughout the land have been a thing that labor has fought for many, many years. In some countries much longer than others. And I believe that workers should have the right to organize a trade union. But as I read this Bill, it is a type of Bill which can cripple and break any trade union. I recall, when I first went out some years ago to work, wages were very low and if the fact of keeping wages low meant prosperity for farmers, for agriculture or for business, then we should have had a lot of wealthy farmers, and wealthy business people during the 1930s, because wages were little or nothing in those days as you recall, Mr. Speaker. Many a place you could get a job for \$5 a month if they would give you your room and board, so wages were no problem. But the farmers were not well off. The small businessman was not well off. And it wasn't because we didn't have the goods within our borders. We had lots of goods, we had lots of people, we had lots of technical know-how, but there were no wages, no purchasing power in the hands of working people. I believe that this Bill that we have here today before us is the type of Bill that we could expect men like Hitler or Stalin to have brought in, but I don't think it's a Bill that should have any place in a democratic country. I think it is a Bill that is evil and wicked. It is a Bill that is designed against democracy and a democracy of people does not just start by the right to enter a ballot polling booth and then when they walk out democracy is over. Democracy is a thing we should be practising, it should be a living thing with us. We should have the right to practise our democratic procedure at Federal election time, Provincial election time, municipal election time and also economically we should have the right to be able to participate in democracy. We have the right to participate in economic democracy and not economic dictatorship. To have political democracy and economic dictatorship does not solve the problems of the working people. We must, if we are going to have a contented, healthy nation, we must have democracy on both sides.

Now, Mr. Speaker, I believe that the Minister (Mr. Coderre) who moved this Bill speaks with a forked tongue. He speaks

that he is working on behalf of labor, yet when you examine the Bill we see that this Bill could kill the aspirations of any working person. This Bill is dictatorial and this is the type of Bill by the implications in these clauses that people will be compelled to work or be fined or go to jail. It's a type of legislation that we could expect, it is the type of legislation that sends people to the salt mines. This Bill is much more vicious to working people than the Attorney General (Mr. Heald) will admit, and I cannot for the life of me understand why a learned gentleman like the Attorney General cannot see through the thin veneer of this Bill and cannot see that this Bill is designed to hurt working people.

**Hon. Mr. Heald:** — . . . Secret ballot.

**Mr. Dewhurst:** — I don't care if it is a secret ballot or not, a secret ballot is a loaded ballot.

**Hon. Mr. Heald:** — Why are you afraid of a secret ballot?

**Mr. Dewhurst:** — A secret gun can be dangerous too when it is loaded. This Bill is designed to attack the unskilled laborer, people with little education. It is a type of a Bill that could keep our Indian and Metis people in despair for many years to come. This Bill here, Mr. Speaker, in my opinion is a Bill to prevent labor unions from organizing. It is a serious matter that an unskilled laborer or a non-unionist can force a vote at any time whether a labor union should continue to bargain or not.

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

**Mr. Dewhurst:** — What's wrong with it? I'll tell you what's wrong with it. We have thousands of people in our province of Indian and Metis origin that we are all sincerely hoping that we can find employment for. These people do not have the educational standards to know how to read contracts or to bargain maybe with their employers. They have throughout the years been used as a source of cheap labor, a source of labor that they would employ the Indian or Metis people to do what no other person would touch. If he could employ some other person to do such a low menial job then he would have to pay two or three times the wage that he would to employ an Indian or Metis to do that work.

This type of a Bill means that class of people is for years to come condemned to that type of employment, because no one can go in there who knows what the pros and cons are to help to counsel or organize them into a labor union because they would be broke before they got started.

**Hon. Mr. Heald:** — Absolute utter nonsense.



**March 27, 1969**

**Mr. Dewhurst:** — The Bill that we saw passed here a few days ago with deterrent fees on kindergarten children can lead right into this, Mr. Speaker. Children of underprivileged people, children of poor people cannot get the same qualification or standard of schooling. Consequently they cannot have the same chance . . .

**Hon. Mr. Heald:** — On a point of order. I don't want to interfere with the Hon. Member, but he is now talking about something that is not before the Legislature at this time, when he talks about education.

**Mr. Dewhurst:** — Mr. Speaker, I am saying that the education qualifications of working people make a difference as to whether they can collectively bargain for themselves or whether they need the assistance of other people whose trade is collective bargaining. And I am saying to the Attorney General — and I don't blame him for objecting, because he knows it hurts — that if children from the start don't have a right to learn what their rights are, they are deprived of certain opportunities — at least our Indian and Metis people of this province for the last century — they are going to grow up into their working-day world not being equipped to be able to know what their rights are and what they should fight for. These type of people, Mr. Speaker, when they hit the employment market, cannot move out and leave this province like technically trained people can. We have seen in the past five years dozens and dozens of technically trained people leave their employment in this province, go to the Maritimes, go to the Federal Government, go to Ontario for employment because they have their education, they have the training, they have the knowledge, they have the skill. But the people with little or no education, what we have called in general terms the common laborer, does not have that opportunity. They cannot. They are not mobile, they can't pick up and go to Eastern Canada or to the Coast because the type of employment which they can do is not available for them. So this is a Bill to conscript people into the lowest paid type of labor in this province.

The Member for Regina North East (Mr. Smishek) showed the effects of this Bill No. 35.

Now, Mr. Speaker, one of the reasons I decided to join in on this debate was because I, along with others yesterday, understood that we were not going to debate this Bill too long. We were going to go into Estimates or Committee of the Whole. But when the Member for Moose Jaw North (Mr. Snyder) asked for leave to adjourn the debate, immediately a loud, No, came from the Government. He was refused leave to adjourn the debate. Now I wonder if the Premier is really in a hurry or not. What type of a hurry is he in? After 25 years he has sat both in Opposition or in Government, he knows or he should know that the Government has the right to call a session, but the Opposition has something to say about the prorogation of a

session. When anyone is going to try and push with undue haste, that is the time when they get more speakers back than what they had thought of in the first place. Yesterday we had a House Leader in the House here, he was in his place; we had the Whip of the Government side of the House, but it was neither of them who got up and said, No, that there was no right to adjourn the debate. It was the Premier. And then the whole team backed him up, they don't dare say No, including the Minister of Welfare (Mr. MacDonald).

**Hon. Mr. Heald:** — You don't dare . . .

**Mr. Dewhurst:** — Now, Mr. Speaker, this Bill 35 it's true has been on our desk for some days. It has been printed on our desk for some days but it was not moved by the Minister until yesterday. Yesterday, the Minister (Mr. Coderre) gave us the benefit of the thinking behind him and his Government for introducing the Bill. He also said that there are going to be some amendments to this Bill, but he wasn't prepared and his colleagues with him to let this Bill be adjourned, so that he may discuss the amendments unofficially with people on our side, so that we would understand the things that he is trying to say are in the Bill which we can't find. So I feel that this Bill deserves a good discussion when they weren't prepared to take it. They could have moved second reading some weeks ago and we could have been through with it before now and had it in Committee, if that was their wish and we would have had more time to discuss it.

I say, Mr. Speaker, that the farmers want decent working conditions. The farmers are not interested in seeing laboring people pushed down into the gutter. The farmers want to know what the working conditions are, especially a year like this when many of the farmers become laborers on the laboring market. They have to go into the woods or other employment for winter employment in order to try and subsidize their farms. Consequently decent working conditions mean a lot to the farmers, also, Mr. Speaker, to the farmers' sons and daughters. We know on the farms that there is not land enough for all the rurally raised boys and girls to have a future on farms. Consequently the sons and daughters of farmers have to go into the labor market, they have to become laborers in one capacity or another. Some of them go into the technical fields and take a higher training; others through mental disability maybe don't have the ability to go past their public school or high school, or maybe for financial reasons they cannot continue on to university or other training in order to get the skills they need. So the farmers are interested in their sons and daughters, and consequently they are interested in a fair standard of income for those people.

This Bill, Mr. Speaker, affects all classes of workers, not just the trade unionists. It affects the professions because at the same time a professional person can be involved with workers. The Minister wishes to make workers economic slaves under this Bill. Workers would have no right to

**March 27, 1969**

withhold their goods which they have to sell. The only goods that a worker has to sell is his brawn or his brain. It is his muscles or his knowledge that he has to sell as a worker, his two hands, but this Bill will make him an economic slave. They cannot withhold the right to say that we are not going to sell our labor . . .

**Mr. Charlebois (City Park-University):** — Why would you talk that way about workers. The sheet metal worker has got more brains than what you are giving him credit for.

**Mr. Dewhurst:** — Mr. Speaker, they will not have the right to say that we are going to withhold our labor, we will not sell our labor unless certain standards of wages and working conditions are attained. Therefore, I say that this is a Bill to enforce 20th century slavery. This is a Bill that legalizes stool pigeons and scabs. But there are employers – a small minority – who would hire stool pigeons or scabs to create a strike and, while the strike is on, they would reorganize their plant, remodel it, because they are not paying employees during the time the plant is on strike. When they have their plant all reorganized and remodelled they can ask one person to ask the Labor Relations Board for a vote and they can force all the workers back to work at their last offer.

**Mr. Charlebois:** — You must be smoking pot.

**Mr. Dewhurst:** — So this is a Bill of one of the worst types we have seen.

**Mr. Charlebois:** — Are you on pot?

**Mr. Dewhurst:** — Why, do you want to get on it? Well there is one outside you can go to it. The Minister should protect labor and not the Ralph Purdys of society. Ralph Purdy is able to protect himself. There are many who should protect the laboring people and quit giving lip service to labor and all the benefits to fellows like Ralph Purdy.

We have heard on previous occasions the Minister of Highway (Mr. Boldt) say, “Why I have enough in my hip pocket to buy out any laboring man.” If that statement was true, Mr. Speaker, then there is something definitely wrong with our society here today. Our working people should have the right to have a decent standard of living. If we are going to have a prosperous economy we must have working people not only within this province but from coast to coast having a decent standard of living and a decent income, because, if the working people do not have the purchasing power, then the farmer cannot sell his products. Last year statistics show that the purchase of agricultural machinery and repairs by the farmers of this province was drastically down. Immediately that happens it affects laboring people in the factories where machinery is

made. The moment factory goods pile up they have to lay workers off. When they lay workers off the purchasing power of that employee, maybe in Ontario, maybe at the West Coast or someplace else, their income is curtailed, their purchasing power is cut down and reduced. They can no longer buy the foodstuffs they otherwise would have. Consequently along the chain again some farmer is producing goods which he cannot sell and it becomes a chain reaction until we get an overproduction of foods and food supplies but an underdemand as far as purchasing power is concerned, because the people don't have the money.

There is no such a thing in the world today as an over-production of food, it is a matter of an under-distribution of food. Last fall we saw the price of bread go up by two cents a loaf but not one portion of the increase went to the farmers, nor did it go to the laboring people, to the workers. Consequently those are the things which hurt the working people and hurt the farmers. We are going to have to have society pay a little more attention to the producers of raw materials such as agricultural goods and other raw materials and the people who process those goods. The Minister, I think, would be better advised at this time rather than bringing in this legislation, if he spent a little more of his time finding that car that is lost. We would have another asset in the province rather than bringing in this type of legislation.

Now the Member for Notukeu-Willowbunch (Mr. Hooker) said yesterday – and I am not saying he was not saying what he had found to be the truth – that he had gone to get work and because the shop was unionized he couldn't get employment. That may have been true at one time but it is not true now. I know a young fellow that went into Saskatoon this winter. He got a job working at a plant in Saskatoon which was unionized but he could not join the union for 30 days. He had to be there for 30 days, but no union kept him from getting the job. As soon as the job was open he was able to get it. It is true had there been other union people of that union looking for the job who were skilled in that specific type of work, they would have had priority, but he was not barred from a job but he could not join the union for 30 days. In the 1966 grainhandlers strike at the Coast we saw, Mr. Speaker, a lot of problems for the farmers in disposing of grain. We saw a lot of dispute, we saw a lot of write-ups in the paper, but how was this strike settled? When the farmers of this province decided they were going to go to the West Coast themselves and see what was happening, they were not going to take the Eastern negotiator who came in from Eastern Canada to negotiate the strike between the grainhandlers at the West Coast and the Companies, a man who didn't understand the West Coast problems. He didn't know how to solve the strike, but when the farmers themselves went out there the company saw that they had better get down and bargain. It was no time until the strike was settled. I saw that one of the greatest ways to handle strikes would be to let the people who are affected as workers and farmers and so on get together and discuss their problems rather than build fear and hatred between one another.

**March 27, 1969**

This is a Bill of divide and rule, to pit one section of society against another section of society.

During the last World War, at the beginning of the World War, the Parliament of Canada passed a Bill which would put a five per cent ceiling on profits from the manufacturers of war goods. All these companies went on strike and refused to produce until that five per cent ceiling on profit was taken off. I have never heard our friends opposite, Mr. Speaker, get up and condemn the corporations, the big corporations for going on strike, when our country was at war because they wanted their pound of flesh. And that is just what it was, they wanted their pound of flesh and they took the drops of blood with it. The Attorney General (Mr. Heald) prides himself on having brought in some of the most advanced consumer legislation in this province over the past few years. Well, Mr. Speaker, if he takes any pride in bringing advanced legislation for consumers, he should wholeheartedly oppose this Bill, because this Bill is going to affect every working consumer in the Province of Saskatchewan. It is going to have its ramifications and effects outside of this province. So if the Attorney General wants to keep his record which he has tried to establish of being in favor of consumers, then he should oppose this Bill. I think this is a vicious Bill, a Bill that should be defeated.

I would like to say before taking my seat, Mr. Speaker, just slightly diverting for a moment, that on behalf of the group on this side of the House, I would like to say Thank you to Leslie Bender for the work she has done as a page for us in the House here. She is leaving us today for employment elsewhere tomorrow and we wish her well in her employment.

But I hope that the Government will defeat this Bill so that it doesn't just cut the feet out from under a young person who should have a chance in society in the future and should have a right to make a way for herself and not be thrown in jail or in prison because she is going to contravene some of my hon. friends' labor legislation.

