

LEGISLATIVE ASSEMBLY OF SASKATCHEWAN
Fifth Session - Sixteenth Legislature
34th Day

Friday, April 2, 1971

WELCOME TO STUDENTS

MR. SPEAKER: — Before we proceed further with the business of the day, I wish to introduce to all Hon. Members the following groups of students situated in the galleries: from the constituency of Yorkton represented by Mr. Gallagher, 70 students from St. Paul's School under the direction of their teacher, Mr. Smith; from the constituency of Saskatoon City Park-University represented by Mr. Charlebois, 37 students from the North Park School under the direction of their teachers, Mr. Longstaff and Mr. Corman, the principal; from the constituency of Saskatoon Nutana Centre represented by Mr. Estey, 37 students from the Victoria School under their teacher, Mr. Harrison; from the constituency of Morse represented by the Hon. Premier (Mr. Thatcher), 38 members of the Keeler 4-H Multi Club under the direction of their supervisor, Mrs. Bishop; again from the constituency of Morse represented by the Premier, 20 students from the Marquis School; from the constituency of Prince Albert represented by Mr. Steuart, 60 students from the Queen Mary School under the direction of their teacher, Mr. D. Block; from the constituency of Regina South represented by Mr. Grant, 40 students from St. John School under the direction of Mr. Yano; from the constituency of Watrous represented by Mr. Schmeiser, 52 students from the Bruno Central School under the direction of Mr. Marshak and Mr. Pantella.

I am sure all Hon. Members will wish to extend to the students, to their teachers, to their bus drivers, the warmest of all possible welcomes to the Legislative Assembly of the Province of Saskatchewan and to express the very sincere wish that they find their stay here enjoyable and educational and wish each and everyone of them a safe trip home.

HON. MEMBERS: Hear, hear!

**ANNOUNCEMENT
LIEUTENANT-GOVERNOR TO VISIT LEGISLATURE**

HON. W. R. THATCHER (Premier): — Mr. Speaker, I have an announcement which I think will be of interest to the House. I should like to tell you, Sir, that His Honour the Lieutenant-Governor will visit the Legislature at 4:30.

HON. MEMBERS: Hear, hear!

TELEGRAMS - RAIL TIE UP

MR. A.E. BLAKENEY (Leader of the Opposition): — Mr. Speaker, I should like to advise the House that this morning I have sent a telegram to the Rt. Hon. Pierre Trudeau, Prime Minister of Canada and the Hon. Bruce Mackasey, Minister of Labour, which reads as follows:

April 2, 1971

Rail tie up threatening economic crisis for Saskatchewan. Essential that full rail services be restored and service maintained. Urgently request Parliament of Canada to legislate steps to end current dispute by providing for immediate resumption of full rail operations and for immediate steps to bring about final settlement of matters in dispute by further negotiations and, failing successful negotiations, by binding arbitration.

SOME HON. MEMBERS: Hear, hear!

MR. THATCHER: — May I comment on this statement. It is my privilege, I think. We welcome this death-bed repentance of the NDP today. Why have they suddenly for the first time in history come up in favor of compulsory arbitration of a strike? Because they would be wiped off the political map in Saskatchewan if they did not.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: — Order, order!

INTEREST ON LOANS FROM MUNICIPAL FINANCE CORPORATION

HON. D.G. STEUART (Provincial Treasurer): — I have an announcement to make. In keeping with the Municipal Finance Corporation's policy of reviewing the interest rate at regular intervals, I should like to announce that effective April 1st the interest rate to be charged municipal governments on loans from the Municipal Finance Corporation has been reduced from 8 3/8 per cent to 8 per cent for the cities of Saskatoon and Regina, and from 8 1/2 per cent to 8 1/8 per cent for all other municipal authorities. This is the third reduction of rates of interest charged by the Corporation since its inception in January of 1970.

In 1970 the Corporation approved all the applications it received. 1971 promises to be a much busier year for the Corporation because interest rates have come down significantly and indications are that municipal governments will be prepared to carry out capital programs that have been deferred because of the high cost of money. The Corporation will be in a position, we are pleased to say, to look after the increased requirements of all municipal governments in the province.

SOME HON. MEMBERS: Hear, hear!

FAREWELL TO LEGISLATURE

MR. W. J. BEREZOWSKY (Prince Albert East-Cumberland): — Mr. Speaker, before the Orders of the Day and not knowing what the Premier may do this afternoon or say in the next few days, I just ask to have the indulgence of this House and yourself, Sir, to say a few words to the Hon. Members of this House.

I am not quite sure whether I shall return or not, it all depends on one particular constituency, but my decision is pretty well made up that I may not run again due to health and other

reasons. I do want to say a few personal words to the Hon. Members of this House and particularly to you, Mr. Speaker. I have always regarded your decisions as being proper and good. I've tried to abide by the rules sometimes maybe not as well as I should but then in the fever of debate things do happen. I regard you highly, Sir.

I want to say to all my friends in this House, regardless of which side of the House they sit on, I consider them as my personal friends. I will remember them as long as I live and I will regret exceedingly much, in case I do not come back to this House, in not sitting in this House after the next election if it should come about this year. I wish you, Mr. Speaker, and all of my colleagues in this House the best of everything in the future and I hope those who return to this Legislature will be able to legislate for democracy and for the people of Saskatchewan and for Canada.

I have been very happy in the past 19 years to have sat here and I hope I have made some small contribution, Sir.

HON. MEMBERS: Hear, hear!

RESOLUTIONS

RESOLUTION NO. 10 - SPEEDY AGREEMENT REQUESTED BETWEEN RAILWAYS AND EMPLOYEES

Mr. A. E. Blakeney (Leader of the Opposition) moved, seconded by Mr. R. Romanow (Saskatoon-Riversdale):

That this Assembly request the Government of Canada and particularly the Minister of Labour to take appropriate steps to bring about a speedy agreement between the railways and their employees in order that grain for export may continue to move freely to the Pacific ports; and further the contents of this resolution be conveyed immediately to the Minister of Labour of the Government of Canada.

He said: In moving this Resolution I think it has become even more timely than when I placed it on the Order Paper.

MR. SPEAKER: — Order, order! I noticed this motion the other day. It was one that the Member gave notice of prior to asking for priority of debate on the subject which the House engaged itself with on Monday last. I had thought that the Member would naturally drop the Resolution that he had on the Order Paper due to the fact that it would appear to provide a duplication of the discussion we had on Monday last.

MR. BLAKENEY: — Mr. Speaker, it might have been a duplication when I put it on the Order Paper but I think the events since then have rendered a debate on the subject highly desirable.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: — It seems to me that the Member gave notice of this

April 2, 1971

specific motion, if I remember the sequence of events correctly, before he moved for priority of debate on a similar matter. The House proceeded with a priority of debate motion and subsequently this House unanimously passed a resolution on the subject matter thereof. Until I have time to take a look at this because I actually thought the Member was going to let the Resolution drop, I thought he was going to do that anyway, but if he doesn't wish to do so perhaps the House will give me time to decide whether it is in order or whether it is not.

MR. BLAKENEY: — To speak very briefly to the point of order, the motion we moved and which Members will recall was not my motion but rather that of the Provincial Treasurer (Mr. Steuart), essentially directed its force to the CNR and the CPR and the railway companies, which my motion doesn't deal with at all. It then included the following:

. . . and further that this Assembly demand that the Government of Canada and particularly the Minister of Labour forthwith call all the parties together to bring about a speedy resolution.

My motion asks the Minister of Labour to take appropriate steps to bring about a speedy agreement and I think that there are many appropriate steps other than the calling of the parties together. Accordingly, I think that the ambit of my Resolution is far wider than the one which passed this House on Monday, March 29th and accordingly, I submit that it is in order.

HON. D.V. HEALD (Attorney General): — Mr. Speaker, I submit that it is not in order, that I didn't quote follow the Leader of the Opposition. The Resolution that I am looking at, Resolution No. 10, talks about agreement between the railway and their employees and further that the contents of the Resolution be conveyed immediately to the Minister of Labour of the Government of Canada and, as all Members will remember, we had a very wide ranging debate on Monday on this entire matter and I should think that any debate that might follow on this Resolution No. 10 would, of necessity, be a duplication. We were given the widest possible leeway in our debates the other day on the emergency matter and it seems to me that everything that could be discussed in this motion was discussed on Monday. So I should suggest that it would be of necessity, a duplication of the Monday debate and accordingly I think it is out of order.

MR. BLAKENEY: — May I just say briefly, the import of the Attorney General's remarks is that any discussion on the rail dispute which might have arisen on Monday is now out of order and I think that is too strict an interpretation of the rules.

MR. SPEAKER: — I've listened with care and attention to what both of the Members have said, both the Leader of the Opposition and the Attorney General. That is the question that has to be decided. There isn't any question whatsoever about the seriousness of the situation that exists in Canada today. Perhaps the House would allow me to consider this question and to think about it further. I haven't thought about it prior to this though

probably I should have done so and I apologize for not having done my homework. I shall do this while the House engages itself in some other business.

MR. HEALD: — Mr. Speaker, along those lines, I wonder if by agreement we could now proceed under the heading Public Bills and Orders on the understanding that when that matter is disposed of or adjourned we return to the normal order of business which would presumably be Resolution No. 3.

MR. F.A. DEWHURST (Wadena): — Just before you give consent and I have no objection, I was wondering if the Bill, Essential Services Act, would have the same effect on this motion as what we previously discussed on this other Resolution because a Bill takes precedence over a resolution?

MR. SPEAKER: — A Bill does take precedence over a resolution, I agree. Which Resolution are we on here? The Chair isn't deciding now what Resolution we're going to move to. The House Leader has asked leave to go to Public Bills and Orders.

MR. DEWHURST: — Mr. Speaker, I should like to raise a point of order that I feel that this Resolution is now preceded by the Bill which came down with the amendments of The Essential Services Act because they both deal with the same topic and I believe a Bill precedes the right of way on the Order Paper of a Resolution, whether a Resolution is on the paper first or not a Bill precedes it. I feel that this is preceded by the amendments to The Essential Services Act.

MR. HEALD: — Mr. Speaker, speaking to the point of order, I would submit that the proposed amendment to Bill 2 of The Essential Services Emergency Act is a much narrower concept than the whole subject dealt with in Resolution No. 3 on page 4. Resolution No. 5 on page 4 deals with the whole concept of the use of independent labor courts and awards binding on all parties as a means of settling all labor disputes in Saskatchewan. The amendment to Bill 2, The Essential Services Emergency Act is that it is essential services and therefore the debate can be much wider on the Resolution than it can on the Bill so I submit that the amendments to Bill 2 do not in any way affect the right of the Legislature to debate the Resolution that has been called.

MR. THATCHER: — Also on the point of order, Mr. Speaker, may I suggest to you that the solutions suggested in this Resolution have nothing whatsoever to do with the solutions proposed by Bill 2 and therefore I think it is in order for me to proceed with respect . . .

MR. SPEAKER: — I agree that we have before the House an amendment to The Essential Services Emergency Act. If I understand the Act correctly, it "established for certain classes compulsory and binding arbitration". It appears to me that the amendment seeks to widen the scope of the Act. Resolution No. 3 asks for the establishment of independent labor courts. I should think that

April 2, 1971

if independent labor courts were established in the Province of Saskatchewan they would replace the legislation referred to as Bill No. 2 though that may be an improper assumption.

I further draw your attention to the fact that we have an amendment proposed to the motion. The amendment to the motion - and I think it is relevant, although some might have raised a point of order as to its relevancy at the time (nobody did but it could have been raised), though I thought it (the amendment) was relevant. The amendment mentions the Woods Commission on labor relations. It also mentions representation that is desired to be made or is suggested should be made to the Government of Canada for the creation of special committees representing the Saskatchewan and Federal Departments of Labour thus bringing in the whole question of Federal-Provincial labor relations and legislation. The Essential Services Emergency Act and the amendments proposed thereto are strictly Provincial legislation. It seems to me that if I were to rule this motion out of order, it would be an extremely restrictive ruling because it would not only rule out of order the main motion but it would also rule out of order the amendment moved by the Member for Touchwood (Mr. Meakes) and I should be very reluctant to do so.

I think myself that if I was to say that the motion was out of order on the grounds that there was a Bill dealing with a somewhat similar subject but not a specifically similar subject on the Order Paper it would be restricting the rights of freedom of speech of those who wish to speak to the amendment. The amendment is also before the House and to protect the rights and the privileges of him who moved the amendment and those others who wish to speak for or against it, as the case may be, I believe the Chair should rule in its favor. For the foregoing reasons I would rule that the motion and its amendment is in order.

SOME HON. MEMBERS: Hear, hear!

ADJOURNED DEBATES

RESOLUTIONS

RESOLUTION NO. 3 - LABOUR-MANAGEMENT LEGISLATION

The Assembly resumed the adjourned debate on the proposed motion by Mr. J.B. Hooker (Notukeu-Willowbunch):

That this Assembly recommends to the consideration of the Government labour-management legislation designed to protect the public interest which incorporates the principle of the use of Independent Labour Courts and awards binding on all parties as a means of settling all labour disputes in Saskatchewan.

And the amendment thereto by Mr. Meakes:

That all the words after the word "interest" in the second line or as it appears in the Votes and Proceedings be deleted and the following substituted therefor:

(1) by vigorous and substantially improved mediation and conciliation, as well as publicly assisted and encouraged management-labour consultation, including

ongoing research and fact-finding, to identify and prevent problems in industrial relationships which are, or may become causes of disputes, in keeping with the recommendations and findings of the Federal Woods Commission on Labour Relations and the Saskatchewan Labour Management Committee on the Construction Industry;

(2) and that, so as to further provide for the peaceful and positive development of employer-employee relations, the Government be asked to consider proposing to the Government of Canada the creation of a special committee representing the Saskatchewan and Federal Departments of Labour that would function and act in such a manner that management-labour disputes of particular importance to Saskatchewan such as disputes in the transportation and grain handling industries would so far as possible be prevented and avoided.

MR. W.R. THATCHER (Premier): — Mr. Speaker, I consider the Resolution which is now before us to be one of vital importance. In essence it proposes that some better method must be found to settle labor disputes.

For some time it has been apparent to those who are not prejudiced, that collective bargaining in Canada today is a very sick institution. A lot of intelligent people think that it is dying. As I see it, collective bargaining worked well until recent years. While there were bitter disagreements and strikes from time to time, they were usually resolved without serious inconvenience to the public or serious damage to the parties directly involved.

In the past collective bargaining worked reasonably well because the strength of the two parties, employer and employees, was reasonably equal. Relatively equal strength has to be the case because if one party is very much stronger than the other, real bargaining won't take place. The stronger party will simply dictate a settlement and the weaker side will agree to it or be destroyed.

Years ago employers were invariably the stronger party. Laws were designed to offset that strength. For example, to prevent unions from being harassed by legal actions, unions were not made legal entities. They were shielded from the restrictions of anti-trust and combines legislation. Many other benefits favored the union and offset the greater power of the employer.

Today, Mr. Speaker, this situation has changed. Once again the strength of the two negotiating parties is unequal. However, this time it is union strength which frequently far exceeds that of the employer.

What small businessman or what small manufacturer can stand up to the tremendous power and resources of the Teamsters, or the Auto Workers, or the Steel Workers? What contractor can negotiate with construction unions who hand him mimeographed contracts and tell him to sign them or go broke?

Today, a few Air Controllers can tie up our whole airline system. We are witnessing today, a few engineers - a handful of engineers - tying up our railway systems. A few hundred tugboat workers can bring to a halt the economy of a whole province.

April 2, 1971

Frequently union demands have no relation whatever to the profit and loss picture. The employer can't give what he hasn't got or he goes broke. Yet the union organizer time and again isn't interested in economic facts.

Another factor that I believe is destroying collective bargaining is the manner in which it is being extended more and more to the public sector. I ask you, Sir, what government anywhere in this nation can permit electricity or gas to be turned off by utility employees?

SOME HON. MEMBERS: Hear, hear!

MR. THATCHER: — I ask you, Sir, what government in Canada can permit policemen or firemen to strike without endangering the public interest? And I ask you, Sir, what government in Canada can permit hospital employees to leave their jobs without endangering the sick and the dying?

Yet strikes have taken place on the Canadian scene with increasing frequency. There may be no real limit to what a government can pay in wages but it is the hapless taxpayer who invariably pays the bill.

SOME HON. MEMBERS: Hear, hear!

MR. THATCHER: — Last year we saw a series of strikes in Saskatchewan. Those strikes were called despite the fact that we were fighting inflation and trying to restrain wage increases to a reasonable figure. They were called despite the fact that we had a wheat crisis which had drastically curtailed farm purchasing power. One union after another took to the picket lines. Several of our hospital unions went on strike obliging us to invoke Bill 2. Our construction workers made impossible wage demands and they struck for weeks. We were obliged to call the Legislature to end the dispute. The employees of one of our nursing homes took strike action requiring imposition of Bill 2. Workers at the Prince Albert pulp mill, even though they had been operating the mill only for a few months, went on strike. Only the threat of Bill 2 forced them back on the job. For several days some of our school teachers went on strike.