**Some Hon. Members:** — Hear, hear!

**Mr. Larochelle (Shaunavon):** — Mr. Speaker, I have never heard a man be so far away and so far in left field in discussing a Bill that I've just heard just now. He wasn't even talking on the Bill for five minutes. He must have been looking at a different Bill. What we are discussing right now is Bill No. 35. Now, Mr. Speaker, I don't often get up from my seat in this Legislature but I've been listening now for about two days to remarks from the Opposition that this Government on this side of the House is against trade unions, against employees, and against labor. Now, Mr. Speaker, there is nothing so far from the truth. The Liberal Government has passed some of the best legislation for employees that this province has ever had. Now I am not against some of the tactics that some of the trade unions use. But

they are not always in the best interests of the employees, Mr. Speaker. A lot of our employees in the province lose large sums of money over strikes which much of the time are not in their favor, but due to the trade union bosses, are always called upon to strike. I would add a suggestion to the employees, I think, that would work pretty good. When the union bosses call a strike, I wish that the employees would ask the trade union boss to reduce his wages about in the same manner that the employees' wages are reduced. I think we would have a lot less strikes in this province.

**Some Hon. Members:** — Hear, hear!

**Mr. Larochelle:** — Now I have listened to the speaker from Regina North East (Mr. Smishek). Those speakers, Mr. Speaker, seem to have a monorail mind on labor. Take for instance, the Member for Regina North East (Mr. Smishek), the Member for Moose Jaw South (Mr. Davies) when he speaks in this House, also the Member from Saskatoon Mayfair (Mr. Brockelbank), when he speaks, they don't seem to want to give a fair break to the employer as well as to the employee. Now I don't think that this is fair. I am not against strikes. Don't get me wrong, I am certainly not against strikes because I think this is one vehicle where the employee can express his demands and I think he can uphold his demands through them.

Mr. Speaker, I have been an employer for 30 some odd years now, 34 years to be exact. I have never had a union in my shop. I have had 30, 40 and 50 employees under my jurisdiction. I have employees to this day that have been with me for 25 years and more. I have never had a trade union in my shop, but the minute I moved into Moose Jaw about two years ago, lo and behold they were on my doorstep. I have had no trouble with my employees. I don't want trouble with my employees. We have an association. We get along fine. When you have employees that are working for you for 25 years, I don't think that you have been using them that badly.

**Some Hon. Members:** — Hear, hear!

**Mr. Larochelle:** — Now we are discussing Section 3. Mr. Speaker, this is not an unfair part to have in a labor Bill. When I was listening to the Member from Regina Centre (Mr. Blakeney) a while ago with another monorail mind, he spoke for two hours. We had to sit here to listen but where is he now? He won't listen. He has one set mind and that is all he is going to listen to, and that is the only direction he is going. Now I don't think that this is fair.

**Mr. Brockelbank (Saskatoon Mayfair):** — Where's the Premier?

**Mr. Larochelle:** — Wait a minute, I'm coming

**March 27, 1969**

to you. Now why should an employer, myself, or anybody else be denied the right as a carrier to move products from one place to another without the interference of labor which might be on strike in another segment of the industry. Now this happens, and this has happened to me. I was a victim of this. I was amazed awhile ago when the Member from Saskatoon Mayfair (Mr. Brockelbank) stood up in this House and begged the Government on this side of the House to beg the refineries to open in this province, after what he did just two years ago in regard to these same refineries.

**Some Hon. Members:** — Hear, hear!

**Mr. Larochelle:** — Now he begs us to try and hold them here.

**Mr. Romanow (Saskatoon Riversdale):** — What did he do?

**Mr. Larochelle:** — All right, I'll tell you what he did. I had 30 employees at the time when the Royalite refinery had labor trouble. This is no business of mine, no concern of mine, but I was under contract to move products for another refinery, to Empire Oil at Saskatoon. They were not involved in this labor strike, they had nothing to do with it. They are an independent oil company at Saskatoon. I was under contract with this company and I was under the gun. Either I move the product or they were cancelling my contract. So we did move the product to Empire Oil at Saskatoon. Lo and behold, who was across the street from Empire Oil, but a trailer. My Hon. friend from Saskatoon was part of that organization in the trailer, throwing rocks at my trucks across the street.

**Some Hon. Members:** — Hear, hear!

**Mr. Larochelle:** — I can prove it, I've got the bills for the replacement of the windows. I am not saying he was throwing the rocks, but you had goons in there doing that work. Now this is what is happening. This is the type of legislation which is going to stop this. And I am certainly happy that it will.

**Mr. Brockelbank:** — There's the man, you tell him.

**Mr. Larochelle:** — Don't you worry. And I certainly am going to support the Bill. Now I don't think this is fair for my employees that they should be losing wages due to another strike, which am not involved with, and have no responsibility with, and I certainly don't want to see them hurt. If these people want to restrain their labor, that's their business. But why should they in turn stop my employees from being able to earn an honest day's wages? This is what I would like to know. This Section 3 is the section that will bring this into force, where I can take a cargo and I will not be interfered with to unload it when I

get at the other end. I don't see anything wrong with this part. Some of you people have twisted this around. Maybe there are some words to be changed in the Bill, but I can't see anything wrong with this Section. I certainly, Mr. Speaker, will support this Act because I think it is a good one and it is a good one for the employees of this province.

**Some Hon. Members:** — Hear, hear!

**Mr. Brockelbank (Saskatoon Mayfair):** — Mr. Speaker, I hadn't intended taking part in this particular debate but the Member from Shaunavon (Mr. Larochelle) has brought me into the debate.

**Some Hon. Members:** — Hear, hear!

**Mr. Brockelbank:** — Now I object to the manner in which the Member from Shaunavon debates the issue but I can do nothing about that, Mr. Speaker. He consistently refers to anybody who is in a position of authority and the union as a boss — the bosses, the bosses, the bosses.

**Mr. Speaker:** — I think the Member has already spoken on this.

**Mr. Brockelbank:** — Not on this one, I don't believe, Mr. Speaker.

**Hon. Mr. Heald:** — Mr. Speaker, I think the Hon. Member for Mayfair has spoken on this debate.

**Mr. Speaker:** — Well, that's what my records show. Now we are not speaking to the amendment, that's done, that's finished.

**Mr. Brockelbank:** — I am sorry, Mr. Speaker, for getting ahead of you.

**Mr. Berezowsky (Prince Albert East-Cumberland):** — Mr. Speaker, the reason I wanted to speak against this Bill is because a number of things have been brought out that have to be answered, and, secondly, because I have had representations from people whom I represent in this Legislature. You know, Mr. Speaker, that Prince Albert East-Cumberland has a very large number, probably 60 or more per cent working people. When I see the erosion of workers' rights, I think I have to stand up and defend those rights in this House. I heard the Minister from Prince Albert West (Mr. Steuart) talk about reforms. After having listened to him, all I can say is what my father said to me at one time. He said, "God help us from our friends, we can look after our enemies." And if the Minister from Prince Albert West indicates that he is a friend to labor with these



March 27, 1969

reforms, then I say, "Got help labor."

**Some Hon. Members:** — Hear, hear!

**Mr. Berezowsky:** — Then listening to the Member (Mr. Larochelle) who just sat down, I realized all at once that the cat had come out of the bag. We now know why this Bill was brought in. Apparently the Member who just walked out of the House was responsible for having this Bill, or at least part of it brought into this House. Now the Minister who brought in this Bill charged the other day that the only people who were against this Bill were a few labor leaders, or bosses, as they call them over there, and the Opposition here. Now I would like to say to the Hon. Minister that apparently he hasn't been in contact with the laboring people of this Province of Saskatchewan, because I have received telephone calls, telegrams and letters. Here is one letter and I'll read it to you. This is directed to the Minister and surely he must have received something like this. If not, I'll pass it on and I will pass a few more on to him. They are all laboring people who are concerned about this proposed legislation. What did this one say? I quote:

The Members of Local P234 Canadian Food and Allied Workers are very disappointed with your Government's proposed Bill 35. We ask your Government to withdraw the proposed Bill. Signed Members of Local P234.

And there are others. Now I would think that, when a Government Minister brings a Bill into this House, he must have at heart the welfare of the people it affects. Surely this Legislature represents all people in this province who are working people and so should consider what the working people desire and what is good for them and not what the Minister thinks is good for them. This, Mr. Speaker, has been the trouble with this Government all along. Everything it has touched it has killed. It poisons everything with legislation such as is now being introduced today. It forgets to ask the people who are involved as to what they want, but it comes into this House with its legislation and says, "This is what is good for labor, this is what we are bringing in." Then the Minister gets up and he says, "If the Bill is misrepresented I'm now going to amend it so it will be clear." Well he shouldn't have brought in a Bill that wasn't clear in the first place. If he had made some amendments then we should have had copies of that amendment for us. So I must say, Mr. Speaker, that the only one who is responsible for such misrepresentation is the Minister of Labour (Mr. Coderre) who brought this Bill into this House and no one else. He distributed the Bill, it wasn't us, it wasn't anyone else. It is thus his responsibility.

Now, I would like to say to the Minister of Labour and to the Government opposite that they could have done some research and found out what is being done elsewhere and what our own people think. I happen to have on my desk an article of Barbara

Castle's in a Government White Paper and I'll just read one or two excerpts out of it. It is mentioned here that it is a remarkable personal document presented to the Cabinet in Britain. Now what does it say concerning strikes and strikers? Here is what it says and I quote:

There's much in the White Paper that the unions have wanted for generations and its general tone is constructive and sensible. No one, least of all the strikers and their families can really want to perpetuate the anarchy and damaging folly that goes on in industry today. Nor surely the official trade union leadership whose authorities cringe every time there is an unofficial dispute.

This is something the Minister hasn't recognized and it is being recognized all over the world. In this other report by one, Dr. Mark Abrams, it is pointed out what the opinion of people, working people generally is insofar as interference of Government is concerned, the way it is being interfered with now. We find that over 70 per cent – I have the exact figures here from different people and that includes employers – have all said that the Government should not interfere and I'll just quote:

In spite of the majority view, the Government had not been strict enough with trade unions. And this is a general view among Conservatives in the handling of industrial disputes. Nearly three-quarters of the them felt that wage negotiations should be left entirely to unions and employers.

And this is what we are trying to tell this Government. There are two sides to the question, not three. You've got employers and you have employees. It is simply a problem between them, and the Government should only legislate for the public good but not interfere with the negotiations, with strike or whatever else it may be. For the Government to interfere is wrong and I think that the Minister is on bad ground. I think that the Government has to recognize that unions are important today in this technological society and have an important part to play. By bringing in this legislation all the Government is doing is setting back the whole way of life, back into the last century. Why don't you wake up and see what is going on and recognize how important labor is today and is going to be in the future. Let labor and employer, whether they be private or public, let them negotiate the way they want to and let the Government only act in bringing legislation when it is agreed to on both sides. Then you will be on solid ground.

All I can say is that this legislation means a collapse of labor rights for negotiating directly with their employers whoever they may be. By giving an individual the right to call a vote whether it is secret or otherwise as provided in Bill No. 35, simply means that this Government is intent on destroying

**March 27, 1969**

rights of workers. These rights have not been obtained easily, Mr. Speaker. I am not a labor man. I worked out on the railways and other places many years ago and I understand how difficult it is to earn a penny and try to support a family. But I am not a labor man, I am not presently a union member, but I sympathize and I can see very clearly that this kind of legislation is going to destroy the rights that labor has obtained over decades of years. These rights are very precious to them, Mr. Minister, and you have no right nor has this Legislature the right to take away any of these achievements. Yet that is exactly what you are doing. You may not agree. You shake your head and say that you do not agree, but I am telling you that the opinion of labor and my opinion and the opinion of the people of Saskatchewan is that you are doing just that. You shake your head and say, No. and who are you to say No?

**Hon. Mr. Estey (Minister of Municipal Affairs):** — Are you talking to me?

**Mr. Berezowsky:** — I am talking to the Minister of Labour (Mr. Coderre). Are you so arrogant that as a Government you are going to say, “We know the answers and this is the way it is going to be.” In spite of the fact that you have speaker after speaker, telegram after telegram, no end of letters, do you still say that you are right and the rest of the people are wrong?

Mr. Speaker, democracy is a slow growth. I think that democracy is essential to modern society and trade unions are products of this same democracy. I don't know how I can impress upon the Government opposite, to realize just that. If we are to build an even better democratic society, whether it is technological, or private enterprise or social democratic or whatever it may be, if we are going to have a better democracy we must then not erode what is good, but must build on the foundations of the past. Therefore, I can only ask the Minister to withdraw this Bill. It would be the most sensible thing that he could do and we will honor him if he does that. Only the Minister and the Government can do this. If he does not then you are going to find that the employees in Saskatchewan are going to be unhappy, employers in Saskatchewan are going to be unhappy, and the people of Saskatchewan are going to be unhappy. As a matter of fact they are saying now that if this Government is going to proceed with this kind of Bill, then it would be better for the Government to resign and have this made an issue across the Province of Saskatchewan. I dare them to do just that. Make this an issue for a vote by people of Saskatchewan. Call the election and then you will find out what the people of Saskatchewan think.

Mr. Speaker, I cannot support such a degrading and obnoxious bit of legislation and I am going to vote against the Bill.

**Some Hon. Members:** — Hear, hear!

**Mr. Charlebois (Saskatoon City Park-University):** — Mr. Speaker, we have certainly listened to a great deal of oratory and I was certainly impressed with the oratorical manner of the Member from Regina Centre (Mr. Blakeney) when he spoke, but I am sure that he was very unconvincing as far as I am concerned. He spoke of the techniques that are being used. When he speaks of these techniques and accuses this side of the House, I would say to him, look to yourself. He set out on a very bitter diatribe against the Members of this Government, and then he turned around and declared that this is the most unworthy approach to use in matters that we are discussing here. If this isn't utter hypocrisy I would like to know what is. I thought that it was an absolute disgrace to hear this great orator set out in this fashion.

**Mr. Blakeney:** — On a point of order. Would the Member advise me again of the grounds of this charge of hypocrisy?

**Mr. Charlebois:** — Yes, indeed, I will. I said that you made a great display in your oratory and that you asked us to recognize the techniques that are being used and you accused this side of the House, Members on this side, of using special techniques. I would say, when you are discussing techniques look to yourself. I said, too, that you set out a very bitter diatribe against the Members on this side of the House and then you turned around and declared that this was a most unworthy approach to use in discussing matters of this kind. I hope I am understood in what I said. This is what I said before you came in. You also said, Sir, if I may speak to this Member through you, Mr. Speaker, you referred to the fact that this issue was an inflammatory issue because of this side of the House. Believe me if anybody is trying to inflame this as an issue it is your side of the House, not this side of the House. You said too in speaking of subterfuge that management can shut down their plant but employees have no choice, they must keep working. Well I'll tell you I worked for a living for a long, long, time and nobody would ever stop me from leaving my job if I chose to do so. Don't tell me that an employer and employee on both sides haven't got the rights in this regard.

And then, of course, in regard to the subterfuge that you mentioned where the brick layers are concerned, how these people through subterfuge became contractors, well, let me tell you, Mr. Speaker, that I know something about the story of the bricklayers and how this came about. The bricklayers wanted to be contractors and it was by their own choice. I know a good many of these personally. I know a little bit about the building industry and I know these fellows. I know them well. These poor fellows wanted to be contractors and still they didn't have enough money to buy the bricks, so they went to the general contractors and made an arrangement whereby they supplied labor only. And now you say this was subterfuge.

**March 27, 1969**

I would say that it was a good move on behalf of these fellows because they are now very successful bricklaying contractors. I would say too I mentioned someone that had the privilege of playing golf once in a while and enjoying life. Of course this appeared to be something unacceptable to Members on the other side. I would say now that I know some of these bricklayers that are able to go out and enjoy the privileges of the golf course simply because they did this very thing that you call a matter of subterfuge. I say that it is no such thing.

I would say, too, that these very fellows that you say were duped into this situation have men of their own working for them who are organized, who are union men, their bricklayers. They belong to the craft union, and they have their rights and they use them. I think here that when we speak of how to handle a debate, believe me you are a past master, but I don't know that you are fooling us completely.

Then you say too in regard to the offer of an employer prior to a vote that it doesn't mean anything. What do you think the Labor Relations Board is for? Do you mean to tell me that when they make a valid offer they don't have to stand by this? To me, I think the Labor Relations Board is organized in the form of a court. You have the privilege of having legal representation there. What are you talking about when you say that an offer doesn't have to be valid? I don't believe a word of it.

I would like to say, too, in regard to the changes that have been made to The Trade Union Act over the years by this present Government, do you pretend, Sir, that you don't understand me? Just listen. I would say that none of the changes to The Trade Union Act so far introduced by this Government has had any bad effect on labor. And indeed these changes shouldn't have any bad affects, we believe in that. We listen at times to the aspersions of the other Members on the other side, that this Government here, that the Members here, are against trade unions. I despise these charges. We just heard from the Member from Prince Albert East-Cumberland (Mr. Berezowsky) and I am sorry that he isn't here, but I would like to say for his benefit, in speaking of the worker's rights he says, "Wake up," well, let me tell you fellows, my family woke up in 1896. Nobody on that side has to tell me about the rights of an employee or of an employer. I have been on both sides and I can tell you this, that my father was an apprentice in the year 1896, in the AFL union in the International Sheet Workers of the World. He got his journeyman's card in 1900 and somebody here tells me that we should wake up. What is he talking about?

I say here, again, that I have been both an employee and an employer. As an employee I have had the privilege of being a union member and I have also been involved in strikes on both sides of the fence. I have been involved in strikes as an employee and I have been involved as an employer. I literally despise the tactic that is used that one side should hate the

other. I despise this tactic. It has been insinuated here that people like myself hate labor. I despise this and I would like to stuff the guy, again, right up to my elbow.

**Some Hon. Members:** — Hear, hear!

**Mr. Charlebois:** — And I would like to say that as an employee I never ever lost the sight of my ambition to be a contractor. And as a contractor I have been a party to five union agreements in my shop at one time. I hear someone say that this isn't the best arrangement. This then is a matter that may be debatable too. But I am proud of the fact that I had the five union agreements when I was a contractor and I am also proud of my record, because my record as an employee, I think, or an employer, is something that I can feel proud of because my relations with my people were good.

**Some Hon. Members:** — Hear, hear!

**Mr. Charlebois:** — And so I would say of the time that I was an employee. Surely I should not be denied the right to become a private contractor. Surely there is no harm in having this Act clarify this right and that is exactly what it does.

There may be some legal technicality that you fellows are looking at. Don't forget that this clarifies the right of a contractor. In this clause, one of the situations involved could be the unloading of goods that are received from a plant which is on strike. This matter has already been brought up. Well, management exercises its right to run its own operation, what trucks should be unloaded at the plant and in what order they should be unloaded. Now because a cargo comes from a struck plant or the carrier is a company that is on strike, it would be an unfair labor practice if the employees at the point of delivery refused to unload. Well, this is to protect against the third party boycott. Why should a plant be shut down, why should a whole truckload of grapes go to rot? Why should a plant be shut down and the men have to go home and suffer as a result?

The principle here is simply that a third party should not be hurt and certainly this is a reasonable clause. Secondly, regarding the vote after 30 days, surely everyone concerned should have the right and opportunity to ask for a supervised vote. Someone over there cast the aspersion that a supervised secret ballot is a loaded ballot. What a charge to make! What a ridiculous statement to make!

**Mr. Blakeney:** — It certainly is . . .

**Mr. Charlebois:** — What is a man to do when his agent cannot be contacted and he doesn't know which way to turn to find out what is

**March 27, 1969**

being done about settlement and he wants to get back to work? What is he to do?

**Mr. Blakeney:** — See his president.

**Mr. Charlebois:** — How can he see his president when he has buzzed off to some power conference so he is going to get to his next rung in the ladder in his own union.

**Mr. Blakeney:** — Rubbish! Come on now.

**Mr. Charlebois:** — You and your rubbish. What are you talking about rubbish? You gave us two hours of rubbish.

**Some Hon. Members:** — Hear, hear!

**Mr. Charlebois:** — The argument that the first 30 days of negotiation will not be meaningful is simply not acceptable. To me it is a wicked thing to deliberately cause animosity by claiming that management or labor is not interested in a smooth-flowing operation and in a quick settlement. It is utterly ridiculous to make this charge and to plant the seed of thought that management does not care. This is a despicable thing. To say that members of labor unions are not interested in the success and welfare of the operations in which they are involved is equally wrong. There is no question that both sides, both management and labor, want the business that they are engaged to be successful one and generally a happy one. For each person involved has respect for the other no matter which side he is on.

And thirdly, surely the clause in this Bill which does away with the unnecessary red tape of having an order from the court instead of going back to the Labor Relations Board is an acceptable clause. Certainly, Mr. Speaker, I think that when we consider all of these revisions that are concerned in the Act, we should realize that these changes are at least of equal benefit for the employees as they are for the employers.

**Some Hon. Members:** — Hear, hear!

**Hon. A. R. Guy (Minister of Public Works):** — Mr. Speaker, I had not anticipated taking part in this debate until I listened to some of the remarks of Members opposite, particularly the Member from Wadena (Mr. Dewhurst).

I think we reached a low this afternoon in debate when the Member from Wadena saw fit to bring a young page girl, who is trying to serve this Assembly in an unbiased manner, into a labor debate. Of course you can't expect anything better from the farm Member from Wadena. We know that we have to sit here during this debate and accept the fact that Members opposite

are paying off their past election favors.

The farmer from Wadena proved this. He doesn't know anything about this labor Bill, he doesn't know anything about labor unions. Still on behalf of the farmer he thinks he has to get up and speak in this debate in order to make sure that his expenses in the election will be paid for by the unions which he is trying to support.

All Members opposite recognize this when you think that 80 per cent of their election fee expenses come from trade unions. It is fair to say then that 80 per cent of their comments are made because they feel they have to rather than they believe what they are actually saying. Farmer Members try to justify the fact that unions and labor and farmers are all in bed together when they know very well that the rift between farmer and labor is growing every day. I would like to remind Members opposite, the Liberal Government of Canada has placed some of the most progressive labor legislation on the statute books that this continent has ever seen. The same is true in the provinces, Liberal, Conservative, Social Credit Governments have placed good legislation on the provincial statute books.

The main reason why this was done, Mr. Speaker, has been that the union movement for many years followed religiously one of their main commandments, that they shall not be political. Unions from their inception recognized the need to work with governments of all political stripes and were most careful to maintain neutrality in politics as far as unions themselves or the union movement was concerned. Individual members voted as they saw fit of course. Unfortunately today this is not the case. Unfortunately the labor movement in Canada and in many of the provinces was duped into becoming bed-fellows of the CCF-NDP. When the CCF found they were losing support in Saskatchewan and across Canada, they turned toward labor as a possible partner to bring them out of the depths into which they were sinking. It was a sad day, Mr. Speaker, for the labor union movement when its top officials were convinced that their future lay in becoming a political party on their own, rather than maintaining neutrality so that they could bargain with whatever government was in office.

When the NDP was launched labor and CCF were doomed. What I cannot understand is why they chose the CCF party rather than the Liberal or the Conservative when it was obvious that the CCF would never form the Government of Canada or of any of its provinces. Since that day, unions and labor organizations that have become affiliated with the NDP have lost the faith of all governments and its own membership by becoming politically orientated rather than economically orientated on behalf of their members. This is particularly true in Saskatchewan where the Saskatchewan Federation of Labour, supposedly representing the working man in this province, got into bed with the NDP while they were still the Government and closed all their doors behind them.



**March 27, 1969**

Mr. Speaker, I predict that within ten years as a result of the labor-NDP marriage, one of two things will happen in Canada and in Saskatchewan. Either the NDP will be destroyed or the union movement will be destroyed and perhaps unfortunately it will be both. I know that we on this side of the House hope it will be the NDP so that unions can get back to their original non-political position, whereby they had the respect of all governments which they had to bargain with. And then we can sit down and discuss problems in good faith, knowing that the Saskatchewan Federation of Labour will not knife us in the back the minute we turn our backs and walk out the door.

Members opposite continually say that they shake when our Government brings in any resolutions or amendments to labour Acts. If this is true they, themselves, are the ones to blame. People in this province recall that the ink on the proclamation establishing the Liberal Government in this province was barely dry before the Saskatchewan Federation of Labour at the urging of their defeated bed partners placed on the record books of their association a resolution to do everything in their power to defeat the Liberal Government.

The Member from Regina North East (Mr. Smishek) said that it was the Liberal Government that is anti-labor. I say that it is the labor movement in Saskatchewan that is anti-Liberal.

**An Hon. Member:** — What about Fred?

**Hon. Mr. Guy:** — Oh, don't worry about Fred. He doesn't bother me because I was in the House when he was Speaker and took all his directions from Tommy Douglas. He never looked toward the Opposition. He was the most stupid Speaker that I think this Legislature ever had.

**Mr. Speaker:** — Order, order!

**Hon. Mr. Guy:** — All right, Mr. Speaker. If these fellows across the way want to jab back at me when I am on my feet, they had better be prepared to take my comebacks too.

**Mr. Speaker:** — I think that if anybody had anything to say about the actions of this Speaker, they should have been said when he was in the Chair.

**Hon. Mr. Guy:** — Mr. Speaker, this is probably true.

**Mr. Wood (Swift Current):** — On a point of order. I do think that words such as those should be withdrawn.

**Hon. Mr. Guy:** — I will withdraw that comment because I know the

feeble mind from which it came.

**Mr. Dewhurst:** — Go ahead.

**Hon. Mr. Guy:** — Now, Mr. Speaker, it was with this resolution newly on their books that these politically oriented officials of the SFL, including the Member from Moose Jaw, appeared at the door of the Minister of Labour (Mr. Coderre) asking to be accepted in good faith. The Minister of Labour was more charitable than I would have been. I would have told the executive director and the officials of the Saskatchewan Federation of Labour that as long as that resolution was on their association's minute books they need not darken my door. I submit that if the Saskatchewan Federation of Labour and our friends opposite want to place politics ahead of the working man in this province then that is their prerogative, but they don't need to come to the Government which they are dedicated to defeat and ask for any favors or for any sympathy.

It was a sad day for Saskatchewan when the Saskatchewan Federation of Labour and its affiliated unions, many of which have passed similar resolutions to defeat our Government, and our friends opposite decided to place their political survival ahead of the well-being of the union member and the working man of this province. And that, Mr. Speaker, is why today we have to bring in amendments to The Trade Union Act to protect the rights of the individual union members that the Saskatchewan Federation of Labour has refused to accept as their responsibility.

We all recognize that in the last few years strikes have been called with no rhyme or reason merely to embarrass the Government that sits to your right. In view of this it is necessary that legislation be passed that will protect the rights of the union man, who is not concerned with politics but only in making a good living at a fair wage.

The amendments which are before us today will do just that. It will ensure that labor unions and politically oriented officials, who have no concern for their individual members, cannot keep these members out on strike longer than is necessary. It will ensure that members will have the opportunity to determine whether they wish a strike to continue or whether they wish to accept the offer that has been made.

Members opposite like to read letters opposing this Bill, but I would remind Members of this House their letters, almost without exception, come from the heads and paid officials of labor unions rather than from the union members themselves. For every letter that they have read into this record we could read a similar one commending us for this action from individual union members. However, we dare not use their names as they would then be immediately blackballed by their union officials.

The Member from Regina North East (Mr. Smishek) spent

**March 27, 1969**

considerable time discussing the grape pickers in California, whatever that had to do with the present legislation. I think that Member of this House would be pleased to know that last fall, when the SFL and the Members opposite were raising such a hue and cry about the poor grape picker in California, their union leaders were riding around here in Saskatchewan in 1968 Cadillacs. One afternoon I came out of the building here and ran into several gentlemen from the labor movement and some of our friends opposite. They had just stepped out of a new Cadillac with a sticker across the back, "Do not eat California grapes." I thought then that the workers in California would be pleased to know that their union officials were holidaying up here in Canada, spending their hard-earned union dues in an area where whatever was done could have no conceivable help for the people whom they were supposedly representing.

Therefore, Mr. Speaker, it is obvious that on this side of the House, we do have concern for the individual union member and employee and for that very reason we have brought in the amendments to The Trade Union Act. It is also obvious that as long as Members opposite insist on being partners of the Saskatchewan Federation of Labour and the NDP that they can expect no great sympathy or concern from this Government when they attack us at every turn of the pen. Therefore, Mr. Speaker, I am very pleased to support the amendments to The Trade Union Act and oppose any amendments which Members opposite may wish to make.