On the Federal scene, as Hon. Members know, there have been even more aggravating strikes. It seems that every spring, every single year, just when we get ready to move our wheat to market, somebody ties up the transportation system. Either it is the longshoremen or it is the sailors on the Great Lakes or it is the terminal elevator employees or it is the railway workers.

Today, Mr. Speaker, the railroad engineers, one of the highest paid labor groups in all of Canada - the so-called aristocrats of labor - are again threatening the whole economy of Western Canada. This strike is so outrageous as to be almost unbelievable.

SOME HON. MEMBERS: Hear, hear!

MR. THATCHER: — The harm to our wheat producers, Mr. Speaker,

could be incalculable. Markets could be lost, some of them forever. At a time when selling Canadian wheat is so difficult anyway, this strike could be disastrous. Our whole potash industry employing almost 3,000 workers could be brought to its knees just as the fertilizer season is commencing.

Our sodium sulphate industry could lose sales which might never be recovered. Our pulp mill could soon face lay-offs. Today, Mr. Speaker, there is a raging fury throughout our province . . .

SOME HON. MEMBERS: Hear, hear!

MR. THATCHER: — . . . that this small group of well paid unionists could so threaten the public interest. So great is this protest in the rural areas, Mr. Speaker, that even the NDP caucus came out for compulsory arbitration.

SOME HON. MEMBERS: Hear, hear!

MR. THATCHER: — And why? Because as I said a moment ago, they'd be wiped off the political map in Saskatchewan if they didn't take some kind of action.

SOME HON. MEMBERS: Hear, hear!

MR. THATCHER: — What an about-face by the Socialists! In every single strike we have had in Saskatchewan in the last two or three decades where the public interest is threatened, the NDP have opposed and voted against any kind of compulsory arbitration.

SOME HON. MEMBERS: Hear, hear!

MR. THATCHER: — Well, at last we are delighted to see that the Socialists are seeing the light. We only hope that they will see the light in the same way when they have an opportunity to vote for Bill 2.

Mr. Speaker, on behalf of the Members sitting on this side of the House, we call upon the Federal Government to immediately take action, not only to settle the current strike, but to make certain that future tie-ups of this nature can never happen again.

SOME HON. MEMBERS: Hear, hear!

MR. THATCHER: — On this issue, Sir, regardless of what government is in office, there can be no procrastination, there can be no hesitancy, there can be no delay - the Canadian people want action, and Western Canadians in particular, want action.

SOME HON. MEMBERS: Hear, hear!

MR. THATCHER: — In the present state of affairs under existing legislation, once the two sides agree to disagree, reconciliation becomes more a matter of one side waiting out the other, than a concrete negotiation. Sometimes nothing happens for months.

April 2, 1971

We are witnessing today the great tragedy up in Flin Flon and one of the towns which border Flin Flon is on the Saskatchewan side. That strike has been going on for more than two months. The economy of the city is grinding to a halt. Yet, as I understand it, the two parties are not even negotiating. Repeatedly, supposedly intelligent people in our modern society revert to the ancient theory that might is right. What a barbaric way to settle our economic differences!

SOME HON. MEMBERS: Hear, hear!

MR. THATCHER: — Mr. Speaker, today the people of Saskatchewan, regardless of politics, demand a better way of settling labor disputes.

SOME HON. MEMBERS: Hear, hear!

MR. THATCHER: — They demand that the public interest be protected because no one can win when a prolonged strike takes place. The workers lose their pay cheques. The great majority of them - and I saw a lot of this last year - are sick at heart because they know that it may take years for them to get back the earnings they have lost.

The wives and families of unemployed husbands suffer over the powerless position of their husbands. The companies lose large sums of money. The loss to the public generally through strikes runs into millions of dollars annually.

Mr. Speaker, there is another factor that has not gone unnoticed by Saskatchewan people, a factor which is frequently more and more involved in bitter labor disputes. The last 10 years have seen increased acceptance by unions of the fact that picket line behavior need not be governed by the same rules of conduct which are now provided to protect the individual rights of all citizens. Originally, as I understand it, the picket line was designed as a means to impart information. But today the picket line is one of the country's most frequently used and abused pressure devices.

SOME HON. MEMBERS: Hear, hear!

MR. THATCHER: — It may be thrown up anywhere. It may be manned by anyone. A person who crosses a picket line, whether involved in the dispute or not, does so at his peril, both physically and socially.

SOME HON. MEMBERS: Hear, hear!

MR. THATCHER: — Members of picket lines often carry out activities which otherwise would incur severe penalties under the law. A year ago we watched as employees of an illegal strike of a private company in Montreal blocked and destroyed our mail, slashed tires and damaged trucks, assaulted and shot people and threw bombs. Did anyone stop them? Did the police arrest the criminals and send them to jail? Of course not. They were picketers.

Even here in Saskatchewan, Mr. Speaker, we have seen tactics of a similar nature. Last year we had a strike of retail

employees in the Co-op stores in Moose Jaw. I have an advertisement carried by the Moose Jaw Co-op in my hands, in the Moose Jaw Times Herald, Wednesday, October 21, 1970.

A message to the citizens of Moose Jaw. Following is a list of incidents which have taken place during the period of the present strike:

- (1) One female union employee who decided to work during the strike received an anonymous telephone call threatening to burn her house.
- (2) Another female union employee who also decided to come to work during the strike received an anonymous telephone call threatening the safety of her children on their way home from school.
- (3) Numerous working staff have received numerous phone calls after midnight. No talk, just harassment to prevent sleep.

This is the Moose Jaw Co-op executive talking, Mr. Speaker.

- (4) Several management staff have found several roofing nails, one in each tire of his car. These apparently were planted under the wheels at night.
- (5) An employee of our contract delivery truck was called from his bed at midnight and was severely beaten by three unknown assailants after being warned not to deliver our merchandise!

The Co-op says where did these illegal incidents take place? At the waterfront in a port city? No - in Moose Jaw, Saskatchewan.

SOME HON. MEMBERS: Hear, hear!

MR. THATCHER: — I say that the people of Saskatchewan will not tolerate this kind of hooliganism and gangsterism.

SOME HON. MEMBERS: Hear, hear!

MR. THATCHER: — And I may tell our citizens that this Government will invoke the full sanctions of the law to see that such tactics are never again used in this province.

SOME HON. MEMBERS: Hear, hear!

MR. THATCHER: — As a matter of fact, Mr. Speaker, there are even many prominent trade unionists who agree that strikes are obsolete. One of them is the great president of the AFL-CIO down in the United States, George Meany. Here is what he said on September 7, 1970:

We find more and more that strikes really don't settle a thing. Where you have a well established union you're getting to the point where a strike doesn't make sense.

April 2, 1971

This is George Meany, not the Liberal Party.

SOME HON. MEMBERS: Hear, hear!

MR. THATCHER: — So I say again, this afternoon, Mr. Speaker, from every corner of our province there are indications that the general public is thoroughly fed up with the strike weapon as a means of settling labor disputes. On every hand, regardless of political affiliation, there is a demand for legislative action that will prevent walkouts. Citizens generally are demanding that this Government and governments elsewhere in Canada come up with a better method of settling labor disputes that will be fair to both sides but still protect the public interest.

Recently, the SARM, the rural municipalities' meeting and convention, called for labor-management courts. I suppose the most prominent agricultural group in Saskatchewan is the Saskatchewan Federation of Agriculture. Their officials wrote me a short time ago as follows:

As you know, the Saskatchewan Federation of Agriculture and the Canadian Federation of Agriculture have, for several years, supported the concept of labor-management courts or tribunals, and we are pleased that you are taking this public leadership.

SOME HON. MEMBERS: Hear, hear!

MR. THATCHER: — So I say this afternoon that this Government believes the time has come to heed these wide spread demands.

Our Government in the very near future intends to pass legislation which will provide for labor-management courts. Such a court would be composed of neutral judges probably appointed for life. It is our thought that the courts would have sweeping powers to deal with every phase of labor-management disputes. The court would have to be appointed with tremendous care to eliminate any suspicion of bias. Every effort would be made to appoint judges who are completely impartial and objective. The duties of the tribunal would be to arbitrate labor disputes where normal procedures had failed. Strikes and walkouts would become illegal and the findings of the court would be binding.

SOME HON. MEMBERS: Hear, hear!

MR. THATCHER: — Now I suggest to you, Sir, that surely courts of this nature would be a far more civilized method of settling disputes than the open warfare of strikes such as we have seen across this nation the last few years particularly in the field of essential services.

Now the setting up of such courts would not mean the end of collective bargaining. The courts would act only when collective bargaining failed to reach an agreement. Far from diminishing such bargaining, the existence of the courts would stimulate reasonable bargaining and make more likely the reaching of an acceptable settlement. There is no system better devised by

man to deal with the processes of law than our courts. I emphasize again that the proposed labour courts would have to enjoy independence and complete independence from government. They would have to have power similar to many of the other courts which presently exist. I point out to my Socialist friends that labor courts have worked effectively in Sweden for many, many years. I understand, at least until recently, that there have been only three major strikes in Sweden in the last several decades. When it comes to wild-cat strikes, Sweden has impressive punitive powers and they are applicable both to labor and management. The Swedish labor courts have full authority to assess damages due to a strike or an illegal walkout.

Now for the reasons I have given this afternoon, Mr. Speaker, this Government intends to pioneer, to lead the way in this field. We intend to set an example hopefully for the rest of Canada. We intend to find a new way of settling labor disputes. Before introducing labor courts we shall ask a mandate from the people of Saskatchewan and soon.

SOME HON. MEMBERS: Hear, hear!

MR. THATCHER: — If our citizens go on record in support of such legislation, we shall take appropriate action at the earliest possible moment.

SOME HON. MEMBERS: Hear, hear!

MR. THATCHER: — I pledge to our citizens whether they be Liberals, Conservatives, NDP, Social Credit, or anything else, that this Government, if returned, will settle this matter, Sir, once and for all.

SOME HON. MEMBERS: Hear, hear!

MR. THATCHER: — This issue then will be the No. 1 issue for the election whenever it may come, as far as the Liberal Party is concerned.

SOME HON. MEMBERS: Hear, hear!

MR. A.E. BLAKENEY (Leader of the Opposition): — Mr. Speaker, I think the remarks of the Premier, all of them but the last few words, were thoroughly predictable. We have heard those many times before; we have heard him hold out the idea that somehow there is some magic solution to the very difficult problem of providing harmonious relations between management and labour. We heard him hold out this, as he said, as the number one issue in the election. Well, I'm not surprised that he would try to pick something that has never been done before in the world, and I fancy will not be done by the Government opposite, as the number one issue. They certainly want to take you to Sweden for the number one issue. They don't want to take you to rural Saskatchewan for the number one issue.

SOME HON. MEMBERS: Hear, hear!

MR. BLAKENEY: — They don't want to talk about wheat prices;

April 2, 1971

they don't want to talk about hog prices; and I shall remind you, Mr. Speaker, the very speech we had this afternoon was given by the Premier out of sequence because he didn't want to talk about a resolution talking about hog prices.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: — Order! Now that was said completely out of turn because if you had not wished this debate to take place now, all you had to do was say "no". One single voice saying "no" when leave was requested would have prevented this particular debate being held out of its proper rotation. This time you have tried the patience of the Chair just a little bit too far. Anytime a Member asks "the leave of the House", any Member may say "no" and leave will not be granted and you jolly-well know it too. Don't let me hear anything like that said again.

MR. BLAKENEY: — Mr. Speaker, and Members of this House, it is well known to the Whips on both sides of this House, which would not be the knowledge of Mr. Speaker, that this arrangement was made at the request of the Premier. We agreed because we thought he might call an election this afternoon and we want that election called just as soon as possible.

SOME HON. MEMBERS: Hear, hear!

MR. BLAKENEY: — We didn't want anything to impede the appeal to the people of Saskatchewan. We have been asking all this session that he get to the people. He has come in here and said, "I'm going to take my agricultural policy to the people." And he decided against that. A week ago it was the pulp mill that he was going to take to the people. He decided against that.

SOME HON. MEMBERS: Hear, hear!

MR. BLAKENEY: — And now he is threshing around trying to find another issue. And if I had his record on the agricultural front, on deterrent fees, on taxation, on resource development, on the things which really matter to the people of Saskatchewan, I should seek another issue too.

SOME HON. MEMBERS: Hear, hear!

MR. BLAKENEY: — He has offered to us, Swedish labor courts and let me say, out of hand, we accept Swedish labor courts. If he wants to bring to this Province the method of collective bargaining that is used in Sweden with the use of labor courts, we accept that method as being entirely reliable.

SOME HON. MEMBERS: Hear, hear!

MR. BLAKENEY: — What we must reject is compulsory arbitration in each and every case. Mr. Speaker, we have heard this afternoon the familiar arguments in favor of compulsory arbitration. But I want to point out to Members opposite that these are as coercive of management as they are of labor. I want to remind

all small employers in this Province that if we get labor courts of the type described by the Premier, then each group of employees would be able, presumably, to apply to that labor court to have their affairs regulated. I want to remind, therefore, all employers that they would lose their right to bargain with their employees just as the employees would lose the right to bargain with their employers. No effective bargaining would take place if at the end of the line, in every case, whether the public interest was involved or not, whether the number of employees was two or two thousand, the court is going to intervene.

SOME HON. MEMBERS: Hear, hear!

MR. BLAKENEY: — I listened with a great deal of care where the Premier said wherever there was a labor dispute there could be an application to the court. I hope he is not suggesting that application to courts of this land, whether they be labor courts or some other courts, would depend upon the goodwill of the Government. I hope he's not suggesting that. And if he is not suggesting that, then obviously it will be on the application of either party, the same as any other court and therefore, in every case, a dispute can go to court.

I want, Mr. Speaker, to put on record very, very clearly the views of and the policy of the New Democratic Party with respect to this matter.

SOME HON. MEMBERS: Hear, hear!

MR. BLAKENEY: — We have said many times, and we say again today, that in our opinion the best method for free men to decide their conditions of employment is by means of bargaining . . .

SOME HON. MEMBERS: Hear, hear!

MR. BLAKENEY: — . . . by means of collective bargaining. We believe that this offers the best way for free men to govern their affairs. We have seen that the institution of collective bargaining, whether or not it was feeble, as the Premier suggests, has been obliterated elsewhere. We saw it obliterated by dictators in Germany and in Russia and in Italy. We saw it obliterated by the Duplessis regime and in every case the residue of bitterness between management and labor which it created poisoned relations for decades to come.

SOME HON. MEMBERS: Hear, hear!

MR. BLAKENEY: — Mr. Speaker, I point out to you that efforts have been made along this line. No one has been successful in achieving success using this method of settling all disputes. But I want to say there are disputes where the public interest is paramount. And where there are such disputes, a good number of the Premier's remarks had relevance this afternoon. In our view, Mr. Speaker, a railway dispute is such a dispute. In our view, it is appropriate in a railway dispute to provide if collective bargaining fails there shall be a method of settling the matter by binding arbitration. Members opposite suggest that this is the policy which we have now adopted but the policy which we did not

April 2, 1971

previously pursue. As a matter of fact the Premier said that in every case in this House we have opposed compulsory arbitration. I want to remind Members in this House that in 1966 at the time of another crisis, at the time of another dispute which involved the public interest, our proposal was one which did involve compulsory, binding arbitration. Our proposal was one which said the dispute should be solved as follows - and I ask Members opposite to tell us what is wrong with this proposal - that we should have a Bill which would provide that the employees would return to work. And we suggest this would be appropriate in the railway dispute. That we should provide that negotiations would continue. And we think that would be appropriate in the railway dispute. That we should provide that the party should use impartial mediation and arbitration. And we think that would be appropriate in the railway dispute. That we should provide that the parties should, if they could, decide on arbitration by an arbitrator selected by them. And we think that would be appropriate in the railway dispute. And if those measures failed, we should provide that the matter be decided by arbitration, by an arbitrator to be named by the Chief Justice of Saskatchewan. We think that a similarly impartially appointed arbitrator would be appropriate in the railway dispute. We said it then and we say it today.

SOME HON. MEMBERS: Hear, hear!

MR. BLAKENEY: — Mr. Speaker, I could deal with many, many other of the matters which the Premier dealt with. I could deal with his allegation that somehow unions have become more powerful than management. He apparently suggested that this was true in Saskatchewan requiring special attention in Saskatchewan and was evidently not true elsewhere. Under those circumstances it is rather remarkable that in the last four years, the average weekly wages in Saskatchewan have gone up by only \$23 a week whereas in Manitoba they have gone up \$31 a week, in Alberta \$32 a week, and in Canada \$30 a week. Now, if in fact, the unions in Saskatchewan were stronger than the unions elsewhere, isn't it remarkable that the wage settlements they have got have been so much lower than those in Alberta, Manitoba or in Canada generally? I think we can reach the conclusion that unions in Saskatchewan are struggling with the same problems as unions elsewhere. Some of them are strong and some of them are weak. But the situation in Saskatchewan is no different than anywhere else in Canada. I think, Mr. Speaker, an analysis of the Premier's argument would indicate, incidentally, that the Attorney General wasn't doing his job. The Premier indicated all manner of what he said were illegal acts but you are responsible, Attorney General, for the administration of justice in this province. I felt it very inappropriate for the Premier to suggest in a general way that Members of a union were somehow responsible for particular illegal acts without one person being convicted as, as far as I know, one being charged. Now surely it is rather inappropriate when there is no shred of a suggestion that any of these acts were on the part of any union, although they may well have been.

AN HON. MEMBER: — No, no, there was no suggestion of that . . .

MR. BLAKENEY: — Well, we are glad to know that Members opposite

suggest that any union member was involved in them. So that it is pretty clear, Mr. Speaker, that Members opposite are unwilling to say that there have been activities on picket lines by union members which are inappropriate. They are not saying that, they are saying that somebody did something wrong but it wasn't enough for any charges to be laid. But once we have swept away all this, Mr. Speaker - all of these arguments - one thing is crystal clear. The Government opposite wishes that they could go to Australia or could go to Sweden to find an election issue because they cannot find one in the Province of Saskatchewan.

SOME HON. MEMBERS: Hear, hear!

MR. BLAKENEY: — They will find, Mr. Speaker, that when they go to the farm areas, the farmers will want to know where they stand on the Task Force on Agriculture.

SOME HON. MEMBERS: Hear, hear!

MR. BLAKENEY: — Farmers will want to know where they stand on the Lang grain stabilization program.

AN HON. MEMBER: — What's the Wheat Pool's stand?

MR. STEUART: — There will be a slight pause for station identification.

SOME HON. MEMBERS: Hear, hear!

MR. BLAKENEY: — Mr. Speaker, I think Members opposite were obviously partying last night and I think it's beginning to bother them a bit today. I thought I should give them an opportunity to blow off steam. Because I want to remind them that they will very soon need to do something more than blow off steam, to speak to the very needs of this Province. They are going to have to say why they haven't removed deterrent fees; they are going to have to say why they have dissipated our resources; they are going to have to say why they have not provided sufficient nursing homes . . .

MR. SPEAKER: — Order, order! I think if I heard the words correctly that came from the lips of the previous speaker, he mentioned the fact that this was to be the election issue. The Chair can hardly deny to others the right to raise other issues that might also be election issues.

SOME HON. MEMBERS: Hear, hear!

MR. BLAKENEY: — Mr. Speaker, I think Members opposite are suffering from a guilty conscience. If I were they, I should want to keep any mention of deterrent fees out of this House. If I were they, I wouldn't want to go to the people on the pulp mill Bill. They thought they did but now they don't want to.

SOME HON. MEMBERS: Hear, hear!

April 2, 1971

MR. BLAKENEY: — If I were they, I shouldn't want to go to the people on their farm policy. If I were they, I shouldn't want to face the acid test of population loss.

SOME HON. MEMBERS: Hear, hear!

MR. BLAKENEY: — If I were they, I shouldn't want to explain why there has been industrial stagnation, major depopulation and oppressive taxation.

SOME HON. MEMBERS: Hear, hear!

MR. BLAKENEY: — If I were they, I shouldn't want to explain why the number of people on welfare has gone up and up in this so-called affluent society. If I were they, I shouldn't want to explain why our health system is in near shambles. I shouldn't want to explain why education is the centre of strife. I shouldn't want to explain what they have done to this Province in seven years. But explain they must and the sooner the better . . .

SOME HON. MEMBERS: Hear, hear!

MR. BLAKENEY: — . . . and when the time comes for explanation, Mr. Speaker, I am extremely happy to know that the people of Saskatchewan will make the right decision and we shall be sitting on your right, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. W.E. SMISHEK (Regina North East): — Mr. Speaker, we welcome and accept the challenge the Premier has thrown out to us. We welcome the opportunity of fighting the next election, not just on a labor court proposition, but on all the issues which the people of Saskatchewan will want us to fight the next election on. Mr. Speaker, I submit that the issue in the next election is not going to be that of labor courts. The issue in the next election is going to be the failure of this Government to help the farmers of Saskatchewan; the issue in the next election is going to be that of massive unemployment created by this Government; the issue in the next election is going to be that of the mass exodus of people from Saskatchewan. Since the Government took office, 103,000 citizens have left our Province. I submit the people of Saskatchewan will want deterrent fees to be an issue in the next election, and the 1,477 taxes the Liberals have imposed, the mill rate increases because this Government has failed to provide sufficient monies to the school boards to keep municipal taxes down. I submit these are going to be the real issues. The giveaway of our resources. They said early in the session that the pulp mill would be the number one issue, then all of a sudden it is not the first issue but back down somewhere, the number ten issue. Mr. Speaker, they said when this House opened that the big issue was the pulp mill. In fact, the Premier imported Mr. Landegger a day after the session opened to supplement his Throne Speech because it was so empty of thought and ideas for dealing with the real issues of Saskatchewan.

Mr. Speaker, let me refer to some of the remarks that were made by the Premier. He made a number of allegations. Members opposite were pointing fingers at me and at my union. Mr. Speaker, if there was anybody beaten up, if there was any truck driver who was beaten up by any of our people, why didn't the employer, why didn't the truck driver, why didn't the Attorney General lay any charges? These are manufactured allegations. No one has suggested that this happened, outside of some newspaper advertisement. Why knows why the truck driver got beaten up. He might have had some friends with whom he might have had a quarrel and with whom he later got into a fight. To lay the blame on the strikers and on the union is totally unfair and is an untrue statement and I would suggest the Premier retract it.

SOME HON. MEMBERS: Hear, hear!

MR. SMISHEK: — Mr. Speaker, many suggestions of threats by the strikers were cast by the Premier. What about the threats against the strikers? Our people had such phone calls too. During a dispute tempers will rise and I can tell the Attorney General that one little charge was laid during the entire dispute. A person slipped because there was ice and grabbed an aerial of a passing car. The person offered to pay for the aerial but the particular person decided to lay a charge. Later, when the dispute was settled, the person involved did pay for the aerial that was broken and charges were dropped. That was the only incident, Mr. Speaker. Phone calls might have been made but the union has no control over a particular individual - it might have been people from outside making these kinds of calls. To place the blame on the union is unfair, is wrong and the Premier knows that.

Mr. Speaker, the Premier has suggested that collective bargaining is sick. Well, in the eyes of the person who has no respect for democratic process, who has no respect for free men to bargain freely, he would, as could be expected, allege that collective bargaining is sick. What other system is there? I invite the Hon. Member from Lakeview to express his views. Just a few years ago he talked about collective bargaining, talked about the advantages of collective bargaining, talked about the right of people to strike. He said that in a free society free men must be free to take the kind of action that is necessary. Today, he is applauding and advocating and supporting the idea of compulsion and of labor courts which nobody knows what they may be or do.

Mr. Speaker, the Hon. Leader of the Opposition has invited the Government to proceed with labor courts patterned after Sweden. Let me point out, Mr. Speaker, that under the Swedish system strikes are not outlawed. They are not outlawed and workers do have the right to strike. The Premier and others have made reference during this debate to Swedish labor courts leaving the impression that some compulsory judicial body exercises great power over industrial relations in that Socialist country and that strikes are prohibited. Well, Mr. Speaker, nothing can be further from the truth. The Swedish labor relations collective bargaining is singularly free from compulsory arbitration. Legislation enters only at four particular phases. It protects the right of association and negotiation on each side against certain measures by others who may violate those rights. It makes existing collective contracts enforceable

April 2, 1971

and compels adjudication of disputes over their interpretation and application only. It makes the intervention of a government mediator obligatory if parties cannot reach agreement in negotiations for a new agreement. It requires one week's notice of strikes or lockouts if mediation fails. This means, Mr. Speaker, that compulsion is limited to the interpretation and application of existing collective bargaining agreements. Although a mediator is required before negotiations on a new contract are abandoned, the mediator cannot enforce an agreement, he can only try to help the negotiating parties to find common ground. The right to strike and to resort to lockout and to final argument in the dispute over a new contract term is considered an essential part of the system of fair play in their collective bargaining procedures. Only cases of contract violation and disputes over the interpretation and application of collective bargaining agreements which cannot be settled by the parties concerned may be taken by either side to the special labor court.

Mr. Speaker, the composition of this seven-man court is interesting. The Swedish Employers' Confederation and the Swedish Trade Union Movement each choose two members. The other three members are drawn from outside, two of them are to be experienced judges. There is no appeal from the decision of the court and their decisions are pronounced generally quickly and one session normally is all that is required. Because of the balanced judgement, the balanced decisions and fair play on the part of this labor court in Sweden, the employers and labor have accepted the principle, and that kind of principle, we on this side of the House, are prepared to accept.

SOME HON. MEMBERS: Hear, hear!

MR. SMISHEK: — Mr. Speaker, since this Government opposite took office, one of their Members, either a private Member or the Government Member has, during every session of the Legislature, proposed either by resolution or other form, some restrictive labor legislation. The Hon. Member for Notukeu-Willowbunch (Mr. Hooker) considers himself to be a self-styled expert in the area of industrial relations. Year after year he proposes resolutions or makes speeches calling for the introduction of compulsory arbitration or some labor court which would prohibit labor from ever taking strike action regardless of the oppressive conditions the employees may be subjected to or the inadequate wages they may be employed for. The way he talks about labor unions or employee associations, if he had his way he would make them illegal and anyone who advocates that workers should have the right to free collective bargaining on matters of wages, hours and conditions of employment should be locked up in jail.

Mr. Speaker, the other day the Provincial Treasurer (Mr. Steuart) had this to say and I quote him:

We have been accused of an anti-labor bias but this is untrue.

Mr. Speaker, it is resolutions of this kind, it is the kind of speeches the Premier makes and the kind of speeches that have been made by other Members on the Government side that makes the Treasurer's statement something less than convincing. The fact

is that year after year this Government has been introducing more and more restrictive legislation. Mr. Speaker, let me make one thing clear. I am not saying that labor unions are perfect institutions or that they never make mistakes and are above criticism. That is not the case. Unions are organizations made up of people and they are fallible. Those who belong to unions are their sharpest critics and through the process of criticism, of trial and error, are always trying to improve their organizations to serve the best interest of the members they represent. The role of Government ought to be one of assisting labor and management to provide undisputable facts and expert services so that both labor and management can be helped in making better judgements. It should not be the objective of the Government to place labor and management in a strait jacket through restrictive labor laws or to make him irresponsible as proposed in the original resolution. Mr. Speaker, volumes of evidence can be introduced to show that to impose binding arbitration on labor and management is a totally wrong method of solving industrial disputes.

A free society ought not to subject any part of its population to conditions that are not freely acceptable. Mr. Speaker, conditions imposed on labor or management by a third party may work for a short time but on a long-term basis this system will break down and people will rebel against it.

Now the Hon. Member for Notukeu-Willowbunch (Mr. Hooker) showed his anti-labor bias even before he uttered a single word in support of his resolution. His resolution refers to industrial disputes as "labor disputes". By this he implies that strikes are always the fault of labor. His resolution renders management free of fault. It implies that management is somehow always innocent and labor is always guilty.

May I advise the Members opposite that in this province, this Government, since taking office, has been the cause of creating more strikes and has been guilty of making people go out on strike than any union or for that matter, any employers.

SOME HON. MEMBERS: Hear, hear!

MR. SMISHEK: — By posing the ridiculous wage freezes, wage guide lines and enacting restrictive legislation and bullying people around, often sticking in its nose where it should stay clear, it has been the cause of many strikes and much conflict that has prevailed in this Province in the last seven years.

Mr. Speaker, may I remind the Legislature that this Government, since taking office less than seven years ago, has established two committees on industrial relations. The first one was appointed in 1966 and called the Saskatchewan Labour Management Legislative Review Committee. Among other things, that committee said and let me quote:

The Committee was of the opinion that, as far as possible, labor negotiations should be left to management and trade unions to carry on with as little interference by the outside as possible.

It rejected compulsory arbitration and it rejected the idea of labor courts.

April 2, 1971

Mr. Speaker, in 1968 the Government again established a government committee, this time called the Labor Management Committee on the Construction Industry. This committee ended its report and let me quote again:

It is our conviction that after two years of review that there is no substitute for free collective bargaining. There should be no government compulsion in this process in the construction industry. The government has a role to play but the role during the contract negotiations is to provide the parties with efficient mediation machinery.

Again, Mr. Speaker, it rejected compulsory arbitration or any idea of compulsory labor courts. On the role of the Government, it had this to say and let me quote:

One point that becomes very evident throughout our inquiry was the fact that the Government funds expended to provide effective services to labor and management are a good investment. An efficient government labor relations service saves the industry, employees and, of course, ultimately the public, millions of dollars. In order to keep and obtain competent personnel, the Government must be prepared to compensate them on a basis that is compatible with private industry and other governments.

The committee went on in its report asking that the Provincial Government establish more effective research facilities. It recommended that more competent and the most efficient people be employed in the area of mediation and conciliation.

Mr. Speaker, on this question of competent and adequate staff, let us take a look at the present Department of Labour budget. Let's compare this with the year 1964-65 budget. What do we find? In 1964-65 the total budget for the Department of Labour for administration, research, labor relations, labor standards, apprenticeship and the women's bureau, amounted to \$684,000. The staff employed at that time was 78. Seven years later, Mr. Speaker, the budget of the Department of Labour in this area of administration, research, etc. is only \$797,000 and a staff of 69.

In the Department of Labour, over a period of seven years, the staff has been reduced by 13 per cent and the total budget has been increased by only 16 per cent. Mr. Speaker, during that same period, the total Government Budget has increased by 116 per cent from \$215 million to \$451 million. In the case of the Department of Labour the budget has increased by only 16 per cent. And they wonder and ask why the problem arises. This Government is not prepared to provide any services and to strengthen the Department of Labour in any way.

SOME HON. MEMBERS: Hear, hear!

MR. SMISHEK: — And of course, since 1964, the Department of Labour has had four different Deputy Ministers, Mr. Speaker. This is in a short period of seven years.

Earlier in the session I had said that the Department of Labour is weak. It is under-financed and under-staffed, particularly in the highly skilled positions. With the unfortunate

death of John Elchyson, the Chief Industrial Relations Officer, the Department of Labour is left with only one partly experienced conciliation officer.

Mr. Speaker, you can't run a good department when you don't have the staff and don't provide the money. Industrial relations have become highly skilled and highly technical. You need the most proficient and the most skilled staff. We need a strong research branch within the Department. But what do we find?

In 1964 there were five people employed in the Department doing research and seven years later only four people employed. The same story is repeated whether it is in the enforcement of the labor law, whether it is in conciliation services, either no increase or a reduction in staff.

Mr. Speaker, on the matter of the current dispute between the Brotherhood of Locomotive Engineers and the Railways, there have been a number of misinterpretations that have been put forward. Let me try and recapitulate the situation. As I understand from the reports, there are some 7,000 railway engineers, members of the Brotherhood of Locomotive Engineers. This union is proposing to take strike action even though some of them have been booking off work. Their agreement expired, in the case of those working for the Canadian Pacific Railway, on April 30, 1970. In the case of those working for the Canadian Pacific Railway the agreement expired on March 15, 1970. More than a year ago. In other words, they have been working without an agreement for more than one year. The union and the management had referred the dispute to a Board of Conciliation. The Board was not able to come up with a majority decision.

Quoting from the Globe and Mail of March 30th, this is what is reported:

Board Chairman, R.A. Gallagher of Winnipeg, appointed by the Federal Minister, Mr. Mackasey, suggested that the engineers receive pay increases of eight per cent for the first year and seven per cent in each of the succeeding two years for a three-year agreement. Mr. William Cox of Halifax, Board member appointed by the two railways, urged an increase of six and one-half per cent for the first year and seven per cent in each of the two remaining years.

Mark Lapointe, representing the union, named by the enginemen, recommended a 13 per cent increase in the first year and an additional nine per cent raise in the second year of a two-year agreement.

All three suggested that the wage settlement be retroactive to the expiry dates of the contracts.

The Brotherhood of Locomotive Engineers has never taken strike action since their organization was established in Canada. No one can accuse this organization of being strike-happy. Since their organization was established in this country they have never taken strike action. They are an independent union. They are not affiliated to the National Labour Centre or the Canadian Labour Congress.

If it is of any interest to Members opposite, none of their

April 2, 1971

local unions are affiliated to the New Democratic Party.

Mr. Speaker, the Federal Minister of Labour, Mr. Mackasey, has on several occasions stated that the men do have a just dispute. He said just yesterday the companies are in a financial position to make better wage offers than have been made so far. And also that the railway companies can make provision to meet many of the changes requested by the men in respect of the work conditions which are perhaps, the most vexing problems in this current dispute.