**Some Hon. Members:** — Hear, hear!

**Mr. E. Whelan (Regina North West):** — Mr. Speaker, when I heard the Hon. Member for Athabasca (Mr. Guy) expressing his point of view on the legislation before us, it brought to mind his old statement on behalf of his own profession last year, and the loyalty that he expressed in this House for the teaching profession. Now I think this places him in a category all by himself, so I'm not really going to take him very seriously. But there was one thing that came out of his remarks, and I'm sure it was quite evident to all of us, and that was the real reason for this Bill. It came out of his remarks over and over again. The real reason for this Bill is not because of the union bosses, not because of a dispute over a secret ballot, not because of the sympathy strikes, not because of union bargaining, but because these unions dare to stand up to the political threats and intimidation of the Members opposite. That's the real reason for this Bill.

**Some Hon. Members:** — Hear, hear!

**Mr. Whelan:** — Now the Hon. Member from Shaunavon (Mr. Larochelle), the hon. gentleman of whom I'm very fond, says that he's not against all union members. You know, as a matter of fact, people on this side of the House, I'm sure are not against all Liberals. It is just the political bosses that tell them what

to do that bother us. This is why we are using the same sort of reasoning. He says he is not against strikes. He just ignores that like he did when the B.A. strike was on in Moose Jaw. He just ignores strikes. He is really not against them. I think he was really arguing for using his trucks when he wanted to. Perhaps the Hon. Minister of Labour (Mr. Coderre) wrote this Bill. I maintain that the hand that guided the pen was the hand of the Member from Shaunavon (Mr. Larochelle).

I heard the Hon. Member for Prince Albert West, the Deputy Leader (Mr. Steuart) say that they as the Government had prosecuted management. This came to me as a surprise and I think I'll put a question on the Order Paper to get that very short list – I would like to get a list of the management that it had prosecuted. You know he said that the laboring people were friends of the Government opposite and that it had helped the working people of this province. And he brought forth all sorts of evidence. Well, there is evidence of another kind too. I want to ask them this. I want to ask Members opposite, do you think it was helping the working people when it socked it to them with \$40 million more taxes and the lowest minimum wage in the history of the province, increased unemployment and the highest taxes in history on their homes? Does it really think that it was helping the working people when it made them pay taxes with their meals, with their electricity, with their auto insurance, with their telephone calls, when it loaded the working man like a beast of burden and gave him relief only if he used turkey saddles.

It has raised the taxes on his home to the highest point in history, even after the homeowner grant. I give it full credit for this. At the present time it is taking the grants from the retired workers who live in senior citizens' homes. As the Hon. Member from Wadena (Mr. Dewhurst) said, "With friends like this, the working man just doesn't need any enemies."

Now the Hon. Member from Saskatoon City Park-University said that we were making inflammatory speeches. Well I suppose this is bound to happen. It wasn't the people on this side of the House who introduced inflammatory legislation. This legislation was introduced by the Government. It isn't a Bill that was introduced by our side of the House. It is their legislation that has brought about these inflammatory speeches. He says, "We aren't against labor, we aren't against working people."

Well, I say to the Hon. Members opposite, do something to prove it. Do something to prove that you are for working people. Do something that organized labor will agree with. Since 1964 there has been a steady trend. It's an erosion of the rights that working people have fought for, for many years. He asks us, "Why should grapes rot?" Well, as the twelve religious leaders in Regina said so eloquently, "Grapes should rot because little children starve." They couldn't have said it any better and that's the answer to the Hon. Member from Saskatoon City Park-University (Mr. Charlebois).

**March 27, 1969**

Well, Mr. Speaker, on second reading, the Minister said that this Bill would put up a dam before the flood of work stoppages begins. I think I'm quoting him directly from what he said. After examining the legislation, if he thinks it is designed to prevent work stoppages and if he thinks this is the purpose of the legislation, Mr. Speaker, in my estimation it is not worth a damn. As a result of it, they can expect a flood and a flood that will drown them politically and will be evident only when they open the ballot boxes.

**Hon. Members:** — Hear, hear!

**Mr. Whelan:** — The Government's attitude towards labor unions is evident in this legislation. It was evident, I submit, Mr. Speaker, when the Minister of Education (Mr. McIsaac) tempted to chastise the teachers by saying – and I think I'm quoting him directly, I took it from the press – “If teachers want to act like a labor union then we'll treat them like a labor union.” Mr. Speaker, this slip of the tongue disclosed clearly that labor unions as far as the Government is concerned are their target. And I suggest that this Bill confirms it.

Who are the people that this Bill is aimed at? Who are the people that were categorized by the Minister of Education? Who are the people it is against? Who are these people that the teachers are compared to? Who are these terrible members of labor unions? Well, Mr. Speaker, they are the people, generally speaking, in our society who do work, who produce wealth. They are sons and daughters of farmers, they are people who live next door, they may be clerks in a store, butchers in a packing plant, truck drivers on the highway, people who make steel pipe, women who work in a laundry, girls who mop floors in a hospital, men who operate dry cleaning equipment in a plant, fellows who clean streets, citizens who deliver mail, neighbors who wear the uniform of a fireman and policeman, friends who deliver fuel, acquaintances who manufacture gasoline at the refinery, those who repair gas systems, those who climb electrical lines in the dark, those who fix your telephone line when it is on the blink, women who wait on tables at the hotel, a neighbor who works in the local pub.

But to the people opposite they represent a threat, and the Administration says we are going to get tough with these fellows. If school teachers get out of line, we will treat them the same. Given a moment to explain, Government Members will rise on their feet and they'll say, “Oh, these people are OK, if they don't get together in an organization and that organization isn't called a union, they are absolutely OK, they are nice people. But when they do that they just don't know their place, particularly if they have somebody from out of the province directing them, they don't know their place and we'll teach them their place.”

This has been the tone of several speeches that came from that side of the House. Well, that's the purpose of this Bill,

to put them in their place. What will be the result? These people in unions, these people we see every day and these people all about us will get the complete sympathy of other groups, of teachers, of thinking people in the rural population, in many instances as I have said before, of the mothers and fathers and brothers who live in the rural part of our province, sure, and of religious leaders with a conscience too, of the students and democratically minded people in our province.

History shows that biased business leaders sometimes get together and sometimes they dominate a political party and their narrow selfish views are translated, I suggest, into legislation like this, to the detriment of the business leaders, to the detriment of the party and to the detriment of society all around us. This is what this Bill represents.

When we assess the progress we have made down through the years since the time of the Industrial Revolution, who is responsible for much of this progress and what does history show? Well, Mr. Speaker, it is not these political bigots and narrow-minded anti-labor fanatics who have made progress. Those responsible for progress have been leaders in the labor movement in most instances. List some of the gains that they have fought for, that all of us enjoy, a vote for everyone, not only those with property. At one time only people with property could vote in an election. The right of people to sit in Parliament regardless of their station in life. I remember as a boy reading the story of the first labor representative arriving in the House of Commons. How they laughed at his garb, the way he was dressed. They fought for universal education when it was opposed as medicare was opposed in this province some eight years ago. They fought for health plans, medicare plans, always they have fought for better housing. It was their representatives who went into the prisons to find people living like animals. It was their representatives who fought for prison reforms. It was the representatives of labor who curtailed the hours of work, who took the children out of the mines and organized the recreational centres in the city. It was 28 Socialist labor leaders who organized the first Co-op.

**Some Hon. Members:** — Hear, hear!

**Mr. Whelan:** — It was working people who organized the first credit union. Democracy has always been their theme. It has been their philosophy. They fought for the rights of others in order to achieve them, in order to get them for themselves. They fought for other groups, for teachers, for students, for workers, for housewives, for farmers. Often they worked with others to raise the standard of living of the society around them.

Groups like Members opposite get together to tear down progress, to hurt sections of society. History will mark them too. People will castigate them and eventually they will be forgotten. As working men have done in the past, whether in the sweat shops

**March 27, 1969**

of New York or the coal mines of Britain or the tents in snow banks of Montana, they will fight back and eventually they will rewrite this anti-social legislation.

Mr. Speaker, it is a mistake to legislate against a segment of society. It is bound to result in more disputes, not fewer disputes. This legislation must be defeated because it is against labor harmony. It harms the dignity of working people and hinders the rights of unions to bargain collectively. Already legislation has been introduced to slow down the organization of labor unions. The ultimate objective, I'm sure, would be to snuff them out.

What does this mean? Well, the thought of it takes me back to my first job in a non-union shop, in a shop that was smoke-filled, where it was difficult to see or breathe properly, where you had no right to talk to the next man on the next machine. You talked only to the foreman and the story was always the same. The other man on the other shift did more parts than you did. Of course you couldn't speak to him so you really didn't know. You had to take the foreman's word for it. In the summer the shop was too hot, the temperature was 95 degrees; in the winter the shop was too cold. The sign over the machine said, "Use the tongs, don't feed the machine with your hands." But the foreman said that you must do more parts. You were not doing enough regardless of how many you did. Driven to a frenzy by the foreman's persistence, the man on the next machine fed the punch press with his hands. Because he disobeyed the rules, he lost a hand and he lost any chance to claim compensation. But there was no union. When the unions came to this plant, it meant emancipation and it meant mental freedom.

Sections of this Bill are an attempt to banish unions. If they are banished, bit by bit we will arrive at an economic state like the countries of South America where they have weak and ineffective unions, poverty, disease, a spawning ground for social revolution.

The future for working people under this type of legislation is unhappy, it is dim and it is insecure. Industry needs trained people, trained people will avoid this province when this Bill is passed. I know this, I have several brothers who are trained people and who work in the construction industry. This Bill does no service to the people of this province. It only answers the demand of a handful of anti-labor bigots who are demanding a payoff.

**Some Hon. Members:** — Hear, hear!

**Mr. Whelan:** — Mr. Speaker, before we proceed any further with this Bill, Committees designed for scrutiny of such legislation should examine it. It is only proper that they have the opportunity to study it before consideration by this House. To avoid the Government's own Committee is to ignore machinery that is available and therefore, I move, seconded by

Mr. Thibault (Kinistino):

That all the words after "That" be deleted, and the following substituted therefore:

this Bill be not now read a second time, but that the subject matter thereof be referred to the Labor Management Committee on the Construction Industry established by Order in Council 1276 dated July 17, 1968.

I move this motion for the following reasons: 1. the serious nature of this Bill as indicated by the Members on this side of the House demands further study; 2. a verbal admission across the House that there will be House amendments proves it was hastily drawn and not carefully thought out; 3. the long-term results are not clearly established; 4. a vote against this motion will be a vote of no confidence in its own Committee, a serious rebuff to a sincere group of people.

**Some Hon. Members:** — Hear, hear!

**Mr. Smishek (Regina North East):** — Mr. Speaker, I would like to rise to support the amendment. I believe it is a good amendment. It is an amendment that the Government Members it seems to me are obliged to support. The Government last July by Order in Council as stated in the amendment established a Committee to review the Saskatchewan Trade Union Act. It asked that Committee to bring forward recommendations as to the kind of amendments that may be necessary to help streamline and help improve the Saskatchewan law and help improve industrial relations in the Province of Saskatchewan.

Mr. Speaker, for the Government to ignore this Committee, a Committee that it itself established is totally unfair to the Committee and, as I said yesterday, if it refuses to refer this legislation to it, what the Government is saying that it has no confidence in the very Committee that it established. I'm sure that the Committee is interested and anxious in doing a good job in reviewing The Trade Union Act of Saskatchewan and to bring forward the kind of helpful proposals and recommendations. Let them update and streamline the law in the area of industrial relations. Because of technology, because of new methods of production, there is need and it is necessary for us to review from time to time the law under which trade unions and management can function properly. Not only has the amendment the support of the vast number of trade union people who have made representations to the Government asking that this be done, but there is another reason that this be done. Just yesterday we were informed that the Woods Commission, the Task Force on Industrial Relations, which I referred to yesterday, has handed down its report. That Committee worked hard and diligently. They travelled from one end of Canada to the other, they interviewed labor, they interviewed management, they received



**March 27, 1969**

submissions, they examined the record, they now handed down their report. It is a report that the Committee the Government established on labor-management relations on the construction industry should have an opportunity to examine, that is the recommendations of the Woods Commission. I am sure it is a document that will be given study by all governments who are interested in improving the whole area of labor law dealing with industrial relations. I have not had an opportunity to see the text of the report or to even read the reports in the newspapers because it is still to be published. The Commission, as we heard yesterday in the radio news, did recommend that workers should have the right to strike in all industries including the so-called essential industries. It recommended that there should be a Commission established that, in the event of a strike in an essential industry, would try to bring the parties together with a view to resolving the disputes and failing resolution based on their recommendation they would make a report to the Government for action. The Committee also notes that, in its findings and studies, it has found that the often made accusations that collective bargaining is the cause of increasing consumer prices is not true. The Committee's investigations and studies do not reveal any such fact that collective bargaining is the cause of rising consumer prices. The Committee also rejects any proposition of compulsory arbitration. It says that both labor and management should be free to resolve their differences and in order to ensure that free collective bargaining can be effective, both parties should be free to resolve their own problems without Government interference.

Because of this additional factor that has come into play, since we started this debate, it seems to me, Mr. Speaker, that the amendment as proposed by the Hon. Member from Regina North West (Mr. Whelan) deserves the support of all Members of this House. It would at least show that this Government who established this Committee, has some confidence in its own Committee. If the Government fails to support this Resolution, it will in fact be saying to the people of Saskatchewan that the very Committee it established does not have its confidence. Mr. Speaker, I appeal to all Members of the House to give their full support to this amendment.

**Some Hon. Members:** — Hear, hear!

**Hon. Mr. Coderre (Minister of Labour):** — Mr. Speaker, in rising to speak on the amendment, I will read the amendment then deal with it in detail.

That all the words after "That" be deleted and the following substituted therefor:

this Bill be not now read a second time, but that the subject matter thereof be referred to the Labor Management Committee on the Construction Industry established by Order in Council 1276 dated July 17, 1968.

The terms of reference given to the Labor Management Committee were so broad as to look at all aspects of The Trade Union Act, as it was and as it is. This Committee has not reported as yet and will not report until it is at least ready for the next session of the Legislature. The Government feels that in the interim the gap that there is in the legislation should be closed until such time as the Labor Management Committee makes its report. There is nothing in the terms of reference that the Labor Management Committee could not then review the legislation that is there and make changes if need be. There is nothing in the terms of reference to stop them. Consequently, I say on this point that it is not necessary to have this amendment on the books because the Labor Management Committee will have the full facts with them. It has been indicated by the member of the Saskatchewan Federation of Labour who is on the Committee, Mr. W.G. Gilbey, that the Committee is not likely to report until sometime in September. When and if this Legislature agrees with the legislation that is now being proposed, it will be on the statutes. It will give three, four, five or six months to the Labor Management Committee to review that and make any suggestions and changes it may so wish. So consequently it is very evident that the amendment is superfluous because the Labor Management can deal with it. Therefore, I suggest, Mr. Speaker, that this amendment will definitely not be needed. We have to realize that we have to close the door and be sure that no individual or no third party is hurt until such time as the Committee brings in its report and legislation is brought in at the next sitting of the Legislature.