Despite the booking off work that has taken place, we are assured that so far no grain export sales have been lost. As of last night we heard reports that ships were loading at the port and have been loading during all this time and that there still are six million bushels of wheat in storage at the terminals according to the reports last night.

We also hear that as of Monday, export shipping will begin from the terminals at the Lakehead. Some 90 million bushels of wheat are on hand there. The companies and the union are bargaining with the assistance of the Federal Department of Labour staff including Mr. Mackasey.

Mr. Mackasey tells us that there is a real hope of settling this dispute before next Monday. We are also advised that the non-operating groups, some 56,000, reached settlement the night before last. Some of the issues that were in dispute there are also issues in the dispute with the enginemen. Seeing that the dispute there was resolved, there is some hope that those issues will be resolved much easier now.

Mr. Speaker, to quote the Hon. Mr. Marchand, Minister of Regional Development, when on another occasion in the case of a railway dispute pending in 1966, he had this to say:

It is a serious thing, but let us not lose our heads. There are also human rights and a government cannot do whatever it pleases. When one group is deprived of the right to strike, who will say where it will stop.

Let me remind this Legislature, that unions just don't jump carelessly into strike action every day. More than 95 per cent of collective agreements are settled peacefully without anyone hearing about them.

Mr. Speaker, the last dispute or strike affecting our farmers was the one in 1968, the Grain Handlers' strike. Let us remind ourselves of what the Hon. Mr. Olson, Minister of Agriculture had to say in respect of that dispute and I refer to the Leader-Post of September 9, 1968.

His chief concern was to dispel the idea that 100 per cent of the blame for the strike lay with the labor union. 50 per cent or more lies on the other side of the table, the companies. I think that it is erroneous for farmers and the general public to think that the labor union is the devil in this case. In my opinion it is not.

Mr. Speaker, for almost three years, Canada has been free of strikes affecting our farm people. May I ask how much grain has been sold during those three years? The fact is that the

farm crisis, the cash shortage, the export markets, were never lower than they were during that three year period, Mr. Speaker. Government Members during those three years sat passively and silently while our farmers were suffering and were having a tough time of making things go. At no time did the Members opposite raise their voices and exert pressure on the Federal Government to help the farmers of Saskatchewan during that three year period. But all of a sudden, when there is a dispute, they have become concerned about our farmers.

Well, Mr. Speaker, we are concerned about the farmers. We demonstrated this last Monday when the Hon. Leader of the Opposition (Mr. Blakeney) brought in a special resolution requesting this Legislature to unanimously approve a resolution to urge the Federal Government to take action.

SOME HON. MEMBERS: Hear, hear!

MR. SMISHEK: — Again, Mr. Speaker, today we sent a telegram urging the Government, the Prime Minister of Canada, to take action if necessary, if all other efforts fail, and we hope that they do not fail and we hope that the dispute will be resolved by Monday, but if need be, that the Federal Government will take legislative measures.

Mr. Speaker, much more can be said in this whole area. I merely want to make some references to the charges that have been made by Members opposite, that labor is always the cause for inflation and price increases. I want to make reference to a statement that was made recently by Anthony Amery, Chief Economist for Dupont of Canada, in answer to the allegations that labor is the cause of inflation. The Dupont Corporation officials have not been known to be particularly friendly to or to be defenders of labor. But Mr. Amery had this to say and let me quote:

The Government data show that since 1965 wages and salaries after taxes accounted for 45 per cent of price increases. While direct and indirect taxes have contributed 51 per cent.

If these figures are updated, one finds that for 1969 and for the first half of 1970, after tax, wages and salaries have contributed only 36 per cent to our inflation. Taxes have contributed 50 per cent, and that unit of output, labor costs, were in fact seven per cent lower than the year previous.

Mr. Speaker, in the month of January a report appeared in the Regina Leader-Post from the Organization for Economic Co-operation and Development. That report is a study of wages and profits on inflation in Canada. The report said that wage increases in Canada during the 1960s typically "lagged about three years behind advances in output and in profits". In 1968 alone, they point out, that per worker of output the average increase was four per cent, the same as the price increases, but profits during that period rose by about 17 per cent.

Mr. Speaker, it is interesting to note that just the other day a report shows that combined profits for Canada's largest seven banks were up 10.4 per cent for the fiscal year ending October 31, 1970 compared to the previous year. The assets of

April 2, 1971

these banks increased by 11.3 per cent. Look at the case of farm machinery and what has happened here. In the case of cost factors in farm machinery here are some facts. In 1962 the wage cost component was 30.2 per cent but by 1967 it had dropped to 20 per cent. On the other hand, profits during that same period increased from 12.6 per cent to 23.2 per cent. Materials also dropped from 58.8 per cent to 57.2 per cent. The same kind of story can be told in regard to automobiles. We find that in the automobile industry the average labor cost of manufacturing cars is about \$300 per unit, whereas profits of General Motors cars is about \$380 per unit. In other words, profits per car made by General Motors is about 30 per cent higher than is the cost of labor.

The same story can be told in the case of steel production. Here is what we find in a period 1957 to 1968 that productivity increased by 70 per cent in the steel industry. Wage costs went down by 30 per cent from \$30 to less than \$21 per ton of steel. Steel company profits, on the other hand, have tripled. The same thing is true in the case of the petroleum industry. Between 1961 and 1967 productivity increased by 40 per cent and wage costs went down about 8 per cent per barrel of oil. Industry profits, on the other hand, increased by 85 per cent.

You never hear the Members opposite ever refer to corporation profits and that they are the cause of inflation. They don't refer to rental increases as a major factor in inflation. The only people they are prepared to blame and the only people they do blame is labor.

Mr. Speaker, in conclusion let me say the amendment proposed by the Hon. Member from Touchwood (Mr. Meakes) does propose solutions to deal with industrial disputes, solutions that this Government has ignored and has not employed. The Government's only answer is a compulsive measure. Mr. Meakes' amendment calls for vigorous and improved mediation and conciliation, publicly assisted and encouraged management-labor consultation, on-going research and fact finding, identification of problems which lead to industrial strikes, the implementation of the Federal Woods Commission recommendations. Incidentally, that particular commission made special recommendations in regard to the so-called essential services. I am prepared to quote them but in an effort to try and save time, I commend the Woods Report to the study of the Members opposite. May I also suggest that in this Province much needs to be done in improvement of our labor standards which would minimize or help minimize industrial disputes. A rise in the minimum wage to \$1.75, a 40-hour work week, improved vacation and appointment of a fair labor relations board, would go a long way in helping both labor and management rather than have them in conflict.

Mr. Speaker, this brings me in conclusion to the second part of the amendment by the Hon. Member for Touchwood, namely, that the Government be asked to consider proposing to the Government of Canada the creation of a special committee representing the Saskatchewan and Federal Departments of Labour that would function and act in such a manner that management and labor disputes of particular importance to Saskatchewan such as disputes in the transportation and grain handling industries would, so far as possible, be avoided and in any event, without recourse, to compulsory arbitration.

Mr. Speaker, I believe the amendment proposed by the Hon. Member from Touchwood is an amendment which is fair and reasonable and deserves the full support of this Legislature.

SOME HON. MEMBERS: Hear, hear!

MR. D.V. HEALD (Attorney General): — Mr. Deputy Speaker, I wonder if by leave we could go to Government Orders for a few minutes. The Provincial Treasurer desires to move Interim Supply and His Honour will be here at 4:30. If we could, by leave, proceed to Government Orders and I shall call Committee of Finance and we shall come back to where we were on the agenda.

ROYAL ASSENT

At 4:30 o'clock p.m. His Honour the Lieutenant-Governor having entered the Chamber, took his seat upon the Throne and gave Royal Assent to the Bills presented to him.

The Assembly resumed the interrupted debate on Resolution No. 3 and the amendment thereto.

MR. J.E. BROCKELBANK (Saskatoon Mayfair): — I listened with interest this afternoon to the remarks that were made by the Premier. I think that some of the things which became quite evident when the Premier spoke were these. That he was using, on this particular resolution, an old speech that he had given many times before. It became obvious and has become increasingly obvious over the last short while that the Liberal Party is falling apart and only a thin veil is hanging around it. You can actually see through the veil. The Premier is looking for a scapegoat again. It wouldn't surprise me one bit, Mr. Speaker, if in fact, the Premier would call an election to save his political skin in the very near future.

The Premier said, "There is sickness in bargaining in Canada." Then he proceeded to cite names of some groups in the Province of Saskatchewan and asked the question, "Who would tolerate policemen and firemen going out on strike?" Well, Mr. Speaker, I think the Premier knows as well as you and I that the policemen and firemen in the Province of Saskatchewan have taken it upon themselves not to go on strike. Consequently, the charge was a hollow charge by the Premier. The Premier said the hospital employees may go on strike. Well, it is true the hospital employees did go on strike once in the Province of Saskatchewan, once, under a Liberal Government. The first time ever that hospital employees went on strike in the Province of Saskatchewan was under a Liberal Government. But there the Premier stopped short. He didn't say anything about doctors going on strike in the Province of Saskatchewan. His memory seemed to fail him there. There was no citation of doctors.

Now, the fact of the matter is that the Premier ranged far and wide to get examples to support his weak argument on this particular Resolution. He went to Montreal and came up with some examples of things that he alleges happened in Montreal and suggests that this is a really serious concern for the farmers of Saskatchewan. He talks about labor courts in Sweden in the same breath that he is talking about strikes and how labor courts can settle strikes. But the fact of the matter is

April 2, 1971

and as explained by a previous colleague, labor courts in Sweden really have nothing to do with settling strikes. Labor courts in the Swedish context are there for the purpose of settling a disagreement about the interpretation of an agreement once the agreement has been signed. It has nothing to do whatsoever with strikes. So the Premier misrepresented to this Chamber the matter of labor courts as they pertain to strikes in Sweden.

It is not unusual for the Premier to misrepresent in the Province of Saskatchewan especially when he is talking about labor and especially when he is talking about labor legislation that may call for regulations that are suggested in this particular Resolution.

The Premier has a particular method of approaching these problems. I think that it is set out quite well in an example that was cited by another person outside of this Chamber not too long ago. He cites what the Premier's policy is and it seems to fit very neatly into the policy that the Premier follows in this Chamber and outside this Chamber. This person stated:

The Premier believes in a policy of starting a battle with every conceivable group and then he makes up with them appearing to be a generous man. His continual battles with teachers, labor and the Federal Government have just been window dressing and attempts to turn one group against another to his own advantage.

That was a rather prominent person who said that, Mr. Speaker, and if the Members opposite want to know who the person is I shall be glad to tell them.

The Premier has talked about, and the Minister of Education (Mr. McIsaac) has talked about compulsory arbitration in another area. It is interesting to note that the Star Phoenix in its editorial page took a couple of opportunities to comment on the attitude of this Government towards compulsory arbitration in the other area of disagreement in the Province of Saskatchewan. The editorial concluded and this is of November 17, 1970.

Any compulsion involving teachers will be tolerated only in the short run. In the long run the electorate will reject such involvement of education in the political arena in a way that is disturbing to the whole school system and yet the Government forging ahead in this particular area.

In another editorial on September 17, 1970, entitled "Compulsion, The Last Straw", the editor had this to say:

To compel the teaching profession in salary matters would be the last straw in our free society.

I think, Mr. Speaker, when discussing the particular Resolution before us, we should make some observations which are really not that necessary but won't hurt the argument in this case. The employees form themselves together in unions to bargain for a number of conditions and wage levels. I came across an article that suggested from an authoritative source that there was some discrepancy between the profits and the wages in the society in which we live.

This is an article at the end of 1970 reporting from the Organization for Economic Co-operation and Development. The headline was "Wages Behind Profits Report". The Canadian Press article comes from Dateline Ottawa.

The Organization for Economic Co-operation and Development says in a special report published today that wage rates in Canada lag behind advances in production and profits by about three years. The OECD bases its projection about wages on a study of trends throughout the 1960s. It says the rate of wage increases in the early 1960s lingered behind the rate of real productivity growth and advances in corporate profits by about three years.

So you see, Mr. Speaker, there is a real reason why employees band themselves together in union organizations to better their conditions and to better their wage rates.

The Premier, when he spoke today, took the opportunity to ignore a lot of good advice that was offered by people in his own political party and a lot of good advice that was offered by commissions that his Government set up. These commissions reported to the Minister of Labour and I want to read the conclusion of this particular report to the House. This was the report of the Labor-Management Committee on the construction industry in 1968 and was referred to earlier in this debate. In its conclusion the report, in the last paragraph, has this statement.

It is our conviction after nearly two years of review that there is no substitute for free collective bargaining. There should be no government compulsion in this process in the construction industry. Government has a role to play but that role during contract negotiations is to provide the parties with effective mediation machinery.

This is a report of the Government's own commission that studied this particular matter.

In his remarks, the Premier attempts to categorize all union employees as difficult people to deal with, hard-hearted and with no concern for the public. It is interesting to note, Mr. Speaker, that when the dock workers were on strike at another time in 1969, this is what Mr. Mackasey, the Liberal Federal Minister of Labour had to say.

Labour Minister Bryce Mackasey called it a very unselfish gesture and praised Andrew Kotowich for his responsible attitude.

Andy is the president of the Vancouver unit of the International Longshoremens' and Warehousemens' union which had just announced July 31st that if its members went out on strike in the current labor-management dispute, they would continue to move wheat through the western port. Mr. Mackasey said that the unions' offer to continue to handle grain had been made voluntarily and without seeking promises or bargains.

The attitude that Mr. Mackasey met from the employers in that particular dock strike was quite a bit different, Mr. Speaker, and I think it might enlighten the Members of this

April 2, 1971

House and particularly the Minister of Agriculture (Mr. McFarlane) and the Attorney General (Mr. Heald). There are so few in the House, Mr. Speaker, that it is going to be difficult to get the message over there. They must be preparing for something. The Employers' Association in British Columbia at that time said that it was unfair for the union to continue loading wheat when the strike was on. This is reported and it is here for anyone that wants to check it, in an article in the Regina Leader-Post, September 26, 1969. The concluding paragraph in that article states:

The longshoremen have promised the Federal Government that they will continue handling grain during the strike, but the employers made no such commitment.

Employers made no such commitment, Mr. Speaker. Now it would be interesting to check what other authorities had to say on this matter of labor disputes and industrial disputes and interruptions.

AN HON. MEMBER: — Where is Mr. Hooker?

MR. BROCKELBANK: — Yes, I am surprised that the Member for Notukeu-Willowbunch (Mr. Hooker) is not here because he seems to be quite interested in labor relations. Oh, the Member for Saskatoon City Park-University (Mr. Charlebois) is taking notes for him. He is going to give him the notes when he comes in the door. Well, when he comes in the door, Mr. Junior Member from City Park-University, you tell him what I read to the House . . .

MR. CHARLEBOIS: — Tell him yourself.

MR. BROCKELBANK: — . . . from Mr. H. Carl Goldenberg. Now in case you don't know who Mr. H. Carl Goldenberg QC of Montreal is, he is a leading mediator and investigator of industrial disputes. This is an article, Mr. Speaker, from the Financial Post of Canada, April 5, 1969. In this article entitled "Why Workers Are Restless", Mr. Carl Goldenberg had this to say in the concluding two paragraphs.

The public must not be led to conclude that union leaders are strike happy. Nor should it be led to conclude that there is a cure-all for settling all industrial disputes without strikes or lockouts. It is sometimes suggested that compulsory arbitration should apply to all disputes. This means the denial of the right to strike which would be incompatible with our democratic system. To force men to work under conditions to which they object can only be justified in a democratic state by very exceptional circumstances.

I think that we have demonstrated quite clearly, Mr. Speaker, that there are some exceptional circumstances in specific individual cases and we are prepared to concede this.

The article goes on to state.

Compulsory arbitration is also incompatible with real collective bargaining. Neither side will make concessions which it is prepared to make if the final decision is likely to be made by a third party. Moreover, both labor and management are opposed to compulsion by a third party.

Finally, there is no certainty that compulsory arbitration will eliminate strikes.

I should appreciate it if someone were to relay that message to the person on that side of the House, from Mr. Carl Goldenberg who is a noted authority on investigation of industrial disputes and a noted labor mediator.

We have the impression on this side of the House that Mr. Mackasey who is the Federal Minister of Labour is making a true, real and legitimate attempt to settle this interruption of the flow of grain to our West Coast. I say, with caution, this interruption in the flow of grain to the West Coast because the Premier, in his remarks, made the assumption that this was actually a strike at this point. The strike has not been called and as a matter of fact, Mr. Mackasey has reason to believe, apparently, that the strike will not be called. A settlement will be reached prior to the strike being called.

SOME HON. MEMBERS: Hear, hear!

MR. BROCKELBANK: — There is hope that this Resolution, when it is passed, will aid and assist this particular situation.

Now I want to quote a final statement from Mr. Mackasey who is working hard to try and settle this interruption. On Government intervention in strikes he says:

I share the belief and for that matter, I am sure that labor and management both share the belief, that situations do occur where strikes are left to run too long and can do damage to the economy. Indeed, such strikes justify Government investigation. Make no mistake, I share that view and I have never hesitated to say so publicly. But Government intervention, even intervention that eliminates, if only momentarily, the rights of an individual or a group of individuals, must be taken after the most serious consideration and after the fullest possible debate in the House of Commons. Perhaps it is here that I disagree with other legislators in my belief that fundamental individual beliefs can be eroded or eliminated by jurisprudence. When, for instance, the day comes when the Government can eliminate or negate one of its laws by the stroke of a pen, by order-in-council, then what will prevent it in future years from negating other fundamental rights, perhaps in the field of religion, for instance.

Those are the words of the Minister of Labour, Mr. Bryce Mackasey.

I want to say, Mr. Speaker, that the debate on this particular Resolution that is before us has been unfortunate in some ways. The Government has demonstrated an anti-labor bias that it has held for some time. I should be quite interested, Mr. Speaker, before this debate is over at some future point to hear the Member for Elrose (Mr. Leith) speak to us about the Government's labor attitude. I am sure that he holds a very strong view on this and I would be quite interested in hearing him say something about the Government's anti-labor bias.

April 2, 1971

SOME HON. MEMBERS: Hear, hear!

MR. R. HEGGIE (Hanley): — Mr. Speaker, I should like to direct some remarks in reply to the speech made by the Member for Regina North East (Mr. Smishek) on Resolution No. 3 now before the House.

Mr. Smishek, among other things, said that organized labor and wage demands are blamed for all the labor unrest and high prices. He lays the blame at the door of large corporate profits. At one time this may have been the case, but in the light of present conditions, it is not profits but wages that are the real culprit in inflation.

We, on this side of the House, do not quarrel with a high wage scale and it has been proven over and over again that high wages generally bring prosperity to a lot of people. But there is no way that wages can keep spiralling by excessive wage demands each year and inflation be halted. The wage spiral has become so serious that the day of the large corporate profits appear to be over.

I heard an authoritative report last night that the day of the big supermarket profits are over. Dominion Stores do not expect to recover from their price cutting and discount battle with other supermarkets. In the last quarter total supermarket sales were up due to the discount war but the profits were almost wiped out. This situation does not only apply to supermarkets. I don't see any of my friends opposite shedding a tear for Rolls-Royce who after 70 years in business had to fold down due to one miscalculation on the jet engine for Lockheed. Where are the huge profits of Rolls-Royce? The fact that there were none and the company simply couldn't stand one financial setback is proof enough.

Everyone knows that the British Government had to come to the rescue of the company with public funds. What about Massey Ferguson? This company's profits are down so it will have to lay off more than 2,500 Canadian employees. All that I am pointing out is that where the labor sector takes a greater and greater share of the price of goods, profits shrink and there is no longer any point or incentive to the company to stay in business, let alone try to expand.

In other words, some other method of settling strikes and setting fair wages related to the cost of production has to be found. And labor courts stand as an interesting challenge for this Province to adopt.

SOME HON. MEMBERS: Hear, hear!

MR. W.J. BEREZOWSKY (Prince Albert East—Cumberland): — Mr. Speaker, in view of the new matters that have been brought up, I should like to adjourn the debate.

Debate adjourned.

MR. HEALD: — Mr. Speaker, I wonder if we now could revert back to Item 2, page 3, under Motions.

MR. SPEAKER: — The suggestion has been made that we, by leave, revert to Motions.

RESOLUTIONS

RESOLUTION NO. 11 - CRISIS IN HOG MARKETING

Mr. G.R. Bowerman (Shellbrook) moved, seconded by Mr. A. Thibault (Kinistino)

That this Assembly, recognizing the crisis in hog marketing by the drastically reduced hog prices, urge the Federal Government to review support prices for hogs under the Federal Livestock Marketing Program so that a realistic return based on costs will be assured to hog producers.

He said: There seems to be a fair amount of confusion going on in the House this afternoon and I wonder if it was the speech of the Premier that produced it.

Mr. Speaker, the Resolution which I propose to move this afternoon is of major importance and of obvious necessity to sustain farmers presently occupied in hog enterprise. It is unnecessary to debate it at any length, but rather briefly, to present the major considerations in order that all Members of this House may support it and give their unanimous efforts to it and that it might therefore be impressed upon the Federal Minister of Agriculture for his consideration.

Last year in this House, Mr. Speaker, I quoted a headline story from the Regina Leader-Post that was dated April 8, 1970. That headline was, "A Big Surplus Of Pork Is Predicted". It was a Canadian Press Report from the Alberta Hog Producers Marketing Board and I recall the Hon. Minister of Agriculture (Mr. McFarlane) having his little joke about the idea that anyone should be so naive as to make a prediction of that kind. He went on to say that Canada supplies such a small part of the North American hog market that it could hardly have any noticeable effect on the market. I suggest, Mr. Speaker, that we have as well, in this session of the Legislature, been hearing the Hon. Minister of Agriculture repeating those same statements. Perhaps for the benefit of the House I should read again what Mr. Richard Page the chairman of the Alberta Hog Marketing Board had to say in April of 1970. That's when we in Saskatchewan were riding rather high on granting Saskatchewan farmers money involving them in additional bank loans to build hog barns. It could be said, Mr. Speaker, that we were on the farm diversification binge. Mr. Page had this to say and I quote him.

North America may soon have a big surplus of pork. Surveys by Canadian economist indicate a 15 per cent increase in hog marketings with Western Canada well above that figure. Hog production in the United States was on the rise when the normal pattern called for a drop. Canadians could consume about 155,000 hogs a week and last week 165,000 were marketed. This is a foretaste of a bad situation later in the year. Heavy marketings cause prices to drop \$3 per hundred.

April 2, 1971

Mr. Speaker, I dealt with this same quotation in the House last year and as I said, the Hon. Minister of Agriculture had his opportunity and he made some remarks at that time. I have already indicated that he couldn't understand how a person would be so naive as to make a statement like that when really the hogs being produced in Canada couldn't have that much effect on the North American market. That was back in the good old days of April 1970. Back when hogs were selling for \$30 or \$35 per hundred. They were just beginning then, as the chairman of the Alberta Hog Producers Association was saying, they were just beginning their plunge downward.

Forgetting for a moment only the effects of this major decline, I want to ask the question, why is it that we were not advised by the Minister of Agriculture then, here in Saskatchewan, why is it that the people were at that time - those people who were seeking to build hog barns and coming to the Minister of Agriculture and his Department for guidance in undertaking hog production - why were they not advised? Why were there not some warnings given at that time, Mr. Minister of Agriculture, about the pending hazards of the market for hogs? Did the Minister know? I suggest the Minister didn't know or if he did, why didn't he indeed give some advice in order to slow down this operation in the Province? Certainly other informed people obviously knew. The people in Alberta, as I have already indicated, made their statement with regard to it. I now find in the Leader-Post of February 27, 1971, quotations from Mr. Allan D. McLeod who is a research co-ordinator for the Department of Agriculture and who is headlined as saying, and I quote, "Long-range Market Outlook For Hogs Dim". Mr. Speaker, after we have now involved many additional hog producers, hog farmers in the Province of Saskatchewan with additional debt for the construction of hog barns and hog production facilities, we now have an admission by the Department of Agriculture that the long-range outlook for the market of hogs is indeed dim.

MR. McFARLANE: — He's not with the Department of Agriculture.

MR. BOWERMAN: — That's what it says.

MR. McFARLANE: — I don't care what it says! He's not with the Department of Agriculture, A.D. McLeod. For your information he's with the Wheat Pool.

MR. BOWERMAN: — He's dealing with the long-range outlook for hogs. I quote the article from the Leader-Post of February 27, 1971, Mr. Speaker, for the information of the Minister.

Mr. Speaker, I want to bring to the information of this House, those hog prices which should be of interest to every Member of this House and particularly to the Minister of Agriculture. As of last Wednesday, dressed hog prices in Prince Albert were as low as \$19.15 per hundred. Here in Regina dressed hog prices were \$19.70 per hundred, while in Saskatoon they were back again at \$19.50 per hundred. That's not 20-cent hogs like my Hon. colleague from Redberry has so consistently said in the House this year, but in fact, it is 19-cent hogs that are being sold on the market today. During the last 12 week period 100 index hogs have averaged 21.53 cents per hundred weight. I

suggest to this House and to you, Mr. Speaker, that these truly are depression prices.

Let us take a look at what this means to the hog farmer in Saskatchewan. In fact, let's draw from the Department of Agriculture's own quotation in the "Outlook Of 1969", in the publication of 1969 - we could draw from the 1970 Outlook bulletin if we had one at the time. I draw some comparisons with today's prices, Mr. Speaker. If we turn to page 15 of the 1969 Outlook bulletin we find the page deals with two-litter hog enterprises. There is set forth the average price of all marketed hogs from 1963 to 1967 at \$28.00 per hundred weight. The average price of all marketed hogs in 1968 was \$27.60 per hundred weight. Then they set forth the estimated prices for 1969 going down to \$26.00 per hundred weight. Then they set forth in their estimates, Mr. Speaker, on the basis of \$26.00 per hundred that hogs of 150 pounds would yield \$40.00 per hog including an average of \$1.00 premium on that hog. Then they set forth the total expenses in feed, in marketing, in labor, interest and investments and so on. This totals \$30.00 per hog. Therefore, in the year 1969 the net return to labor was estimated at \$10.00 per hog. That means that in 1969, Mr. Speaker, it took an estimated 100 hogs to return \$1,000 net income to labor.

On the basis of today's 100-index hog prices using the same items of expense with a \$33 hog, it means that the farmer will have to increase his hog production from 100 to very nearly 300 hogs to return the same \$1,000 net income to labor. That, I suggest, is too much to expect in so short a period of time and it simply points up the extremity of the position which hog farmers find themselves in today and the timeliness of the Resolution which I am now about to move.

Mr. Speaker, under the special federal legislation of the Agricultural Stabilization Act, hogs are one of the nine commodities that are eligible for support prices. The Resolution I am about to move calls upon the Federal Government to review this legislation and to bring it more in line with the increased costs of production and the drastically reduced hog prices. At present this legislation sets a mandatory minimum base on a formula of 80 per cent of the average price taken from the previous ten years. For 1970, the working base for a ten-year average price is currently established at \$29.67 per hundred weight. Therefore, Mr. Speaker, this sets the mandatory minimum base at \$23.74 per hundred weight. I chose to call the Federal Department of Agriculture, Mr. Speaker, and my information from them is that the national price at Toronto, March 13, 1971 was 37 cents per hundred weight below the mandatory minimum base and that today it is still below an approximate 11 cents per hundred weight. I suggest then, Mr. Speaker, that this Government should be calling upon the Federal officials to implement the guarantee subsidy under the Agricultural Stabilization Act and that it should be going much further than this. It should be calling upon the Federal authorities to review the minimum mandatory price and raise that minimum price in view of the increased costs of production since the formula was originally set.

MR. McFARLANE: — Six months late . . .

MR. BOWERMAN: — Well, six months late! Nobody has received it as yet, Mr. Minister. Has anyone in this Province received it?

April 2, 1971

All right fine, we'll be happy if they have. Have you made representations to the Federal Government to have the floor price raised, Mr. Minister?

Let's take a moment to review the basis of the formula. 80 per cent of the average price for the previous ten years, that suggests, Mr. Speaker, that providing farmers have come through a ten year period of relatively low prices such as we are now experiencing, if they come through a period of time like that, then the guaranteed minimum price will be 80 per cent of the average low price. Then alternatively, if we come through a period of relatively good prices which the situation is at present, that is where a farmer with a hog enterprise must triple his production in order to return the same net income to labor, then I suggest, Mr. Speaker, that there is reason and logic enough for the Minister of Agriculture in this Province to be making representations on behalf of the hog farmers in this Province for a review of policy because of the cost of production in hogs and because of the price that we are now receiving for hogs. Therefore, Mr. Speaker, because I believe that this proposed Resolution this afternoon is of the importance which it is and because of its obvious necessity to sustain farmers that are presently occupied in the hog enterprise, I propose not to deal further with it, but I recommend it to all Members of the House and hope that they will give it their consideration. I now move this Resolution.

MR. M. BREKER (Humboldt): — Mr. Speaker, this Resolution is redundant. As a Member of the Government I spoke to a motion before it was even moved. If the Resolution was of such importance, it is odd that the mover almost forgot to move it. He says the Resolution is of such major importance. It's too bad he didn't consult with the Minister of Agriculture before he introduced it in the House because had he done this, he could have saved the Legislature considerable time. But when political gain - and it is the only reason for bringing in a resolution of this sort - then the result of any resolution or action that you could get from this Resolution is secondary. In this case, Mr. Speaker, the Government took action to increase the floor price. Almost three months ago we initiated action. I'll read for this House a letter dated December 10th to Mr. Olson from the Minister of Agriculture, Mr. McFarlane.

You will remember that at our meeting during the agricultural congress in late November we raised the matter of the agricultural price stabilization policy on pork. As you noted then, the mandatory support level is 80 per cent of the previous 10 year average and is based on the national weighted average price and that this makes a support level for the current year at \$23.74.

From this one can conclude as was noted at the meeting that there is no possibility of a deficiency payment in the current year. It appears that the price in Saskatchewan is running a good \$3 per hundred weight below the national weighted average and from this one would deduce that Saskatchewan prices next year would have to stay around the \$20 to \$21 level before even a minimum deficiency payment could be made.

We think that a support level of 80 per cent on a 10 year

average is inadequate. Therefore, I am asking now that this be reviewed and that consideration be given to either reducing the number of years' average or increasing the level of support to 90 per cent or 100 per cent of the 10 year average.

I just wanted to make comment that this Resolution is redundant.

SOME HON. MEMBERS: Hear, hear!

MR. A. THIBAUT (Kinistino): — I don't want to take too much time of the House but I want to say that I concur with the Member from Shellbrook (Mr. Bowerman) in many of the things that he has said but I certainly would hold him down as much as possible so that we don't delay the calling of that election.

What I should like to point out today is the predicament that many of our farmers find themselves in. They were told to go into hogs, they were told to build hog barns. They got a grant to build hog barns. I have nothing against giving them grants to improve their position. I also asked the Minister of Agriculture (Mr. McFarlane) in the House whether over-production could hurt and the answer was, "Oh, it could hurt the price a couple of cents," but that he wasn't afraid of that. I know the farmers wouldn't have been afraid of a couple of cents per pound, they could have lived through that, but now that they are into it, they have mortgaged themselves up to the gills and I am going to tell you that some are in a very desperate financial position just over building that hog barn. Now I think this is another example of very bad direction for the Government and another example of the Government not doing enough research on markets. Why couldn't the Minister see any further ahead? We have had too many of these. I call them intoxicated announcements, like grow more wheat and grow more hogs. I heard reference that the price was better than in 1943 when it was down to 15 cents a pound, 15.8 cents in 1943. In 1943 we produced 1.5 million hogs in this Province. Today, I believe if we come around 700,000 it would be a pretty close figure, just have half of the hogs that we produced in 1943. But when we look at the purchasing power of that 15 cents. With those 15 cents a pound hogs you were able to buy a 40 horse power tractor with 60 hogs. Today, you go and try and buy a 40 horse power tractor - you have to find 160 hogs. Now that is where the difference comes in. You take a look at the purchase of a 12 foot combine. In 1943 you could buy a 12 foot combine with 100 hogs. Today, in 1971, you have to come up with around \$8,000. In other words, you need 250 hogs to buy that same combine. Now going back to producing 60 hogs to buy a 40 horse power tractor, we used to do that in the straw pile, we didn't need a hog barn.

MR. STEUART: — What did you do in the straw pile?

MR. THIBAUT: — We raised hogs. I don't know what you were doing in the straw pile, but we raised hogs. Do you want anymore? I can tell you more. I just love that.

AN HON. MEMBER: — What was the name of the tractor?

MR. THIBAUT: — John Deere. It is a very durable tractor and you had to pay

April 2, 1971

somewhere around \$1,600 or \$2,000. I've been around the farm awhile and I know what I have been paying for tractors and combines and I know what it is to feed hogs. I know what it is to crush grain and haul the feed out, get them watered and get back home every day to see how things have gone. I know what farming is. But if you were to get the same price today, the purchasing power out of one hog today that you were getting in 1943, you would have to get about \$100 per hog to get the same purchasing power. It would be ridiculous to talk about \$100 a hog but actually that's what the purchasing power of a hog was in 1943.

Well, I hope that the Minister of Agriculture is paying attention because that's the only way the farmers figure it out when they want to buy something. They want to know how many bushels of wheat it will take to buy, they want to know how many hogs they've got to raise to buy a tractor. Forty, fifty, sixty hogs is easy enough for the ordinary farmer but when you have to raise 300 hogs to pay for a combine, it's getting to be pretty hard. I have a lot more to say so, Mr. Speaker, I beg leave to adjourn debate.