**Some Hon. Members:** — Hear, hear!

**Mr. W. S. Lloyd (Leader of the Opposition):** — Mr. Speaker, I said last night that this legislation was conceived in haste and shaped in confusion. At that time, I didn't know how much confusion was actually surrounding it. I didn't know until I heard the Minister speak just now. This is a remarkable proposition which he suggests, it seems to me. Here we have a Committee which in his own words a minute ago has been asked to survey the entire Trade Union Act. He says that what we ought to do is to pass this legislation now and having passed it, refer it to that Committee. Then presumable if it recommends something about it, next year we'll change it again. That's why I say I really didn't know how much confusion there existed on the Government side until I heard that kind of a statement.

We have had further evidence with respect to the confusion surrounding the shaping of this legislation and the haste surrounding its being conceived in the admission of the Government in the last several hours. I refer to the admission that it is preparing extensive and far-reaching and important House amendments to the legislation. This in itself indicates it seems to me the extent of the unreadiness of the Government and the state of haste and confusion in which this Bill was prepared.

**March 27, 1969**

These are all arguments calling for a halt in letting this legislation be studied in some considerable detail.

Mr. Speaker, it seems to me important that the Government take this opportunity to redeem something of its standing with this Committee and with the trade union movement. The Minister who has just taken his seat has referred to Mr. Gilbey, the President of the Saskatchewan Federation of Labour. He has quoted Mr. Gilbey as saying that the Committee won't be ready to report until sometime next year. I think he might have gone on and included in his quotation of Mr. Gilbey a comment attributed to him in the February 25th issue of the Leader Post. Speaking on behalf of the Committee, Mr. Gilbey says:

We were particularly encouraged in this belief . . .

That is that there would be no legislation in connection with The Trade Union Act this session.

. . . because of the appointment last July of the Labor Management Committee on problems of the construction industry. It was our understanding that your Government would await the report of this Committee that still has a considerable amount of work on its hands.

Now it is there pretty plain, Mr. Speaker, it seems to me, that if the Government wants to redeem itself, if it wants to do something to restore something of the confidence which all of us hope that working people and their organization can have in the Government, then it ought to accept this resolution which the Member from Regina North West has moved. I point out that this Committee is made up of the representatives of people in the construction industry. This means that it is made up of representatives of carpenters, and bricklayers, pipe-fitters and all the rest of the crafts in that particular industry. Surely, Mr. Speaker, it is as important that carpenters have a look at this, that their influence be felt, as it is that the influence of MacMillan Bloedel be felt. Surely it is as important that the bricklayers have a look at it and a chance to influence, as it is that Simpson's Lumber Co. have their influence. Surely it is as important that the pipe-fitters have a chance to have their say at it, as it is that the potash companies which the Government has admitted had their say on it. Mr. Speaker, this is basically sensible and a useful kind of procedure. The Government has said nothing in support of its contention that there is some great emergency waiting. It has set up a Committee. Let it at this point try to restore some of the confidence which the Committee ought to have in them. Let it try to redeem some of the lost confidence of the working movement in this province. Let it accept this amendment.

**Some Hon. Members:** — Hear, hear!

**Hon. Mr. Coderre:** — Mr. Speaker, . . . this debate.

**Mr. Speaker:** — No, no. Order, order!

The question before the House is on the amendment, the second amendment. I think if I remember correctly the Minister of Labour has already spoken to the second amendment.

**Mr. Brockelbank (Saskatoon Mayfair):** — I am glad to find, Mr. Speaker, that I am not the only unruly person in this House.

The Minister spoke on this amendment for a brief moment, and I wasn't entirely convinced by his argument he put forward. I accept his word that the Committee has some broad terms of reference, so this committee must be a very important committee. I don't deny that. I think it is an important Committee and it should have every bit of co-operation it can from the Legislators of the Province, and from the working people of the province, and from the management that are involved in this province, to try and straighten out some of the problems that do exist in the construction industry and do exist with regard to The Trade Union Act.

Now for the sake of the Member over there that thought we were discussing the wrong Bill, I am discussing Bill 35, the Act to amend The Trade Union Act. I am going to attempt to confine myself to the amendment that has been offered to have this Bill referred to the Labor Management Committee which the Minister of Labour has referred to in his remarks. I believe that this Bill should be referred to a Labor Management Review Committee for the simple reason that in this Chamber, Mr. Speaker, I think it will have been evident to you, as well as to other people that there is a great deal of misinformation and misunderstanding. If I may be allowed the privilege I will point out some of this misunderstanding and misinformation, and thereby prove a case that this Bill should be referred to the Labor Management Committee on the Construction Industry which was established by Order in Council 1276, July 1968.

The Hon. Member for Shaunavon (Mr. Larochelle) spoke in an earlier debate and he referred to the "hot cargo" Section of the Bill. I believe this is what he was referring to. It happened that it was related rather closely to me personally, the example that he used. He said that this particular strike he named interfered with the operation of his trucking fleet. The facts of the matter are, Mr. Speaker, that the company which the Member states that he had the contract with, Empire Oil, was on strike before Royalite Oil was on strike.

**Hon. Mr. Coderre:** — On a point of order. The hon. gentleman from Saskatoon is referring to something that was said in this debate by the Hon. Member from Shaunavon who spoke before the amendment. Now the Hon. Member from Saskatoon has already spoken in this debate. Consequently how can he refer back to something that has been said in this particular debate on this Bill 35, when he should confine his remarks to the amendment.

March 27, 1969

**Mr. Speaker:** — I suggest that we are in a critical area in this regard. After the first amendment was moved, this became a concurrent debate because the amendment was an alternative to the motion. I would draw the attention of all Members who have previously spoken to the main motion that they have to relate their words strictly to the amendment, the amendment that's before the House. Obviously, they can't make a second speech on the main motion, when speaking to the second amendment. I draw this to the attention of all Members and I think the previous speaker has pretty well stayed within this rule.

**Mr. Brockelbank:** — Thank you, Mr. Speaker. In speaking to this amendment which has been offered to refer this Bill to the Labor Management Committee on the Construction Industry, as I stated earlier, I said that there was a great deal of misinformation and misunderstanding in this Chamber. I think the basis on which we approach this amendment is this. If there is a great deal of misunderstanding and misinformation in this Chamber, with regard to this Bill, the Bill should be referred to the Committee that I have mentioned. Mr. Speaker, I was merely referring to some examples, to put forward the argument that this Bill should be referred, that is if there was misunderstanding and misinformation in this Chamber. Perhaps it was a poor use of words on my part that I was unable to relate the incident, that the Hon. Member brought up in an earlier debate, directly to the amendment which is before us at this time. I must plead guilty if that is the case. But the fact of the matter is that the Member speaking in a previous debate had referred to this part of the Bill and had misrepresented the facts in that case, had said that his company was prevented in carrying out its contract with Royalite where as a matter of fact  
...

**Hon. Mr. Coderre:** — Mr. Speaker, again the hon. gentleman is still referring to what the Hon. Member from Shaunavon said just previous to the amendment. He must confine himself to this amendment, and not what has been said just previously to it.

**Mr. Speaker:** — I take the point of order as pretty well taken. You have got to stay on the amendment if you have already spoken to the main motion.

**Mr. Brockelbank:** — Well, I'll have another try at it, Mr. Speaker, I am sorry if I am exhausting the patience of the Members opposite, but I think as stated that it is important that we point out the areas where the misunderstanding and misinformation occur. If the Members opposite are to make an honest decision on whether this does exist in the Chamber, then I feel it is my responsibility to bring forward and point out the places where the misunderstanding and misinformation occur. However, the Members opposite do not wish to find out and hear where this misinformation occurs, I am afraid there is not much I can do

about it. Some Members have stated that there is evidence to show that people who are employed in this province who are not members of unions have sent requests to the Government asking it to bring in this type of legislation. Now the Members have said in this House, Mr. Speaker, that they can't bring these requests before the House for the simple reason that they will expose the people who have made the request. I suggest to you, Mr. Speaker, the reason that they don't bring these requests before the House, and present them, as I have in the previous debates, is because they don't have them, and that Member's statement was just a shabby attempt to support a weak, weak case. That is some of the misunderstanding that is occurring in this Chamber, Mr. Speaker. The record of this Government as far as labor relations are concerned, has been one of case, consultation and ill-advice and ill-consideration, with a good deal of carelessness, Mr. Speaker.

**Hon. Mr. Heald (Attorney General):** — Remember, John.

**Mr. Brockelbank:** — I am trying to adhere to the line, Mr. Attorney General.

I would state, Mr. Speaker, that cases have been cited in this debate where the Member has said that, because a certain representative was out of the province, a representative of working people, a decision could not be made on that particular occasion.

**Hon. Mr. Heald:** — On a point of order, Mr. Speaker. I submit again, Mr. Speaker, that the Member is referring in attempting to rebut matters which were raised in the debate on the original motion. I would respectfully suggest that he is not speaking very close to the subject matter of the amendment.

**Mr. Speaker:** — We are now debating here what is known as a reasoned amendment. Just for the benefit of the House I quote the definition thereof from Beauchesne, Citation 382:

It is also competent to a member who desires to place on record any special reason for not agreeing to the second reading of a Bill, to move as an amendment to the question, a resolution declaratory of some principle adverse to or differing from the principles, policy or provisions of the bill, or expressing opinions as to any circumstances connected with its introduction or prosecution;

I think this is the pertinent passage here:

or otherwise opposed to its progress or seeking further information relating to the Bill by Committees, Commissioners, the production of papers or other evidence or the opinion of Judges.

**March 27, 1969**

Here we have a reasoned amendment which seeks to have the matter referred to a Labor Management Committee which is apparently in operation and presently sitting in the province. I do say, and I say so again, that because the Member spoke on the main motion he must relate his words very strictly to the amendment. The question now is: whether or not this Bill should be submitted to this particular Committee.

**Mr. Brockelbank:** — Thank you, Mr. Speaker. This Bill 35 to which they have moved the amendment to refer to this special Committee, is contrary to the proven and enlightened labor relations as practised in other countries. I could cite Sweden for example. Therefore the Bill should be referred to that Committee, if this is what the Government is aiming at, labor harmony. I assume that is why this special Committee is set up, to improve if possible, the harmony that exists within and between the two main bodies in the field of labor relations, namely the employer and the employee. This Bill is contrary to the recently tabled Woods Commission on Labor Relations which was established by a Federal Liberal Government. For that reason, this Bill should be referred to this special Committee which this Liberal Government has established in the Province of Saskatchewan, and which is dealing with this particular matter.

Mr. Speaker, I think it should be understood that, if the Government Members opposite vote against this motion to refer, then we have every right to question what was the Government's purpose in setting up the Labor Management Committee on the Construction Industry. Was the Committee a sop to the labor movement? If the Government Members vote against this motion to refer, then the establishment of the Labor Management Committee was indeed a sop to the labor movement.

If that is the case, and it appears to be the case, Mr. Speaker, up to this point, then I think it is unfortunate that the Provincial Government has established a Committee, has appointed honorable gentlemen to that Committee, honorable gentlemen no doubt who have a great many other duties to perform, and are . . .

**Mr. Speaker:** — I want to draw to the attention of the Member who is speaking to the fact that the question of the establishment of this Committee isn't the question before the House. The question is: shall this Bill or shall it not be referred to it?

**Mr. Brockelbank:** — Well, I hope to relate my remarks, Mr. Speaker, about referring to the Committee. The Government has established it; we are saying that this matter should be referred to that Committee. If this Committee has been set up as a sop to labor, as I have stated previously, then it is unfortunate that we are using up the time of the people on that Committee.

**Hon. Mr. Heald:** — Mr. Speaker, on a point of order again, here he goes again talking about the setting up of a Committee. That is not the point and issue. The point and issue is whether this Bill should be referred to the Committee. He keeps going back to the appointment of the Committee, which is not an issue here.

**Mr. Brockelbank:** — Well, Mr. Speaker . . .

**Mr. Speaker:** — I think the point of order is well taken. Now the Committee is set up, it is established. The Committee isn't in question before this House. The Committee is no part of Bill No. 35. Neither is the matter of the Committee or its personnel in question, who's sitting on it. The question is: shall the Bill go to the Committee or shall it not? The arguments should be why it should or should not go, not whether there should be a Committee or not. The Committee is there.

**Mr. Brockelbank:** — Yes, Mr. Speaker. Speaking to the point of order that was raised by the Hon. Attorney General, he became very sharp on the rules, and I'll be looking forward to him being that sharp for the rest of the session, on the rules.

**Hon. Mr. Heald:** — Mr. Speaker, on a point of privilege. There is no need for the Hon. Member to get smart and make nasty remarks. My point of order was made, and it has been upheld by the Chair. If you stay in order, everybody will be happy. Nobody is trying to interfere with you, but you are out of order. You have been out of order for the last 15 minutes.

**Mr. Brockelbank:** — Oh no, Mr. Attorney General. I haven't been out of order. I'll admit I have been out of order part of the time that I have been on my feet, but not 15 minutes. I haven't been on my feet 15 minutes yet.

**An Hon. Member:** — It just seems that way.

**Mr. Brockelbank:** — It just seems like I have been on my feet. Mr. Speaker, I have tried to stick very strictly to the amendment. It is very hard you understand to speak directly to the amendment we have offered when the amendment merely says to refer. But the things that might be done by this Committee with regard to this Bill are the reasons that we should examine for referring the Bill to the Committee. Now since the Committee is going to examine this Bill, if we refer it to them, and they will bring to bear on this Bill all their diverse knowledge about labor conditions, labor laws, I think, Mr. Speaker, you will find that, generally speaking, the members of this Committee who bring to bear their knowledge and diverse experience on this Bill will have far less misunderstanding and misinformation before them than this House appears to have at this time. This



**March 27, 1969**

is the reason for referral. I feel that I cannot stress this too strongly that this Committee – I assume that they have the competence – was established because they would have the competence to look at this Bill, and decide which sections are necessary. In the words of the Minister, they are necessary as a stop-gap measure to plug a hole. He hasn't really pointed out what hole it is necessary to plug. This Committee may be able to find, this Committee of so-called experts – and I assume most of them are relatively expert in their field – will be able to examine this Bill and decide . . .