Debate adjourned.

SECOND READINGS

HON. D.G. MacLENNAN (Minister of Labour) moved second reading of Bill No. 57 - An Act to amend The Essential Services Emergency Act, 1966

He said: Mr. Speaker, in rising to move second reading to the Bill to amend The Essential Services Emergency Act, I have a number of comments to make. It has apparently been speculated, Mr. Speaker, that the proposed amendment to The Essential Services Emergency Act represents a controversial piece of legislation. The use of the term controversial implies a degree of opposition to the principles embodied in the Bill. In this connection I am wondering precisely who regards the amendments as controversial and for what reasons. To go, Mr. Speaker, to the subject, several years ago the old CCF party at one time started as an agrarian movement and in a desperate bid for finances and political support joined in an unholy shot-gun wedding with organized labor to form a new political party, the NDP. Since that time the people of Saskatchewan have defeated twice at the polls this labor dominated party. This has happened because the people of the province know that a labor dominated group such as the NDP do not represent the average citizen. The average citizen, Mr. Speaker, does not belong to a trade union. In my constituency they do not even make up five per cent or even close to that percentage of the vote. The NDP since 1966, Mr. Speaker, have many times opposed publicly the principles advocated in this Bill. The people of Saskatchewan are aware of this. They are also aware and are concerned about the consequence of strikes and slow downs. Mr. Speaker, today across my desk have come three telegrams. Two of them were sent to the Member for Watrous (Mr. Schmeiser), and one reads:

We, the Town Council of Watrous, do hereby strongly protest the railway going on strike. The economy here will be seriously affected by lack of movement of grain and potash and by the many potash workers who will be laid off.

This telegram is an example of their concern and it is signed by the Mayor and Council of Watrous. Another one that the Member for Watrous received reads this way.

We, the Mayor and Council of the village of Viscount strongly protest the impending rail strike. It will mean a large number of people in this area will be unemployed especially our potash workers. We request that you do everything in your power to bring a quick end to this strike.

MR. W.G. DAVIES (Moose Jaw South): — On the point of order, Mr. Speaker, I don't want to disturb the fulminations of my friend the Minister of Labour but he is introducing a Bill which has to do with unions under Saskatchewan jurisdiction and he is talking about the rail strike which has nothing to do with our jurisdiction and over which this Government has no control whatsoever. I think this is just going a bit too far.

MR. MacLENNAN: — Mr. Speaker, I should like to speak to the point of order raised by the Member for Moose Jaw. I mentioned earlier in my remarks before I referred to either of the telegrams that the people of Saskatchewan are concerned about the consequences of strikes and I am using these telegrams as an example to illustrate how concerned they are.

MR. DAVIES: — On the point of order, Mr. Speaker, I wish you would adjudicate. The Minister here is, I suggest, strictly bound by the contents of the Bill that he brings to this Legislature. He is not now speaking to a wide-ranging resolution and as a Minister of Labour responsible to the people of this province he should observe these rules.

MR. D.V. HEALD (Attorney General): — On the point of order, I can appreciate the undue sensitivity of the Member from Moose Jaw South, as a matter of fact, the undue sensitivity of all the Members opposite whenever we get talking about strikes. But surely anything about strikes and the attitude of the people of Saskatchewan can be debated in this Legislature and that's what the Minister is talking about.

HON. D.T. McFARLANE (Minister of Agriculture): — The point of order as taken by the Attorney General was well taken. We can all appreciate the sensitivity of the Member for Moose Jaw South because after all he is a program director for a union in this province that has done nothing but disrupt the economy of the province over the years. So I suggest, Mr. Speaker, that the Member be allowed to proceed.

MR. SPEAKER: — May I draw the attention of all Hon. Members to the fact that throughout the years, rightly or wrongly, it may very well be argued wrongly, although I could take the opposite position and say that it could be argued rightly, the Chair has always given the widest possible interpretation to the meaning of the word relevancy, in the interest of freedom of speech. I wish to quote from Beauchesne, Citation 119, subsection 3, because the point of order that has just been raised by the Member for

April 2, 1971

Moose Jaw South appears to me to boil down to a matter of relevancy upon which subject Beauchesne has this to say.

Relevancy is not easy to define. A wrong comprehension of it may have a serious effect on the freedom of speech. Members are often deprived of their right to speak on the pretext that their remarks are irrelevant when, as a matter of fact, they have referred to matters perhaps remote but yet related even indirectly to the question under debate. In borderline cases the Member should be given the benefit of the doubt. A great deal of latitude must be allowed in the House of Commons which is a forum where every phase of public affairs can be discussed and every Member has the right to be heard even if in so doing he sometimes disregards the rigidity of procedure.

I hardly think that any Members that sit to my left can complain about any degree of rigidity that I may ever have imposed upon them.

MR. DAVIES: — I want to allow my friend every room for doubt.

MR. MacLENNAN: — Mr. Speaker, in reference to the concern displayed by the people of Saskatchewan I want to read the telegram that I just referred to.

We, the Mayor and Council of the village of Viscount strongly protest the impending rail strike. It will mean a large number of people in this area will be unemployed especially our potash workers. We request that you do everything in your power to bring a quick end to this strike. The village of Viscount.

I received a telegram, Mr. Speaker, and it reads.

We wish to draw attention to the disastrous effects on Lanigan and Saskatchewan of the curtailment of potash and grain movement out of the Prairie region. Hope you will lend your attempts to the grave problem and use the power of your office to affect a solution to the dispute between union and management in view of the imminent layoffs in potash if the restriction on rail movement persists.

It is signed by A. Greves, Mayor of Lanigan.

SOME HON. MEMBERS: Hear, hear!

MR. MacLENNAN: — Mr. Speaker, the people of this province are concerned and they have always been concerned and they have every reason to be concerned about the consequences of slow downs and strikes. They are aware of the many attempts made by organized labor to defeat the Government. They know, Mr. Speaker, that the NDP have promised in their announced platform to throw out Bill 2 if they are elected. Mr. Speaker, I am delighted that they still feel this way. It does not come as a surprise, Mr. Speaker, if the Members opposite vote against this Bill because tonight, just tonight, I heard on the six o'clock news how the Saskatchewan Federation of Labour is raising thousands of dollars to throw into this coming election campaign on behalf of the Members

opposite to defeat this Government and repeal this Bill.

SOME HON. MEMBERS: Hear, hear!

MR. MacLENNAN: — We also heard, Mr. Speaker, tonight how they are going to throw union organizers into this campaign to work against Liberal candidates in the coming election.

Mr. Speaker, I welcome the union organizers into my seat and I'm sure the Member for Kerrobert-Kindersley (Mr. Howes) would welcome them. The Member for Athabasca (Mr. Guy) will welcome them. The Member for Bengough (Mr. Mitchell) will welcome them. Every Member on this side of the House, Mr. Speaker, will welcome them. The people, Mr. Speaker, will not be fooled, union organizers or no union organizers. I'm looking forward, Mr. Speaker, to watching and hearing the Members opposite wiggle and waggle and fence sit in the debate on this Bill. Will the Member for Kelsey (Mr. Messer) - and I'm sorry he is not in his seat - use union organizers? Will the Member for Cut Knife (Mr. Kwasnica), Shellbrook (Mr. Bowerman), Melville (Mr. Kowalchuk), Kinistino (Mr. Thibault), use union organizers? Will the Member for Touchwood (Mr. Meakes) use union organizers and union funds? Will the Member who is taking his seat, the Member for Swift Current (Mr. Wood)? Yes, of course, Mr. Speaker, they will use union funds and union organizers. They always have. Can the farm constituents in their constituencies trust them to act in their best interest? No, of course not, Mr. Speaker.

Mr. Speaker, after the election, this side of the House will be filled to the point of over-flowing with Liberal Party Members.

SOME HON. MEMBERS: Hear, hear!

MR. MacLENNAN: — Mr. Speaker, we are looking with great anticipation to fight an election on any point. We had it mentioned earlier or perhaps I read or heard remarks where people say we have to go to Sweden for an issue. Well, I want to inform them we will fight this issue or any issue in rural Saskatchewan, in urban Saskatchewan, with the greatest of confidence.

Mr. Speaker, I find it hard to believe that the members of the general public consider the legislation to be controversial because in the final analysis it is designed to protect their best interests. It would be difficult to understand why three quarters of the employees not in unions should be opposed to the Bill because they are not affected by its provisions. I would have to be convinced by somebody that all union members are against the amendment, inasmuch as the majority of them have never been involved in strikes and, accordingly, they too are not affected. Even in the case of organized workers who have been on strike, there is plenty of evidence to indicate that the majority will welcome this kind of legislation.

SOME HON. MEMBERS: Hear, hear!

MR. MacLENNAN: — These employees do not want to go on strike and have been forced to take drastic action of this nature against their better judgement. In whose eyes, then, is the Bill an evil and repressive statute. I suggest, Mr. Speaker, that the only objections are emanating from a mere handful of politically motivated

April 2, 1971

individuals who are seizing on this excuse to further their narrow, selfish objectives. What arguments are advanced by these people to support their contention that legislation of the kind before us is ill-conceived and harmful? Well, Mr. Speaker, they maintain that the enactment of this Bill would result in an infringement of individual rights, specifically, the right to strike.

Since we have chosen the democratic form of government as the most appropriate form for our society and since our democratic constitution guarantees us certain freedoms and rights, the right to strike appears to be consistent with our true national ideals. In most instances this is so. When, however, circumstances are such that the freedom of a majority of citizens are endangered by the exercise, on the part of a small minority, of their freedoms, it is the duty and responsibility of the Government to take action to protect the welfare of the majority.

SOME HON. MEMBERS: Hear, hear!

MR. MacLENNAN: — This implies a restriction of the right to strike by means of compulsory arbitration. Thus, in times of emergency, strikes and lockouts may be made illegal because all sections of the community including labor unions and employers suffer from the impact of the work stoppage. In a truly democratic state freedom is a relative principle. No man is absolutely free to do as he chooses. People living in organized communities give up certain freedoms in order to enjoy the advantages of civilization. The exercise of rights also involves responsibility, the responsibility to see that the other man is free to exercise his own individual rights.

SOME HON. MEMBERS: Hear, hear!

MR. MacLENNAN: — We simply cannot allow a handful of people to violate the rights and jeopardize the well being of the whole community. The timing, of course, is accidental, but surely there could be no more dramatic moment to introduce this amendment than now when the entire economy of the nation is threatened because a few engineers have decided to stop operating our railway transportation system.

The present Bill is a reflection of the Government's responsibility to take necessary action to protect the rights and welfare of all segments of our society. Surely, Mr. Speaker, no one in all honesty will question the duty of the Government to take steps to ensure that essential services will not be denied to the community.

SOME HON. MEMBERS: Hear, hear!

MR. MacLENNAN: — It is the responsibility of the Government to foresee emergencies threatening the public welfare and to deal with them.

The Essential Services Emergency Act, in fact, functions as a safety device, like flood gates on a river. I hope it is never used again but it will be instantly available when needed to prevent a labor dispute from spilling over to the other sectors of the economy and devastating the good life we and our forebearers have so carefully developed and preserved.

Actually, compulsory arbitration is an increasingly popular and effective procedure. It is provided for now in many collective bargaining agreements. Unions and employers frequently request it to resolve their difficulties. Compulsory arbitration provides a fair and equitable solution to labor-management disputes.

A union has even asked the Government to invoke the provisions of The Essential Services Emergency Act to settle a strike which implies that the union felt reasonably certain that this action would be to their advantage.

The Bill under consideration contains a number of important amendments to The Essential Services Emergency Act which will provide the machinery to prevent prolonged work stoppages in any essential service and which will also ensure the implementation of arbitration settlements. In its amended form the Act will make provision for the cessation of a strike or lockout and the settlement of the dispute by a Board of Arbitration in any situation which is deemed by the Lieutenant-Governor-in-Council to constitute a state of emergency. To achieve this aim, the amendment broadens the definition of the term "employer" subject to the Act to encompass all employers as defined in The Trade Union Act, specifically including the Government of Saskatchewan and the municipal bodies responsible for the maintenance of police forces and fire departments. Similarly, the definition of "employee" has been extended to cover all persons in the employ of an employer, including the members of the police forces and fire departments. Particular reference has been made to policemen and firemen to ensure that they will be governed by the provisions of The Essential Services Emergency Act. This will remove the problem caused by the existence of clauses in The Urban Municipalities Act and The Fire Department Platoon Act to the effect that arbitration is binding on policemen and firemen, respectively, only if the Local Union Constitution prohibits a strike. The need to make certain that police and fire departments are covered by The Essential Services Emergency Act is obvious. The events which took place in Montreal a year ago or so, when the Montreal Police Force went on strike, are too vivid in our minds to be easily forgotten. It is known that in at least one Saskatchewan city an attempt is being made to delete the "no strike" clause from the Police Union Constitution. The thought of a strike, legal or otherwise, in a police department or a fire department is difficult to accept and one which I am sure, Mr. Speaker, would be rejected by every reasonably minded person.

SOME HON. MEMBERS: Hear, hear!

MR. MacLENNAN: — Such a strike, Mr. Speaker, would create a very serious emergency and lives and property would be placed in severe jeopardy. Another clause of this Bill spells out in greater detail the definition of the term "lockout".

This change is designed to cover all aspects of lockouts and to ensure that the Act applies to the actions of employees and employers in labor disputes fairly and equally. This clause should eliminate some of the previous objections of the Members opposite.

At the special session of the Legislature held in June, 1970, a new section of the Act was passed which empowered the

April 2, 1971

Lieutenant-Governor-in-Council to declare an emergency where a state of emergency was deemed to exist in specific circumstances and activities stated in the Act. The present Bill substitutes a new provision of a more general nature under which the emergency is described as one which places the public interest or welfare in jeopardy. Any labor dispute which meets this criterion will accordingly be subject to the Act.

Another provision of the amendment will make possible the arbitration of a number of disputes by a single arbitration board. The requirement that arbitration board chairmen be judges will be eliminated. The judges simply do not have the time and other arrangements will have to be made. A new and far-reaching clause proposes to prohibit from carrying on business an employer who fails to implement within 30 days an arbitration decision. If the employer continues his business activity, the Attorney General may apply to commit the employer for contempt of court.

The penalty sections of the Act will be amended to include penalties for employers and directors of companies for refusal to put into effect arbitration decisions or orders to cease business activity. This change is intended to make both employees and employers responsible to the public interest. It must be clearly understood that where the welfare of the community at large is endangered, selfish interests must become subordinate to the general good of the community. The existence of The Essential Services Emergency Act does not imply that labor is entirely to blame for impasses in negotiations. Management must also bear its responsibility for the failure of negotiators to reach a mutually acceptable agreement.

The sole purpose of this Act, Mr. Speaker, is to facilitate a reasonable settlement of labor disputes. The right to collective bargaining continues as before and the legislation does not take away that right. It simply provides for the resolving of problems caused by the collapse of negotiations in services affecting the public welfare without interrupting the service itself.

SOME HON. MEMBERS: Hear, hear!

MR. MacLENNAN: — The introduction of this Bill is a reflection of the Government's concern over the serious and continuing effects of strikes on our economy, concern for the striking employees and their families whose income is abruptly cut off for the duration of the work stoppage, concern for the employer whose loss of business hits him in the pocketbook, concern for the workers and businesses not directly involved but who nevertheless suffer in terms of layoffs attributable to the strike in a number of indirect ways, concern for the economy which is weakened by decreases in spending power, reductions in production and the potentially permanent loss of markets, and concern, Mr. Speaker, for the members of the general public who, to a growing extent, are forced to accept hardships and inconvenience in the face of work interruptions for which they are not responsible and are helpless to prevent.

SOME HON. MEMBERS: Hear, hear!

MR. W.G. DAVIES (Moose Jaw South): — Mr. Speaker, in rising this evening, I must first of all say that I had not expected that this Bill would be introduced today arising from the conversation that I had with the Hon. Attorney General (Mr. Heald) the other day. However, I am not making any complaint and I am going to have a good deal to say about the remarks of my friend, the Minister of Labour (Mr. MacLennan). I am sure other Members in this House, especially on this side, will have something to say as well.

My first comments, Mr. Speaker, must be that if ever there was an indication in any Legislature of this country that a piece of legislation was introduced for a narrow, political purpose it was illustrated in the remarks of the Minister of Labour when he introduced this Bill this evening. And you may cat-call and you may do everything else similarly but you will not stop me from saying what I have to say this evening.

SOME HON. MEMBERS: Hear, hear!

MR. DAVIES: — There is no other reason, Mr. Speaker, for this Bill to be before us except for the narrow and miserable interests of the Liberal Party of this province.

SOME HON. MEMBERS: Hear, hear!