**An Hon. Member:** — . . . alright John.

**Mr. Brockelbank:** — I take it, Mr. Speaker, I am adhering to the line right now . . . that this Committee may be able to examine this Bill and decide what sections are relevant to today's modern industrial society; and which section are 18th century thinking of some people in this province, such as Mr. Purdy, who has been mentioned earlier to date in another debate.

**Some Hon. Members:** — Hear, hear!

**Mr. Brockelbank:** — I can only reiterate, Mr. Speaker, that if the Government was sincere in setting up this Committee, we are testing its sincerity, we are saying that this Committee of experts should have a chance to examine this Bill and decide whether this is good for industry or labor, be they organized or unorganized, in the Province of Saskatchewan. I would appeal to all Members that the amount of misinformation, which I have through my inadequacy been unable to present to you, will be brought out at that time by the Labor Committee of experts and they will be able to rule whether this is good legislation or poor legislation.

Amendment negatived on the following recorded division:

**Yeas — 22**

Lloyd	Berezowsky	Brockelbank
Wooff	Romanow	Baker
Kramer	Smishek	Pepper
Willis	Thibault	Bowerman
Wood	Whelan	Matsalla
Blakeney	Snyder	Kwasnica
Dewhurst	Michayluk	Kowalchuk
Meakes		

**Nays — 28**

Cameron	MacDonald	Weatherald
Heald	Estey	Mitchell
McIsaac	Hooker	Gardner

Guy  
Barrie  
Loken  
MacDougall  
Grant  
Coderre  
Larochelle

Gallagher  
MacLennan  
Heggie  
Breker  
Leith  
Radloff

Coupland  
McPherson  
Charlebois  
Forsyth  
McIvor  
Schmeiser

The debate continues on the motion.

**Mr. Michayluk (Redberry):** — Mr. Speaker, I had not anticipated participating in this debate. The union that I belong to will receive its treatment probably later on in the session or in the year. But I felt that as a Member for the constituency that I represent I should rise and speak against the legislation which is before us.

The House recessed at 5:30 to 7:30 p.m.

**Mr. Michayluk:** — Mr. Speaker, before we rose at 5:30 I had made a few remarks and one of them was the fact that I did not intend to participate in debate in respect of this legislation. I also mentioned the fact that the union to which I subscribe will probably be receiving a treatment similar to the one that the rest of the unions and laborers will be accorded by Bill 35.

I also mentioned the fact that my reason in rising to participate in this debate was the fact that a good number of the workers in the province are probably from my constituency. I am sure that the parents of some of these young men and women are my constituents. I felt that as a Member of this Legislature and representing this area it is my duty to rise and say a few words, against this Bill.

The effects of this Bill, and its effects on the trade union movement and on labor generally were ably demonstrated in the remarks delivered by the Hon. Member for Regina North East (Mr. Smishek), the Hon. Member for Regina Centre (Mr. Blakeney) and I need not dwell on these aspects of the Bill.

Mr. Speaker, this is my tenth or eleventh session in this Legislature. I can go back over the years where some serious debating had taken place within these Chambers. I can recall the debate of 1962 when the Medicare Bill was brought in, to provide medicare for the people of Saskatchewan. You gentlemen were on this side of the House. You violently debated against the Bill, but your conscience did not bother you as it bothers you now, because you knew that the Medicare Bill we brought in was for the benefit of the people. Mr. Minister of Labour, you too know, you too are aware that this Bill is diversely opposite of the feeling in regards to medicare you had when you sat on this side of the House. This Bill is anti-labor, and this Bill will provoke and create management labor relations

**March 27, 1969**

such as we have never experienced in this province. This is what this Bill will do to management and labor in the Province of Saskatchewan.

Mr. Speaker, I also remember the debates that took place in this House debated in 1965, when the Premier called a special session. It was after the now Provincial Treasurer (Mr. Steuart) set up the anti-labor climate necessary to bring in The Essential Services Act. We opposed that legislation in the special session, as we do oppose the amendments of The Trade Union Act in Bill 35 today, you wanted in The Essential Services Bill. The Premier and the Provincial Treasurer, who was Minister in charge of the Power Corporation, created a climate which was necessary for the implementation of this Bill. I recall, Mr. Speaker, another debate of 1968 when this Government brought in the deterrent fees.

Mr. Speaker, the Medicare Bill brought in in 1962 was an election pledge made in the 1960 Provincial election by the CCF Government to the people of Saskatchewan. We were implementing a pledge which we promised and upon which we were elected. I am now asking the Hon. Minister and the Government: were you elected to implement deterrent fees? Were you elected to implement The Teacher Salary Agreement Act?

**Mr. Gallagher (Yorkton):** — Mr. Speaker, what has this got to do with the Bill that we are discussing?

**Mr. Michayluk:** — I am working up to this Bill, Mr. Speaker.

**Mr. Speaker:** — Well, I imagine he will get there. I hope that it is within a reasonable space of time.

**Mr. Michayluk:** — Mr. Speaker, 1969 – amendments to The Trade Union Act. Mr. Speaker, I want to ask the Minister of Labour and the Hon. Attorney General (Mr. Heald) and the Premier and the hon. gentlemen on the other side: did you promise the amendments to The Trade Union Act in the 1967 election?

**Hon. Mr. Coderre:** — Yes.

**Mr. Michayluk:** — You did, eh. Well, I am sorry but I wasn't aware of it. I know that the Government, Mr. Minister, appointed a Management-Labor Relations Committee which is now working and which has not reported. You know that you are introducing this Bill over the opposition of the Saskatchewan Federation of Labour. You introduced this Bill over the violent opposition of the total working force of this province. Mr. Speaker, I mentioned that we debated the deterrent fees. We debated The Teacher Salary Agreement Act and we are now debating Bill 35.

These Bills and this Government has brought down – some of them are already statutes, and this one no doubt will be a statute – were brought in over opposition by a large segment of our labor people of the province.

I would like to just make one brief reference in respect of The Teacher Salary Agreement Act and I am going to relate its impact, Mr. Speaker to Bill 35. We told the Minister of Education (Mr. McIsaac), we made it known to the Government, the hon. friend from Cutknife (Mr. Kwasnica) told the Government that trustees and teachers will be encountering difficulties in negotiations. We are here one year later and I as a teacher am still on my 1967-68 salary.

**Hon. Mr. Heald:** — On a point of order, Mr. Speaker. I think that the Members on this side of the House have been trying to allow the Hon. Member a great deal of latitude when he indicated that he was going to connect it up. But now he is taking off into another flight of fancy and he is in The Teacher Salary Agreement Act. Really, Mr. Speaker, I appeal to you to try and keep him in order.

**Mr. Blakeney:** — Mr. Speaker, may I speak to the point of order if I may. I think that it is perfectly obvious that the Member's argument is that there was folly last year in The Teacher Salary Agreement Bill and we are seeing the folly this year. A similar act of folly is about to be perpetrated in this House. And it is a perfectly logical argument.

**Hon. Mr. Heald:** — I am sure that we are all indebted to the Member for Regina Centre for making the speech for the Member from Redberry. That isn't what he said at all. He hasn't connected it up and I suggest, Mr. Speaker, that until he does connect it up he is out of order.

**Mr. Hooker (Notukeu-Willowbunch):** — Mr. Speaker, on the point of order. He was talking about the folly of this Bill and he went back into 1962 and The Medicare Act. I would say that he was into the folly of the Bill at that time.

**Mr. Speaker:** — Well, as you know, when a Member has been called to speak he must direct his speech to the question under discussion or to a motion or an amendment which he intends to move or to a point of order. The precise relevancy of an argument is not always perceptible. When, however, a Member wanders from the question, the Speaker reminds him that he must speak to the question. The debate must not stray from the question before the House to matters which have been decided during the current session, or anticipate a matter appointed for the consideration of the House, for which notice has been given.

**March 27, 1969**

I realize that the debate has been pretty wide-ranged and I ask Members to stay on the Bill.

**Mr. Michayluk:** — Mr. Speaker, I thank you for your ruling. I know that the Members opposite are very sensitive. This is rather touchy. I have just thrown in the line and hook. I am just waiting to catch some fish, and they are beginning to bite, Mr. Speaker.

I want to connect the introduction of The Teacher Salary Agreement Bill of last year over violent opposition of the teachers' organizations and I want to relate this to the manner in which you are introducing Bill 35 over violent opposition of the Saskatchewan Federation of Labour and the total Saskatchewan labor force. Mr. Speaker, the Hon. Members will recall and the Hon. Minister of Education (Mr. McIsaac) is aware, as is the Minister of Labour (Mr. Coderre), how the CCF as a Government, in 1949 implemented The Teacher Salary Negotiation Act. I am going to relate this to Bill 35, Mr. Speaker. The Department of Education and the then Government, in consultation with the parties concerned namely the Saskatchewan Teachers' Federation on behalf of the Saskatchewan teachers, the representatives of the Saskatchewan School Trustees' Association drew up this Bill. Both of these parties, trustees and teachers practised and used the principle of this Bill before it was put into provincial statutes. On its introduction in this Legislature it was passed unanimously. Is this the way, Mr. Minister of Labour, you are bringing in Bill 35? You are aware of the opposition of the Saskatchewan Federation of Labour. The Members on this side of the House realize that these amendments destroy the spirit of bargaining conditions between labor and management or employee-employer relations. Mr. Speaker, this Government last year was aware what positions the Salary Agreement Act was going to impose upon teacher-trustee relationship.

Mr. Speaker, I sincerely hope that there are Hon. Members on the other side that do realize that this Bill is an iniquitous Bill, that this Bill is a repressive Bill, that this Bill should now be withdrawn.

Mr. Speaker, we often hear about 20 years of Socialism. I want to make a few remarks about the legislation, of the progressive legislation which was introduced during the 20 years which the Premier calls Socialist stagnation. Just to mention a few, the right of collective bargaining. The CCF Government lowered the hours of work. The CCF gave the Civil Service the right to belong to any political party of their choice, provided that they did political work outside of their work hours. And the CCF increased the minimum wage. The minimum wage under this Liberal Government has been unchanged in the last five years and is now the lowest of any Canadian province.

Mr. Speaker, Saskatchewan labor laws were held up and looked upon by labor people as a justifiable accomplishment which the

CCF felt that they deserved. Yes, there was room for improvement, but, Mr. Speaker, not the type of improvement which Bill 35 will bring. This improvement is as I said iniquitous, oppressive, and detrimental to management-labor relationship.

Mr. Speaker, the setting up of the Management-Labour Committee on the Construction Industry by this Government was a step in the right direction. However, there is no report. Why this legislation? Why not hold out for a year until the next session after the report has been tabled in this House? Why, Mr. Speaker, introduce this Bill against the opposition of Members opposite towards labor and their organization is amply demonstrated by the derogatory remarks, usually castigating, by the hon. gentlemen to lay blame at the feet of labor. These arguments have been refuted very capably by other Members. The latest one was when the Federal Minister of Labour, Mr. Mackasey, in the latest grain or dock-handlers strike attributed 50 per cent of the fault to both parties and not as the Members opposite maintain. The Members opposite would like to put the total blame on labor.

Mr. Speaker, in my remarks I am not trying to absolve labor from some of their responsibility and some of their probable guilt. But these problems of labor and management dispute could not be laid or attributed to labor or their organization alone. Mr. Speaker, I have mentioned some of the things that were accomplished to better the position of labor under the CCF Government. Further improvement along these lines would by this Government be better than by castigating and derogating the labor force and their organization.

Mr. Speaker, I want to say that since the election of 1964 some five years ago this Government has missed an opportunity to prove to the laboring people that this Government and the Thatcher Liberals are really and truly the friends of labor, instead of its repressive legislation, its Essential Services Act. Now it is Bill 35.

Mr. Speaker, I want to go back just to the time when the Hon. T.C. Douglas was leaving Saskatchewan as Premier to become Leader of the National New Democratic party. In 1961 when the Hon. T.C. Douglas was chosen Leader of the New Democratic party federally, after being Premier of Saskatchewan for many years, the Saskatchewan Civil Service Association deemed it necessary to pay tribute to this man. Mr. Speaker, I wonder when the appropriate time comes, whether the Civil Servants will pay tribute to this Premier and to the Minister of Labour (Mr. Coderre) and to this Government, whether they will justifiably deserve the praise received by T.C. Douglas on behalf of the CCF Government from the Civil Service Association in 1961.

Mr. Speaker, they cannot see the bush, yes, you cannot see. Before the Hon. T.C. Douglas left Saskatchewan, Mr. Leonard, the executive secretary of the Saskatchewan Civil Service

**March 27, 1969**

Association, in a presentation given to Mr. Douglas, had this to say and I want to quote in part and put it on the records of this House.

**Some Hon. Members:** Hear, hear!

**Mr. Michayluk:** — May I quote, Mr. Speaker. This is a text of presentation address and I will just quote it briefly, Mr. Speaker.

It is my privilege and great pleasure to present to you today in the name of the employees of the Government of Saskatchewan in the Public Service some tokens expressive of the high regard in which they have held you during your 17 years as Premier of this province and as an individual in your own right. When the announcement was made that you would be resigning as Premier, Government employees knew that they were losing one that had been a good friend to them for many years.

**Some Hon. Members:** Hear, hear!

**Mr. Michayluk:** —

It is no exaggeration to say that Saskatchewan Government employees of today and of generations to come owe a debt to you, sir, which they can never repay in kind. You, sir, more than any other individual are responsible for the rights of Government employees in Saskatchewan to bargain collectively, a right, I may say, that employees of no other constitutional government in Canada have yet enjoyed.

Mr. Premier, this is 20 years of Socialism.

**Hon. Mr. Thatcher:** — Don't shriek about it.

**Mr. Michayluk:** — Well, when you speak you shriek just as badly as I do, but we can't help it, can we, Mr. Premier? We might speak in like voices. People don't like you when you shriek, you don't like when I shriek.

**Mr. Speaker:** — Order, order! This debate is getting just as far away from this Bill as it is possible to get. Debate on the stages of a Bill should be confined to the Bill and should not be extended to the criticism of administration. Now we have been discussing more administration throughout this debate than we have ever discussed in the Bill. I ask Members to get back on the principle of the Bill.