MR. DAVIES: — I had to listen with restraint to my friend expressing his concern. Somebody - I think it is my friend the Deputy Premier - is so fond of using the word sanctimonious - or is it my friend the Minister of Mineral Resources (Mr. Cameron)? I hesitate to say that this description would apply to the Minister of Labour; I could think of some other adjective or noun or adverb. But in any case there is no question that his remarks in connection with his concern is unctuousness in the extreme. Concern for what? For the employees whom he says suffer loss of pay during a strike? I notice he did not read any telegrams to us here this evening from members of the trade unions advising him that he should bring this legislation before this House.

Talking about the state of the economy, Mr. Speaker, the state of the economy of this province was never worse than it is under this Government.

SOME HON. MEMBERS: Hear, hear!

MR. DAVIES: — And, Mr. Minister of Labour, who should be bringing before us tonight some measures to alleviate the problems of the workers, brings us a strait-jacket for labor. Why does he not express his concern for the depressed economy of this province and for the working people of this province by some genuine measures? Mr. Speaker, this is now the 2nd of April; it is now 32 or 33 days since this House started sitting. What did we hear then? A message that one of the things that the Government was going to do was to increase the minimum wage. Here we are 32 days later and our friend, the Premier, would like to give us the idea that we are on the verge of dissolution. There hasn't been one announcement from the Government about the minimum wage. Where is their avowed concern for the working people of this province? I am exercised in the extreme to hear

April 2, 1971

the Minister of Labour who is responsible for doing something for the employees bringing in a Bill before us of this kind, to talk about the economy of this province, to talk about how business is going to be affected. I want to say this to the Minister of Labour, that had he even been concerned about the economy of the province in terms of the business people, that we should have seen action from his Department long before this. The only . . .

SOME HON. MEMBERS: Hear, hear!

MR. DAVIES: — . . . piece of legislation that we have before us at this time that has to do with labor in a tangible way is this collective state piece of legislation presented by the Minister of Labour tonight.

SOME HON. MEMBERS: Hear, hear!

MR. DAVIES: — In an apparent state of repentance, I really don't know, we see the Minister has given notice on the Order Paper that there is going to be at long last something done in connection with The Labour Standards Act and The Workmen's Compensation Act. I don't expect very much in that connection, but it is apparent that the Minister of Labour realizes that his Department has been so bankrupt throughout this entire session and in addition to bringing forward this restrictive and depressive piece of legislation, he must at least also give notice of some other legislation that may be of some minor benefit for labor people in this province.

He talks about the public and hardships and inconveniences to the public. Mr. Speaker, I say that the public has suffered incomparable inconvenience and hardship during the last year because of the sins of omission and commission of this Liberal Government.

SOME HON. MEMBERS: Hear, hear!

MR. DAVIES: — A 50 per cent increase in the number unemployed. Over \$1 billion lost to this province because of unemployment because of the numbers of people who have had to leave this province and for other reasons.

MR. ESTEY: — Because of strikes!

MR. DAVIES: — And if the Minister, the corporation lawyer, wants to enter this debate, let him do so. I know that he is a man of great courage even if, at times, I can't understand what he is talking about, as of now.

When the Minister of Labour entered this debate he spent at least three quarters of his time, not talking about the Bill, but in dealing with every extraneous piece of material that he could lay his hands on such as his remarks when he spoke about the Brotherhood of Locomotive Engineers and all their alleged iniquities.

Mr. Speaker, the Minister of Labour well knows, as he sits

in his place, that this legislation will not do one single thing towards returning the Brotherhood of Locomotive Engineers to their jobs because they are under Federal legislation. I asked a question of him the other day in this House. What has his Department done in a positive way about working with the Federal Department of Labour to prevent a dispute of this kind arising at the Coast? He reported nothing whatsoever.

All that these people on your right can do, Mr. Speaker, is to use the issue of labour, concerning the majority of our Saskatchewan population, as a political gambit. I say that they should be deeply ashamed.

I heard the Minister of Labour this evening talk about his theory of democracy, talk about how handfuls of people cannot violate rights in a democracy. Mr. Speaker, and I feel that you will appreciate what I am going to say, that a democracy above all is not only about the rights of a majority of people at any given point in time. A democracy in our sense is one that protects the rights of minorities. That is what our democracy means. And that is precisely what this Bill does not do.

My friend, the Minister of Labour, when he entered the debate this evening, talked about the Bill that we have before us as though it was Bill 2 that was introduced in 1966. He did exactly that. He talked, in several places, about this Bill being essential, essential for the right of a public in terms of various kinds of workers. Of course, what he has done by his amendment this evening, is completely change the whole nature of the legislation that his Government introduced in 1966. What we have is no longer an Essential Services Emergency Act. It is an Act that dragoons, that circumscribes, and in that, it strait-jackets every worker in this province.

SOME HON. MEMBERS: Hear, hear!

MR. DAVIES: — Let him not talk about essential services. I want to tell my friend, the corporation lawyer, as he has been termed by others, that he can enter this debate if he likes. And if he has something useful to contribute I shall listen to him and ask him at this point to listen to me.

SOME HON. MEMBERS: Hear, hear!

MR. DAVIES: — I am very, very disturbed indeed when I hear the Minister of Labour talk about selfish interest being subordinate to the interest of the community. The people who participate in work stoppages are people just like he and I. They are people who have their troubles by virtue of their place in our society. Like the locomotive engineers, like the retail workers, if you like. And I add this, because somewhere in the news I heard something about the retail-wholesale workers in my own community who were on strike last year. I did my level best in that particular dispute to try and do what I could to solve it. To the credit of this particular union, they offered voluntary arbitration of their dispute before their strike ever started. It is a mystery to me how people on your side of the House, Mr. Minister of Labour, can make that kind of a situation an argument for this Bill. Where a group of people have asked for arbitration and have had it refused and then to have this used in

April 2, 1971

argument to justify the propositions in the Bill that we have before us this evening is peculiar indeed.

I think I heard in the discourse of the Minister of Labour this evening only one comment that could be construed as indicating that he has some sympathy or understanding for the problems of the working people. I say again, these are the majority of the people of this province. They are the majority. Check your records if you do not believe me. He said that labor is not entirely to blame. On this one sentence occurring in his whole diatribe against labor. I say labor, not organized labor, because I believe that organized labor in this country has been responsible for more reforms, but everybody, organized or unorganized wage earners, are more numerous than any other group or any other institution in this country.

SOME HON. MEMBERS: Hear, hear!

MR. DAVIES: — I notice, also, that the Minister has made reference, Mr. Speaker, to policemen and firemen. I wonder why? I don't know of one case in this province where we have had a strike of policemen and firemen. As a matter of fact, the fire fighters have had in their constitution a clause that states that they will go to arbitration on any dispute. This has been in their constitution for a matter of 50 or 60 years. And if there has been any cause for them to change their attitude, it has been because people with whom they have had to deal have made it difficult for them even to exercise their rights even in this moderate situation.

I also say, respecting policemen, that we have had in The City Act for probably 15 years, Mr. Attorney General (Mr. Heald), a clause that states that policemen may or may not go to arbitration. This is voluntarism. With this voluntarism there has never been a case where policemen have gone on strike. The point that I am getting at is that there has never been a dispute in this province where policemen have gone on strike. I say to my friend, Mr. Estey, that none of the police associations in this province, indeed in most provinces, are affiliated with the main stream of organized labor. They are independent organizations. The Minister raised that question here this evening in the kind of context that makes his arguments completely meaningless.

When I hear the Minister of Labour urge a Bill that has to do with the Saskatchewan jurisdiction, which means that it has to do only with the jurisdiction of the province, only to those organizations or managements and labor that come within the prerogative of the province, it makes me wonder again why the Liberal Party has introduced this Bill at this time. Take his example about the entire economy of the nation endangered by a few engineers. Again, I point out that this kind of dispute will not be settled by this type of Bill. It must be settled Federally by his colleagues the Liberals in the Federal House of Commons and in charge of the Government of this country.

I suspect that they know a little bit more about what goes on in that connection. I suspect that they have looked at the whole area. I suspect that they must know that the Brotherhood of Locomotive Engineers is a body that was formed about 1886 in the United States, that was formed in Canada a few years later and that there has never been a time in the entire history of

the Brotherhood of Locomotive Engineers in Canada that they have been engaged in a labor strike.

I want to emphasize this - no strikes for almost one hundred years, as my colleague from Moose Jaw has pointed out. I want to suggest also that they are not on strike yet. There is a withdrawal of services in terms of the rules of work that are in the contract of the engineers. But the situation has not yet come to a point where it cannot be saved and with the efforts of people like - I say this with some respect especially after the discussion we have heard initially this evening - Mr. Mackasey of the House of Commons. Therefore, I have hope that the situation may yet be salvaged without further danger either to economy of this province or any other part of this country. I mention this for only one reason, that is, to show that there never has been any such acknowledgement from the Minister of Labour or the Premier or the Deputy Premier, about the history of the Brotherhood of Locomotive Engineers and the honorable record that they have in the labor relations of this country.

I am afraid that the Bill that we have before us comes not only because of the fact that they are engaged in a political manoeuvre of monstrous proportions but because they do not have one person who understands what it is like to work in an industry today as a wage earner and to have to endure what goes on in that kind of an environment. They cannot understand that a trade union is an honorable institution and is part of our democratic family. Ever since unions began they have enlarged the whole concept of our democratic institutions. There was a time after the Reform Bills, Mr. Speaker, when we had a type of political democracy but where in the great mills and industrial organizations of Canada and of the United States the worker was virtually a serf. It took 50 or 60 years of great struggle even for the most elementary rights to be established.

I want to make it clear to this House and above all to those who may be listening, that what we are talking about today is not a Bill that brings compulsory arbitration for a group of trade union workers in the midst of a sort of general hysteria. We are talking about the curtailment of democratic rights.

SOME HON. MEMBERS: Hear, hear!

MR. DAVIES: — I have always thought that - and this was the way it seemed to me when I worked in a packing plant - that I gained not just the right to improve my wages and my working conditions and to get some kind of improvement in vacations and all the other things that had to do with my conditions of work, the thing that meant the most to me and to the thousands of people who organized with me at that time, was the fact that for the first occasion we should have the right of democracy on the job as opposed to the authoritarian rule of management that decreed everything on the basis not always of common sense but often on how well they regarded the person at any point in time.

And that to me is still one of the most important things. I regard trade unions not as institutions to enlarge the wage dollar but as institutions that gain for working people in their total experience and gain for our whole democracy and its enlargement. That is the concept of the trade union movement of this country and the United States. We shall have its decriers,

April 2, 1971

we shall have people who don't recognize it, we shall have our Hoffas, we shall have a few other individuals, I suppose, who don't see this view. The thing that I picture to this House, Mr. Speaker, has been the idea, the simple force of the trade union movement in North America ever since 1886. I say that this legislation will not only curtail but will paralyze that type of development. That is what most bothers me about it.

My friend the Minister of Municipal Affairs (Mr. Guy) asks am I going to vote for it? I say never, never, never, for all the reasons that I have given and for a few more that I am going to give here this evening. I say this to the Minister, that he and his party will live to regret the kind of exercise that they have conducted during the past seven years . . .

SOME HON. MEMBERS: Hear, hear!

MR. DAVIES: — . . . during which there has not been one solid, positive, genuine approach for working people in this province. You know we can make speeches and sometimes these speeches accord with the popular feeling and often hysteria of the times. I may sometimes have been guilty of it myself but I have tried not to do it. I have always tried to talk in terms of what will be good for next year or the year after.

I say to you people on the other side of the House that you will live to regret what is a temporary advantage perhaps, but which will ultimately be a disaster for the Liberal Party of this province.

SOME HON. MEMBERS: Hear, hear!

MR. DAVIES: — I want again to point out that my friend the Minister of Labour (Mr. MacLennan) has been talking about this Bill that is before us this evening as a Bill that affects strikes affecting the public welfare.

I don't know anybody who knows anything about labor relations in this country, Mr. Speaker, who would make a statement of that kind without weighing well his words. Because it has always been thought when one talks about arbitration which is certainly a drastic remedy and compulsory arbitration which is a very grave drastic and questionable remedy indeed, that this should apply only in cases of the utmost public stringency. And, of course, the Bill that we now deal with doesn't treat with the classes of disputes that it covered in 1966 nor with the additions of 1970. This Bill strait-jackets every labor union and every employer with whom a trade union has to deal, every employee and every employer in Saskatchewan. There is no question about it.

I suggest that the Minister of Labour simply does not comprehend the kind of a time bomb that he has in his hands. He has not realized that he is dealing with a Bill that removes the rights of collective bargaining from every organized workman in this province and the employers with whom those organized workmen have to deal. That is the nub of the Bill that we have before us this evening. Because we have, after all, had a considerable debate about the conditions of 1966. Last year when the construction workers were brought under the same Act we debated that extension. Unless we understand that in this Bill is

presented a situation that nullifies collective bargaining in this province we don't know what this Bill is all about. I heard the Premier and I heard the Minister of Labour this evening say blithely that collective bargaining will continue, that collective bargaining will not be strait-jacketed. There is no reason why collective bargaining, I think the Minister of Labour said this evening, should not continue and flourish in spite of the Bill. Again I say, Mr. Speaker, that no one could make a statement of that kind who understands even an iota of the processes of collective bargaining.

SOME HON. MEMBERS: Hear, hear!

MR. DAVIES: — The first thing to understand about collective bargaining is that you cannot have a theory or a process of collective bargaining unless you have the right to strike. Because this is perhaps the main reason why many employers are prepared to deal with trade unions because they know in the ultimate that unless they deal honestly and deal fairly that the right to strike remains. Since when has the withdrawal of a person's services individually been regarded as a bad thing in a democracy? Why is it bad when people choose to do it collectively? Why is this regarded as a bad thing in a democracy?

But returning, so I do not digress too much, to the institution of collective bargaining, Mr. Speaker, I want to say as a person who has had considerable experience in this whole field for a long time, that you cannot have the progression of collective bargaining, you cannot have a continuance of all the complete essence of and good that lies within the process. I feel that everyone in this House must admit that there is a great deal of good that will be lost unless the right to strike is accorded.

If somehow there had been a tremendous number of excesses in labor disputes that had taken place in this province, if there had been a complete lack of responsibility, if trade union people had forgotten their heritage and forgotten their place in the community, if what had taken place, simply put, justified this Bill, I could discuss it with a little less heat and a little less passion.

But look at our record. My friend, the new Minister of Public Works (Mr. Coderre) across from me, two years ago said very frankly, I think in defence of his Department, "In Saskatchewan one-twelfth of the number of man-days lost, the rate of man-days lost in Saskatchewan obtained with respect and in comparison with the Dominion rate." One-twelfth!

Now, agreed that last year in 1970 this situation had changed somewhat. But the fact is that throughout the years the trade union movement of Saskatchewan has displayed the utmost responsibility. I don't care whether the Minister of Labour or some other Members on the other side of the House tell me about some exceptions that don't conform to the rule. I am saying that the record is that people have conducted themselves with the greatest of responsibility in the trade union movement of this province. Over the years, throughout all the years that I have been associated with the trade union movement, there haven't been above two per cent of the number of contracts in this Province of Saskatchewan affected by strikes.

April 2, 1971

There are about 600 trade union agreements in Saskatchewan. It is a little hard to get an exact percentage, I'll grant you, but some are negotiated by the year, some biennially, a few, a very few for a three year period. Last year, Mr. Minister of Labour, I think there were about 11 disputes that resulted in a work stoppage. Now I ask you, Mr. Speaker, what kind of logic actuates legislation in this House on the basis of 11 disputes out of 600 contracts?

SOME HON. MEMBERS: Hear, hear!

MR. DAVIES: — If there was ever an example to prove the point, that this legislation before us is for base political purposes, it is in that statistic.

Last year, we lost about 54,000 man-days due to strikes in this province. In my opinion and in the opinion of a good many other people (and some of them are Liberals who are friends of mine), that figure would have been less than half had it not been for the provocation and the bumbling handling of labor disputes by the Government of this province.

SOME HON. MEMBERS: Hear, hear!

MR. DAVIES: — I keep on hearing that labor disputes are caused by politicians in the labor movement. It makes me a little bitter because I suppose most of my life I have been trying to achieve the opposite. Notwithstanding that, about three out of four of the lost days time took place last year in a trade union area that never, never in the history of this province has favored one political party. I am talking about the construction trades.

I have no doubt whatsoever that, any ordinary intelligent handling of the construction workers' dispute last year would have resulted in an agreement early in the game. But the provocation of the Government beginning with their remarks and their attitude through the Premier, if I may say so, in regard to the Centre of the Arts and carrying on from there, carried on in a chain reaction that led to that 54,000 man-day loss figure, the largest in the history of our province. My dear friend, Mr. Smishek, is quite right when he says that in seven years of Liberal Government we lost more time due to strikes than in the entire period of CCF Government from 1944 to 1964, 20 years. Because collective bargaining means - if you are going to encourage that institution - that government has to serve the parties in dispute. This is what they do in Sweden, by the way. It serves the parties by an intelligent use of mediation, conciliation, production of information, the affording of facilities, and so forth. It can be done and it has been done; we did it in this province. We were successful in developing one thing in Saskatchewan that had not been to that point elaborated anywhere else in the country up to 1964. That was voluntary conciliation.