**Mr. Michayluk:** — Thank you for your ruling, Mr. Speaker. I am sorry if I contravened the rights accorded to me by this Legislature,

but I would want to conclude by reading one more paragraph from this presentation. Just this one more statement, Mr. Speaker, and I quote:

By giving collective bargaining rights to Saskatchewan Government employees you lifted them up and out of the slough of the despond wherein they had languished for several decades.

This, Mr. Premier, presumably under the Liberal Government.

You gave Government employees and their organization the priceless gift of dignity.

**Some Hon. Members:** Hear, hear!

**Mr. Michayluk:** — Mr. Speaker, from the remarks that I have just quoted made during the presentation by the executive secretary of the Civil Service Association, the CCF Government could not have been paid a better tribute for its consideration of its employees and conversely to all its laboring people of Saskatchewan. Mr. Speaker, I would at this time again on behalf of all those Members who have spoken from this side, and on behalf of the working people of Saskatchewan, plead with the Premier, with the Minister of Labour and with the Government to withdraw this Bill. I will not support it.

**Some Hon. Members:** Hear, hear!

**Hon. Mr. Coderre:** — Just a point of order on this. Every time I get up they don't just want to give me an opportunity to speak.

**An Hon. Member:** — Order, order!

**Mr. Speaker:** — Order, yourself. I can't hear what he is saying. Now what is the point of order. Let's hear it, what is it?

**Hon. Mr. Coderre:** — They are rather slow in getting up, Mr. Speaker. They just always wait until I get up, and I am getting tired just getting up and down all afternoon.

**Mr. Speaker:** — Oh well, that is neither here nor there.

**Mr. Matsalla (Canora):** — Mr. Speaker, the reason why I was slow in getting up was because I was going to give an opportunity for another Government Member to participate in this debate.

My feeling against this legislation becomes stronger as the debate on this Bill continues. It is regrettable that the



**March 27, 1969**

Government opposite in its arrogance decided to vote against the amendment of the Opposition. I say, too, that it is regrettable that the Members opposite want to ram this Bill through the Legislature. It is regrettable, too, Mr. Speaker, that they have decided to use their majority, very likely, to pass this legislation. Because we on this side of the House and the working people of Saskatchewan strongly feel that this Legislation is bad, and the Members opposite seem somewhat confused and unsure about the technicalities involved, this Bill, I feel, should have been referred to the new Committee that was set up to study management and labor relations.

Now from what has been said by the Members opposite it would appear on the surface that they are not anti-labor, that they are not against unions and strikes. But what are the facts about the matter? Why on the other hand at almost every opportunity do they make unwarranted and unfounded charges against unions and labor people? Why pick labor against management? What do the Government Members opposite say about the working man in order to make a good impression on the farmer? What about teachers against trustees? Now these are all the questions that need to be answered by the Government Members opposite before they even attempt to make statements that they are with the working man and the labor unions. I wonder whether the Member from City Park-University (Mr. Charlebois) – I notice that he is not in his seat – could answer these questions in the affirmative or is it perhaps all double talk with him. Much has been heard about the Government's attitude toward Government employees. Many cases could be cited where the Premier and the Government used threats in order to settle wage disputes. Now this was the case with the employees of the Saskatchewan Power Corporation and the Saskatchewan Timber Board. I recall being in the community of Reserve at the time of the Timber Board strike. Feelings ran high. There was concern in the community. The Premier offered a wage and said, "Take it or leave it or I will close the mill down."

Now what does this mean to the community of Reserve? This little community depends totally on the mill that is set up there. Closing of the mill would mean a complete disappearance of the hamlet, and under the circumstances the Premier was going to take advantage of the situation.

Now the Minister of Education (Mr. McIsaac) is threatening the teachers and the trustees to settle or else. I would just like to refer to an article that appeared in the Leader Post, February 8, 1969. I am referring to this article just to indicate management and labor relationship.

Dr. McIsaac's warning came after he had said he took exception to the way the school trustees and teachers representatives were going about negotiating new contracts. He said and I quote:

Neither I nor this Government has any intention of

allowing this haggling over salaries to lead education in this province into a situation such as exists today in the Province of Quebec, with teachers going on rotational strikes at all times. And this is what the teachers and the trustees of this Province have not yet done, despite the fact that it is almost a year since the legislation was passed.

Now, Mr. Speaker, I ask: who brought on this haggling as expressed by the Hon. Minister of Education in the first place? A year ago the Minister and the Government pushed hard to put The Teacher Salary Agreement Act . . .

**Mr. Speaker:** — Order, order!

**Mr. Leith (Elrose):** Mr. Speaker, I think the Hon. Member ought to reserve his speech for the place where it ought to come and that is in the education debates or in something concerning education. I think he is far, far from being in order here.

**Mr. Speaker:** — I haven't as yet read anything in Bill No. 35 that affects teachers' salary negotiations. I must say that there is ample opportunity to discuss this matter in the Estimates on Education on the first item when they come up in the House. I would think that would be a more appropriate time to discuss teacher-trustee and teacher-government negotiations, and indeed the whole orbit of that discussion.

**Mr. Wood (Swift Current):** — On a point of order, it seems to me that the Hon. Member is simply endeavoring to point out the analogy between the actions of the Government with regard to this Bill about earlier actions of the Government in regard to other matters. I think that he is trying to point out that there is an analogy.

**Mr. Speaker:** — Well, or do we await the arrival of the Member from Moose Jaw South (Mr. Davies)? Go ahead.

**Mr. Matsalla:** — Mr. Speaker, what I was trying to point out here is the relationship between management and labor and this of course could refer to the Government and its employees. As I was saying, the Minister a year ago and his Government pushed hard to put The Teacher Salary Agreement Act through this Legislature.

**Hon. Mr. Heald:** — Mr. Speaker, with every deference I would invite you to make a ruling because the Hon. Member is going right on with the same speech and he's got the wrong speech. Maybe he should look in his desk and get the right speech, but he is making his education speech now.

**March 27, 1969**

**Mr. Speaker:** — Well, I read once again the rules in regard to debates on second reading of a Bill, and I read from Sir Erskine May's Parliamentary Practice, 17th edition, page 525. It's short, sweet, succinct and to the point.

Debate on the stages of a bill should be confined to the bill and should not be extended to criticism of administration of the provisions of other bills then before the House or contemplated relating to the same of cognate subjects: but the Speaker remarked, when called upon to enforce this rule, that on many such occasions some licence was conceded to honourable Members who addressed the House; and the rule is occasionally relaxed.

The Chair, I think has extended the greatest possible licence today and, if the rule has not only been realized, it has been almost dispensed with.

**Mr. Willis (Melfort-Tisdale):** — On both sides!

**Mr. Speaker:** — Well, to an extent I agree. But I think it's time now that we got back on the subject of the Bill. I don't want to criticize the Member who is speaking because he never spoke to the amendment or the sub-amendment. But I would ask him to get on the Bill and the principle of the Bill and stay on it and also subsequent Members that speak.

**Mr. Matsalla:** — Thank you, Mr. Speaker, I'll make every effort to confine my remarks to the Bill as close as possible. For the satisfaction of the Attorney General (Mr. Heald) I am going to move away from the education field.

I'd like to now refer to another article that appeared in the Leader Post a few months ago. I quote from the article:

A member of the Ontario Legislature told Friday how he disguised himself in overalls, grew a two-day beard and sneaked into a main plant of the giant International Nickel Company of Canada Limited, worked on an eight-hour shift at Inco's Copper Cliff plant to investigate the conditions under which many of the firm's 3,000 employees worked. He found unsafe levels of sulphur-dioxide in the air and described the plant as exactly like Dante's Inferno. He also said high noise level in working areas represented another serious hazard to Inco workers. Sulphur-dioxide is a poisonous gas which causes a gradual deterioration of human lungs.

**Mr. Weatherald (Cannington):** — On a point of order, give us the name of who this particular individual was.

**Mr. Matsalla:** — Mr. Speaker, I didn't hear the Member's remarks.

**Mr. Speaker:** — The point of order is he wants to know from what are you quoting.

**Mr. Weatherald:** — And who the Member was?

**Hon. Mr. Thatcher:** — What has it got to do with this Bill?

**Mr. Matsalla:** — Mr. Speaker, I am quoting from an article that appeared in the Leader Post.

**Mr. Weatherald:** — I know who it is and you know who it is. The rest might like to know who it is.

**Mr. Matsalla:** — I'll get around to that.

**Mr. Weatherald:** — It's Mr. Shulman, isn't it?

**Mr. Matsalla:** — May I proceed, Mr. Speaker. I quote further.

I don't know how he does it, he said, as he trudged behind an Inco veteran. I can't breathe in some of these places without a mask on but he can. In fact I think I'll ask the Minister to come up here and see for himself. He just won't believe it.

Now I am quoting from this article to indicate just how unconcerned in this particular case management could be towards working conditions of the working people. Now from this one can tell where this Government's sympathy is. This Government is more concerned with management than the working man.

**Hon. Mr. Thatcher:** — What Government?

**Mr. Matsalla:** — This Government.

**Hon. Mr. Thatcher:** — What has this go to do with . . .

**Mr. Matsalla:** — This is one reason for a labor union.

**An Hon. Member:** — Bill 35, Ross.

**Mr. Matsalla:** — Now the Government opposite believes in using a strong arm at every opportunity as I mentioned earlier. Legislation brought in during the last few sessions at almost every move

**March 27, 1969**

was legislation against the worker, and yet on the other hand it continues to say that it is the friend of the laborer. I ask: who is the Government trying to kid? It is really very difficult to understand and believe the statements of the Government Members opposite. Now assurance has been given by the Government through the establishment of the Labor-Management Labor Relations Committee on July 17, 1968 that no amendments would be brought in to amend The Trade Union Act. This was an understanding and an agreement. Why not live up to it? I say that it is a shame that the Provincial Government cannot be trusted.

**Hon. Mr. Thatcher:** — Mr. Speaker, I resent that. For five times today at least we have said that no such indication was given to a trade union. Now this fellow's calling us a liar in essence and I believe you should call him to order and make him withdraw.

**Mr. Michayluk:** — Mr. Speaker, isn't there a way of addressing hon. gentlemen in this Legislature?

**Mr. Speaker:** — If Members would only stay on the Bill instead of making a mockery of the House. And I ask him again to stay on the Bill. Now the administration of the Government, as I have said time and time again, is not a matter for debate. Debate on the stages of the Bill should be confined to the Bill and it should not extend to criticism of administration. It's the subject matter of the Bill, shall this thing or shall it not be done, that is being debated. That's what we are discussing. The principle of the Bill. And I ask Members to stay on the subject.

**Mr. Willis:** — Mr. Speaker, on this point is there somebody else up, I'm sorry. Were you up, Mr. . . . I was just going to comment that, if the Member is talking about the philosophy of the Liberal party, their attitude towards labor, surely this has to do with the Bill.

**Mr. Speaker:** — Well, it is very distinct. This is about the fourth time I've said that the debate should be confined to the Bill. You'll have all the opportunity in the world to criticize administration. Members had it in the Throne Speech Debate. There was all the opportunity there. Then in the Budget Debate. There were all kinds of opportunities there. You can do it when the Estimates are called on the administration of a particular department. You can do it there. The reason for debating Bills on second reading is to debate the principle of the Bill. Debate the whole thing so that everybody clearly understands the Bill. Not the administration of the Bill or who's going to administer it. Somebody else may administer it some of the time, but debate the subject matter of the principle of the Bill. Now the

Leader of the Opposition (Mr. Lloyd) did it. The Member from Moose Jaw South (Mr. Davies) did it. The Member for Regina Centre (Mr. Blakeney) did it and I think all of the Members though perhaps they don't have the same capabilities, can and should do it. But I would ask Members to stay on the principle of the Bill.

**Mr. Kramer (The Battlefords):** — Mr. Speaker, it is not true. I don't know why the sensitivity over here, but we have heard the same thing in the debate and certainly there's a right to . . .

**Mr. Speaker:** — Order, order! We're listening to the Member from Canora speak to the principle of the Bill.

**Mr. Matsalla:** — Mr. Speaker, may I proceed now. It would seem to me, Mr. Speaker, that this is a poor time to bring in any amendments to The Trade Union Act unless of real emergency. The Committee has been established. Its work has been assigned. They should be given the freedom to proceed and report on their findings. I still feel strongly that the Bill should have been referred to the Committee. It is very obvious that this Government is doing all in its power and using every influence to weaken and destroy the trade union movement.

**Some Hon. Members:** Hear, hear!

**Mr. Matsalla:** — And this Bill is just another step closer to its destruction. I cannot support the Bill.

**Some Hon. Members:** Hear, hear!

**Hon. Mr. Coderre:** — Mr. Speaker, in closing this debate I'd like to say that labor has nothing to fear but fear itself. The Government at no time had given commitment that no legislation would be brought in and I have been present at all meetings with my colleagues, with labor representatives or any other representatives who have made their recommendations to the Government in regard to the subject matter of labor.

The Premier has said time and again, and I have also indicated, that we were not contemplating any legislation at that time and that was the way it was. Conditions do change from time to time, and of course I have indicated when I did introduce the Bill that the conditions have changed. Considering the number of calls that I had received from the various parts of the province, from people that had been involved and I must say that many is the night when I did not have a reasonable night's sleep because of people who were phoning because they didn't have bread and butter on their table. They wanted to go back to work. They did not have the opportunity. It's been

**March 27, 1969**

mentioned in this House before and I'll mention it again to indicate the reason why. In the case of the Simpson Lumber Company I've had literally dozens of calls from individuals, I've had requests from groups of individuals who've called me at my home at night, as late as 3 o'clock in the morning, called me at my office and asked me what was I going to do, as the Minister of Labour. They would tell me, "We'd like to go back to work but we haven't got the opportunity." My hands were tied. There was nothing that I could do. I thought surely if only a handful of people come to me and have a legitimate complaint, I am prepared to bring in legislation to give the right to that small minority to express themselves in a democratic way. That is why a secret ballot, a Government-supervised ballot is being provided by legislation.

**Some Hon. Members:** Hear, hear!

**Hon. Mr. Coderre:** — I've indicated on dozens of occasions that the great majority of unions in the province do have regular ballots during the course of a strike. Some of them as much as every two days. They meet their committee, they meet their groups but others haven't. In this particular case, the international representative of the IWA — and that is the case I'm mentioning — was in Vancouver. He was not available for negotiation. He had given specific instructions to his local committee, to his local president and all the others that they were not to negotiate until such time as he was present.

**Some Hon. Members:** Shame, shame!

**Hon. Mr. Coderre:** — They were intimidated, coerced not to go to the bargaining table.

**An Hon. Member:** — Great citizens!

**Hon. Mr. Coderre:** — Now what was I to do as Minister of Labour? As I have said before I've stood and I've fought for my country, and so help me I will defend the right of one single individual against the wrath of all the unions if I have to.

**Some Hon. Members:** Hear, hear!

**Hon. Mr. Coderre:** — It's been said in this House during this debate that this Government has been anti-labor, has brought in anti-labor legislation.

**Some Hon. Members:** Hear, hear!

**Hon. Mr. Coderre:** — Go ahead and blow your horn because you'll have a different story in a few moments. And that whatever this

Government has done in bringing in Bill No. 2, Bill No. 39, No. 89 and you name them is all detrimental to labor as you say.

**Some Hon. Members:** Hear, hear!

**Hon. Mr. Coderre:** — The Hon. Member for Regina North East (Mr. Smishek) said the same thing and asked what criteria do I use to arrive to this conclusion.

**An Hon. Member:** — He doesn't know!

**Hon. Mr. Coderre:** — Sure, we brought in this Bill and others, like Bill No. 35, but what has happened since these supposedly anti-labor acts were brought in? For example in 1968 alone union membership has increased by almost 10 per cent from 53,000 to 57,300, within Provincial jurisdiction.

**Some Hon. Members:** Hear, hear!

**Hon. Mr. Coderre:** — Surely, Mr. Speaker, if we would be anti-labor, as they often say, we could bring in legislation that would deny the check-off of union dues. We would outlaw compulsory political check-offs. We could bring in compulsory arbitration.

**Mr. Romanow (Saskatoon Riversdale):** — You've done it.

**Hon. Mr. Coderre:** — We could do away with the Labor Relations Board. We could outlaw some unions for their activities. We could compel unions to present financial statements to the Government as to what's happening with the funds so that they're properly spent, probably not spent on yachts, like Adam Beck on apartments, for their own personal gain. This is something that we and maybe the working people of this province would like to know. If you say we are anti-union we could have brought this type of legislation in.

**An Hon. Member:** — Some of those Cadillacs they drive.

**Hon. Mr. Coderre:** — We could bring in right-to-work legislation. We could take The Trade Union Act off the Statutes. We could ask for public notice to be given for the methods of electing all the officers of the unions and much more. This is what we could have done if we would be anti-union. We haven't done that, and surely the legislation that's been brought in does not indicate that we have been anti-labor. The facts are, the union memberships have increased.

In order to maintain wage and work conditions on par with everywhere else, the Government continues to pursue industrial



**March 27, 1969**

development which provides jobs for working people. Surely if the Government would have been anti-union it would not pursue this development. What our labor force requires and needs is job opportunity. I am answering some of the questions that were brought up three or four days ago by the Hon. Member from Regina North East (Mr. Smishek). If working for more employment for our labor force, I think we're working for the labor people. We are working for labor. We are doing something for labor. If this is a hate campaign as they say we do, then we hate labor by providing job opportunities, better jobs and more jobs. If that's hate, so be it.

I suppose if some Members have taken pot shots at labor, that is, at political labor bosses, then I too will take that same attitude and I make no apologies for it. I believe that any business agent's and any union's prime purpose should be to look after the welfare of its membership and not get itself involved in the political arena because when they do get involved in the political arena, then they become targets of criticism. If they receive criticism from some of my colleagues from this side of the House, it's because of the political activities of some of our union leaders.

**Some Hon. Members:** Hear, hear!

**Hon. Mr. Coderre:** — Not all but a great majority of them are darn good square shooters, good hard-working men, but still that one bad apple spoils a good many of them.

**An Hon. Member:** — More than one!

**Mr. Romanow:** — Tell that to the Chamber of Commerce.

**Hon. Mr. Coderre:** — I think that any business agent, any union representative, men like Smishek, men like Davies, and a few others that are not in this House to defend themselves – so I won't mention them – who involve themselves directly in the political arena can expect all the criticism from politicians. Of course they come into this House, they use their usual smoke screen tactics accusing me of being anti-labor. I challenge any Member of this House to show to this House any anti-union attitude that I have taken, . . .

**Some Hon. Members:** Hear, hear!

**Hon. Mr. Coderre:** — . . . whether of labor, whether of business. But there is one thing that I am anti. I am an anti-Socialist and I make no apologies for that.

**Some Hon. Members:** Hear, hear!

**Mr. McPherson (Regina South West):** — Alright, down, fellows, down just for a few minutes.

**Hon. Mr. Coderre:** — I don't blame my hon. friends on this side of the House to criticize anyone whether it be labor, or whether it be Government, or whether it be business. When the actions of any of these groups affect their constituents, if some pressure group, whether business, whether Government or anything, does something that is detrimental to them, then I would expect every honest person who sits in this Legislature to speak against what is hurting their people whom they represent. And I'd like to tell the hon. gentlemen opposite that we've not taken our orders from the secretary of some organization as has been mentioned. We receive briefs from every organization this side of Hades if you wish to call it that way.

**An Hon. Member:** — Why don't you stick to people in the House, instead of going after people who can't defend themselves.

**Hon. Mr. Coderre:** — But we take and I take my orders from no one.

**Some Hon. Members:** Hear, hear!

**Hon. Mr. Coderre:** — What I do is for the best of the working people of this province. We take our orders from our association, the Liberal Association, which makes the policies for our party, and we make no apologies for what we do. I am sure not like many of my good friends opposite who may take their orders from some embassy, somewhere in Ottawa – I don't know which one.

**Some Hon. Members:** Hear, hear!

**Hon. Mr. Coderre:** — I intend to protect the rights of minorities or individuals when they are caught in the power struggle between union executives and management. The Trade Union Act is there to protect the trade union as such. The Labor Standards Act is there to protect the unorganized. In this area I don't need the ill-advice of my friends opposite. We've brought in more progressive legislation to assist these people than probably your Government did when you were in power, which you'll never see again.

**Some Hon. Members:** Hear, hear!

**Hon. Mr. Coderre:** — I'll tell you that, in the few short years we've been here. The Hon. Member for Regina North East (Mr. Smishek) accused the Government of prejudices. How silly a statement this could be!

**March 27, 1969**

**An Hon. Member:** — He knows better, Lionel.

**Hon. Mr. Coderre:** — We on this side of the House have no prejudices and our policies are based on sound, progressive and responsible principles.

**Some Hon. Members:** Hear, hear!

**Hon. Mr. Coderre:** — Sound, progressive, responsible principles.

**Hon. Mr. Thatcher:** — All true!

**Hon. Mr. Coderre:** — Unlike my friends opposite we don't need to tread that thin red line like they were doing today, skating on one foot or the other just to see how far they could go.

**An Hon. Member:** — The out of order kid!

**Hon. Mr. Coderre:** — The Member from Moose Jaw North (Mr. Snyder) of course was unsure of his statement re individual contractors. He was lost, a little confused of the situation.

**An Hon. Member:** — Normal state of events!

**Hon. Mr. Coderre:** — Just for his information I'll just give him a brief explanation. The chairman of the Labor Relations Board at that time, a man by the name of P.J. Mackaraoff and I quote:

In a case involving the Willowbunch School Unit No. 4, Rockglen, Saskatchewan in February of 1960, the board ruled:

The board came to the conclusion that the employees in question were performing the work as independent contractors rather than employees within the meaning of subsection (2) of Section 5 of The Trade Union Act. The board has repeatedly held that the provisions of The Trade Union Act do not apply to the relationship of the independent contractor and its employees. The amendment of the Act at the moment simply confirms its position. It will be up to the board, as it always has been, to decide in each case on the facts presented whether a person involved is an independent contractor or an employee.

It still is up to the board. What difference does it make on that? But the idea is that it clarifies it because of some ambiguity in the past.

**Some Hon. Members:** Hear, hear!

**Hon. Mr. Coderre:** — Then the Leader of the Opposition (Mr. Lloyd) he really outdid himself. He got here with big crocodile tears, asking for the withdrawal of the Bill and he didn't have the intestinal fortitude to give anything to substantiate his argument. Withdraw, withdraw he was saying to everyone.

**Some Hon. Members:** Hear, hear!

**Hon. Mr. Coderre:** — And then the hon. gentleman, the Leader of the Opposition, said we should seek advice. Well, he'd be the last person I'd seek advice from. You know the Labour Government in England, Mr. Speaker, have sought the advice of labor and now they find themselves in the position that they have to go it alone. And I quote a clipping from the Regina Leader Post, January 21, 1969:

Britain's Minister of Employment and Productivity, Barbara Castle, has a ready answer to the complaints of unions which oppose her intended legislation cracking down on unofficial wildcat strikes.

Even your Labour Government has taken a position in this situation. Oh, you didn't have the gumption to mention that. Well, we're anti-labor but the Labour Government party in England supported such same measures. Well, that's quite alright, they can do these things. We in Saskatchewan have a concern for the economy as a whole. We have to do that. I could keep on reading and put it in the record and just for your information I'll quote again from the Leader Post, January 21, 1969. But I'd like first to quote right from her White Paper which she tabled in the House of Commons in England, and it is rather good.

There are necessary conflicts of interest in industry. The objective of our industrial relations system should be to direct the forces producing conflicts towards constructive ends. This can be done by the right kind of action by management, unions and the Government itself.

And the White Paper sets out what it needs to be done.

It has produced,

it goes on,

a growing number of lightning strikes and contributed little to increasing efficiency. Item 3, until action is taken to remedy these defects, conflict in British industry will often be damaging and anti-social. The Government places proposals before Parliament and the nation is convinced that they are justified on the two main grounds.

Just for your information, there's a table at the back of the White Paper of a proposal for an industrial relations act to

**March 27, 1969**

empower the Labour Government, to empower the commission on industrial relations to look into recognized disputes and to arrange a secret ballot if they think this desirable. The Labor Government is going to do it. If the Liberals are doing it here, that's anti-labor.

If it's necessary to make an order excluding one or more unions from recognition with penalties for breach of the order by either the employer or the union.

They can just unilaterally make these changes to empower the Secretary of State where an official strike is threatened to order and require a ballot. We say, well, you have your own strike if you want to, but 30 days later we will give you an opportunity to vote.

**Hon. Mr. Heald:** — Must be an anti-labor government over there.

**Hon. Mr. Coderre:** —

To require all but the smallest unions to have professional auditors and to make new provisions regarding superannuation funds for its members, etc. To enable unions to be sued and charged.

And then the final thing of it all the British Government is doing that, because it is alarmed at the rate of strikes they have. In 1960 they had 68 strikes, in 1967 they had 108. They, the British Government alarmed at that! We had 28 strikes with less than one million of a population and they have 45 million people. Now you tell me the difference. And you call this anti-union.

What does Barbara Castle say insofar as the role of industrial relations:

The state has always been involved in the process of industrial relations. It has always had to provide the framework of law for dealing with activities of individuals and groups struggling to advance and protect their interest. The result was the growth of trade unions which led Parliament and the courts to examine how far the law should tolerate coercive action, restraint in trade by employers or trade unions and how far it should seek to defend the wider interests of the community.

I suppose a person here could go for hours and hours on end to indicate what has happened. Another reason why the amendments to The Trade Union Act are brought in, we also notice an item in the Times Herald, February 12th, which I would suggest that you do read. This is where we find the IWA again, involved in something where a union has been certified, has a three-year contract and the IWA is trying to raid in the Prince Albert area. I feel insofar as the terms of the Act are concerned that

once you have entered into a contract for two years that contract should be adhered to. This is why there is a change in the Act to that effect.

Now I think we can just deal with this very, very briefly with the Act as such, without going into detail. It would be best dealt with in Committee.

The first clause, as everyone knows, is a question of clarifying what is an employee. There is another Section in the Act which defines what is known as the hot cargo. The question of course which many people have been involved is that in the Act there was a question of a valid dispute with the carrier. I think the best way is to bring in an amendment which will define a valid trade dispute, in other words to be sure that when a person is on strike he is not obliged to go ahead and unload if he has an legitimate strike.

Where the strike has gone on for 30 days, I have had enough complaints for me to recommend to my colleagues that this section should be brought in, that we should have a Government-supervised strike vote after the 30 days. All it means is that any person involved, any employer, employee, or anyone involved in that thing may apply to the Board to have a vote. We are going to make an amendment to that which will make it such that there will be not more than one vote rather than a continuous repetitious type of vote. I think this is a good point.

I think the other matters, Mr. Speaker, can be very well dealt with in Committee. You will notice a section where the Board makes a decision, then it does become a court order. Why should anyone have to go back to the Board in order to proceed with the court order. This often happens. It is filed as a court order. Then before you can proceed you have to go back to the Board to get permission to prosecute as the case may be. I have found in the Department that about 98 per cent of these cases on fair labor practices, reinstatement or anything, there is too much delay. The individual has had to seek employment elsewhere. This makes it possible as soon as the Labor Relations Board gives the order that it is brought into court. The order is carried out, because it is a question of fact.

So with these remarks, Mr. Speaker, I move second reading of this Bill.

**Some Hon. Members:** Hear, hear!

Motion agreed to on the following recorded division:

**Yeas — 31**

Thatcher  
McFarlane  
Boldt

Grant  
Coderre  
Larochelle

Leith  
Radloff  
Weatherald

**March 27, 1969**

Cameron  
Steuart  
Heald  
McIsaac  
Guy  
Barrie  
Loken  
MacDougall

MacDonald  
Estey  
Hooker  
Gallagher  
MacLennan  
Heggie  
Breker

Mitchell  
Coupland  
McPherson  
Charlebois  
Forsyth  
McIvor  
Schmeiser

**Nays — 22**

Lloyd  
Wooff  
Kramer  
Willis  
Wood  
Blakeney  
Dewhurst  
Meakes

Berezowsky  
Romanow  
Smishek  
Thibault  
Whelan  
Snyder  
Michayluk

Brockelbank  
Pepper  
Bowerman  
Matsalla  
Messer  
Kwasnica  
Kowalchuk

The Assembly adjourned at 10:01 o'clock p.m.