Your Government, Mr. Deputy Premier, enjoyed some of the benefits thereafter in our development of the principle of voluntary conciliation. Not by the formal conciliation board, not by the requirement by legislation that you had to go through legal periods of cooling off, but that someone should anticipate disputes sufficiently in advance, that before disputes progressed to a point where they were disputes. But most of all because I

must freely admit that process had never been properly developed even in Saskatchewan through the development of an informal approach to the parties in dispute. Whatever the case, it worked. Whatever the case and you can look at the Department of Labour reports for verification, we had, for many years, in this province, at least from 1944 to 1964, a record of labor peace that was not enjoyed anywhere else in the country where more repressive labor legislation existed.

SOME HON. MEMBERS: Hear, hear!

MR. DAVIES: — If there has been a change in that situation during the last seven years it has been because of the fact that this Government has not understood the requirements of a good Labour Department, has not reinforced conciliation and mediation, has not done those things that encourage the expansion of collective bargaining, the enlargement within the democratic sphere of our understanding of collective bargaining as a part of the fabric of modern democracy. Now we haven't progressed in that direction at all.

Mr. Speaker, I became a member of the Saskatchewan Regional War Labour Board and the Saskatchewan Labour Relations Board in 1943. I was on that board for three years. I was on the Saskatchewan Labor Relations Board thereafter from 1945 to 1956. I have been on probably as many conciliation and arbitration boards as any labor man in this province. I understand a little, at least, of what I am talking about. I say that the process of give and take, the process of agreement is basic to our democracy. After all, you can say what you want about laws. You can have a law which demands of people that which some people don't want to do. I suppose in some measure, this is true about laws. Mr. Speaker, no law can demand of the people to whom it applies something that is contrary to the interests of most of them because that type of legislation cannot succeed. I have said that in this House before and I want to emphasize it again. I say this to the Minister of Labour because I think the Minister of Labour may want to perform well in his office and may be interested in those things that will make him perform well. I emphasize as earnestly as I can, Mr. Speaker, that collective bargaining is not simply an instrument that isolates itself from everything else in our society. It is something that has developed out of a need to provide a safety valve for working people who have to have an outlet for their grievances. Collective bargaining has evolved as a means, if you like it in simple words, of preventing violence in our society. Because if there is anything we try to do in a democracy, it is to do that which will do enough for everybody so that violence will become unnecessary.

I know a little about the Province of Quebec - perhaps not as much as I should, but I know a great many very sincere, very good people there including working people. I don't often make myself understood with them - I am not talking about the language, I am talking about attitude - but I can tell you that one of the reasons why there have been the monumental social explosions in the Province of Quebec over the past decade and a half is because our social and legislative institutions have not kept pace with the demand, because the people there have not been provided with the means of making reforms within the social structure. That is the reason why a few people in some instances are capable of

April 2, 1971

exciting a great many others.

We have to provide means. One of these means in our society is trade unions, Mr. Speaker. I listened many times and I am prepared to take my licks and take my lumps as everybody else because everybody has to do it in politics, but I listened many times to the things that have been said in this House about organized labor and trade union bosses. All I can say is that I should not want to represent a trade unionist as a plaster saint. I believe that on the whole they are as good or better than any other wage earner in this country. I believe a little social examination will show you that they are good citizens. When it comes down to who sits on a community body to raise money for the local United Appeal, when it comes down to choosing a representative on whatever body that has good purposes in Saskatchewan, you cannot choose someone from an amorphous body of wage earners. One goes to organized labor.

I regret very much that in this House on the Government side there has never been this kind of acknowledgement. This legislation, a continuance of the legislation of 1966 and 1970 is the kiss of death for this development. It should be withdrawn if only because of what it will do to the institutions that have so long and so strongly stood for working people.

All I have ever heard discussed by my Liberal friends when they deal with trade unions is how trade unions have cleaved to one political party in the last 10 or 15 years. There is really nothing very strange about that if you know something about the history of organized labor because since 1892 there have been movements of political protest through political parties by trade unionists - many of them, by the way, became Liberals.

To digress, I want to point out to the Liberal Members of this House that the first Premier of this province, Premier Walter Scott, would turn over in his grave tonight were he to view the kind of legislation that we have before us. Because it was in this very building when some of the anti-union, non-union employers of the day tried to outwit and coerce their employees, Scott came out in their defence and did that which required the employers of an essentially non-union contractor to recognize their rights and to observe some responsibility in terms of decent wages and working conditions.

There is a great deal more that could be said about what we are discussing this evening. I don't suppose I am going to make any converts when I speak to my friends opposite. But I am honest - I don't intend to be campaigning in the next election whenever that may be and perhaps that will make my words more altruistic. I am honest in saying them, that in the long haul, unless you can change your stance and your position on labor, that you are going to go down in history in this province as one of the most reactionary governments this province has ever had.

SOME HON. MEMBERS: Hear, hear!

MR. DAVIES: — I want to return to the whole business of why the legislation is before us. The former Minister of Labour said one-twelfth of the time loss rate in this province exists here

compared to other provinces. Why then this legislation? Was it because of the construction workers strike of last year? I confess that strikes may be an inconvenience and I certainly concede that last year's construction strike actuated, I claim, in large part of by the Government, was more than inconvenience. Certainly it was not that the construction trades tried to inconvenience the Government. The strike took place, why? Because for a matter of 25 years, and I know whereof I speak, there has been a rough parity of wages on the Prairies between constructions. What the strike was all about was the construction workers trying to re-establish that parity that had formerly existed. They were prevented from doing so by the action of the Government. Not only by the introduction of legislation but by reason of the fact that the Government threatened employers, that if they concluded agreements they would not get contracts from the Government.

This, I think, in a whole discussion of this matter was the most reprehensible. It may be bad where a government says, "Well, we are going to have to bring in arbitration, this is an essential dispute," - and it's anybody's judgement perhaps at that point - but where they, first of all, form the arbitration board and name it, then have the Attorney General go before the board and tell them not to make any wage increases, that's interference plus and that plus is perhaps the main part of the argument that we speak about this evening. I suggest this to the Government, that they would be wise if they would withdraw this Bill.

With the expenditure of very little money and with the expenditure of not much more effort, with the expenditure of a little thought and a little imagination, the Government could transform the situation that exists in this province. We do not have a crisis in this province that justifies the Bill we have before us. But if, in the opinion of the Government, there is a crisis or a crisis might develop, why in the best interests of the province will you not do that which will increase consultation between employers and employees and permit them to do that which will help prevent disputes that may be appearing in our midst. Even a Conservative Government - and they are not supposed to be liberal in the small "l" sense - did this in Nova Scotia 10 or 12 years ago. They had some conspicuous success for a time while they observed the essence of the consultation principle.

What will this do? What will you do, Mr. former Minister of Labour, by this legislation? You are going to emasculate completely collective bargaining. I said a little while ago that the Minister of Labour and his colleagues simply do not understand that the main structure of collective bargaining is the ultimate right to strike. If you take out of that framework the right to strike then collective bargaining becomes a sham, becomes a hollow mockery that cannot function adequately. This is what this Bill will do.

Now let us consider some of the other implications. If this Government insists on covering every single unionist by the dreadful fabric of this Bill, the next steps are inexorable, they have to be taken because of the horrible logic of their position. Engineers, doctors, lawyers, Mr. Attorney General, all the professions which up to now have been able to get by without this kind of legislation, will soon have to be embraced by some

April 2, 1971

similar procedure. Why should they not be? As my friend, the Leader of the Opposition, has so ably pointed out and as I know myself from personal experience, the only clause of Lord Taylor's proposals in 1962 that was found objectionable to the doctors was the requirement of compulsory arbitration in the Saskatoon agreement. This, from the doctors, not from the Government. We had not proposed it; it had been proposed by Lord Taylor. We, my colleagues and myself, were glad to withdraw that objection at that time and there has never been any reason since to suppose that we needed to use that sort of procedure.

Make no mistake, Mr. Speaker, if this Government does this to the hundreds of thousands of wage earners in this province, it must follow that they will have to do it in other parts of the society. Managers and owners of companies are also affected. Think of this. At the moment most decisions are made undemocratically in companies, not even by their boards of directors but by their managers, who represent them. Shareholders rarely, if ever, are called upon to decide what should be done with reference to negotiations with labor or to take any other decision that happens to involve the rights of management or the disposition of the business.

Make no mistake, if you take this kind of a step, you will eventually have to take one as far as the corporate decisions of management are concerned. It might be argued that this is sometimes socially advisable. I think you could argue that proposition far more with respect to companies than you could with unions. But it is a direction that is indicated by the step that you are taking this evening with this Bill. It is not a part of our way of life and of the social, economic and political machinery in which we live and in which we generally get along. That is why I say again that what you are doing now must lead inexorably, unalterably to those additional processes.

Mr. Speaker, I have to say this also, that this Bill brings, in my opinion, to a full circle the whole right wing Liberal strategy on labor. As I intimated not so long ago, the Bill before us takes us out of the area of so-called emergency services legislation, Mr. Minister of Labour, the law this Bill seeks to amend plunges labor and employer relations into a dark and total envelopment of compulsion.

May I digress to say also, Mr. Speaker, that this is the philosophy and an action of despair. Because no Government in the democratic world should regard this means as the ultimate especially when it has never pursued all other alternatives that have been suggested to it by so many people including those with expertise. May I point out as part of this and my friend in his remarks earlier this afternoon on another matter also pointed to it, that this Government has never been advised by any commission that it has set up on labor of the correctness of the procedure of the Bill that we now have before us. In fact, Mr. Speaker, both the Leslie Commission of 1966 and the Committee on Labor-Management Relations in the Construction Industry of 1969 were emphatic in stating that this kind of Bill is a role that this Government should not pursue. So that is doing what you are doing, you are pursuing a wilful road, is a wrong road, one that has not been suggested by the best informants that you could select during your term of office to study the matter. But you know, these investigations are comparatively small.

The biggest investigation that was ever pursued in this country was through the Woods' Commission which reported some two years ago. The Woods' Commission spent probably \$1 million and I think it was well spent. I don't believe there is a Member on the Government side of the House who could not but agree with me when I said that each of the Commission had a great deal of experience, knowledge, imagination and prestige among his fellows. It was to their credit that they adjudicated not just within the periphery of Federal labor legislation but realized that whatever they did had an effect on Provincial labor legislation. My friend, the present Minister of Public Works knows what I am talking about. The Commission sent their emissaries every where in the country, to each of the provinces, to the Department of Labour, to employers, to organized employees, trying to ascertain their views, trying to determine, more important than that perhaps, the labor-management situation that existed in each province. After all of the accumulation of evidence came its assimilation into the Woods' Commission Report.

I recommend this report again to the Members of this House. It's a long document. I haven't read it thoroughly myself, I must confess. For one example, they did an examination of Australian arbitration as one of their side studies. There is no doubt about their conclusions. Compulsory arbitration is cast aside completely by the Woods' Commission. Moreover, and perhaps this may prove to explain some of the differences of opinion which are going backwards and forwards, most in a non-parliamentary way, Mr. Speaker, this afternoon, about what they were saying on arbitration. They talked about what is done to some extent in Sweden, that is, voluntary, non-compulsory arbitration. But, in any case, they put arbitration away down the line and what they really said was what Mr. Mackasey, the present Federal Minister of Labour is saying, that we are having troubles because we are not looking after our knitting in the Labour Departments of this country. We are starving the Labour Departments for funds for research for people and in consequence we are not getting the kind of a job that we need to get done. As a matter of fact, if you think of how little we have spent on labor relations in Saskatchewan and what a tremendous harvest of good relations have been garnered, it's a wonder that the message has not been clearer before.

To get back directly to the Woods' Commission, it recommended a whole range of solutions in disputes and they were a range of solutions demonstrated on the basis of experiences that worked. They were not talking out of the blue about solutions. If we in this House were to spend our time profitably this evening by analyzing recommendations that were made by that Commission so as to apply them to the Saskatchewan locale, we should be doing something useful. There is no doubt, Mr. Speaker, there is no doubt whatsoever, that the Woods' Commission would come solidly down against the Bill that we have before us this evening. Because if there is one thing that the Commission underlined, it was that a dispute creating a temporary inconvenience is no reason to apply forced or compulsory procedures for settlement.

When the Woods' Commission discussed arbitration they said that, in their opinion, there should never be a compulsory process until the Parliament of Canada had met to decide the course that was necessary. I want to point out that people on the Woods' Commission were made up of what were probably some of the

April 2, 1971

finest minds on labor relations in the country. They had no axe to grind, they had dealt actively in labor disputes across the country, they had a far greater experience than ourselves because, of course, most disputes take place where there is more industry as in provinces like Ontario and Quebec and British Columbia. So what we have before us runs diametrically opposite not only to the advice of the commissions that have been set up by the Liberal Government since 1964, but they are opposed in theory and in practice to everything that has been recommended by anybody delivering a study on labor relations in the last three decades in this country. This is why I say that you are monumentally wrong in bringing this Bill before us. Some might say that I am wasting my time here this evening because you are doing this for solely political purposes, because this happens to be your good election issue, and everything that your Government is doing points to you doing it for precisely that reason. So I suppose that I am trying to appeal with as much intelligence as I have to as much intelligence as you have. Perhaps you will not listen to me but if you will not, perhaps my words will be listened to outside of this House.

I should say this to you, Mr. Attorney General, that I think that in your heart of hearts you agree with me. And I think that you who may be on the verge of accession to one of the large courts of this country will discover the truth of what I am saying later if you don't realize it now. But you, the Government, would be doing yourselves a great service if you would withdraw this Bill.

It's so very difficult to figure out what you really do want. A few months ago you were talking about labor courts being brought into this session. The next we hear, via the media, quite profusely that there will be a great Liberal study on labor courts everywhere in the country. The next thing we see is a resolution in this House saying, "let's have labor courts without a study." Now we have more Bill 2 which essentially inflicts upon us all of the evils of compulsory arbitration and we are also promised some kind of a labour court. All of this is done without any study, without any preliminary general information through a committee of this House. There is no question in my mind that it is being done because some people think that this issue is going to buy farm votes.

I may be wrong. I haven't, for many years, worked on a farm, but I do come from farming parents. My people came to this country as farmers and I still have a fair contact with many farm people. I think you do them a disservice if you think that they are incapable of intelligently analyzing some of the issues. I am not sure that they are going to be stampeded and become hysterical and forget the main questions that have to do with their economy and their interests simply because you wave the red flag of labor disputes or something similar to distract their attention from other real problems.

So I have to say again, Mr. Speaker, that the outstanding feature in this Bill must be the real Liberal intent. I have to say that Saskatchewan Liberals have chosen to proceed as they are doing not to improve labor legislation and not to provide a better way of life. I have heard this phrase from the Premier this afternoon and again from the Minister of Labour when he was speaking on this Bill - to provide a better way. But to use wage earners and especially those who belong to trade unions, as pawns is a narrow and reprehensible political game.

I say that however long it may take for this to reveal itself to Saskatchewan citizens, I think the outcome is absolutely certain. Eventually this mean and shabby purpose of the Liberal Party will become plain to everybody in Saskatchewan. I say again, at the risk of repetition, that the reputation of the Liberal Party will never recover from this and its fortunes will decline to the extent that they may never again form a government in this province.

SOME HON. MEMBERS: Hear, hear!

MR. DAVIES: — Mr. Speaker, because of the nature of the debates in this House on a number of associated matters, some facts I suppose, have become obvious to even my friend, the Deputy Premier (Mr. Steuart). Whatever the case, I quite frequently try to provide the House with information based on the real situation that affects management-labor relations. I know that there are some people on the other side of the House who understand something about this such as my friend, the Attorney General (Mr. Heald), and my friend the Minister of Mineral Resources (Mr. Cameron). I don't want to thresh old straw again. I think we have probably done this continuously during the debates in this session. But some of the aspects bear repeating.

This Bill was introduced during a period of fear and anxiety that is generated by a labor dispute utterly removed from the jurisdiction of the Saskatchewan Government. The Liberal Party evidently wants to use this atmosphere in an attempt to show that Bill No. 57 is needed in Saskatchewan. And, this is the main issue that he will carry to the voters and which Liberals will carry to the voters in the next Provincial election.

MR. STEUART: — You better believe it!

MR. DAVIES: — And the Deputy Premier says, "You better believe it." That I say is an utterance, Mr. Deputy Premier, of despair and it is certainly an utterance of complete irresponsibility.

Mr. Speaker, suppose we leave aside for the moment every argument of those who oppose this kind of unwise and undesirable law. Let us suppose that the Liberals use their majority in this House to pass and to implement this Bill. I am told that they will and I have no doubt that they will. What will this do for the largest part of our population? I want to say again to you people who never do anything for these people - the wage and salary earners - what will this do for them?

MR. CHARLEBOIS: — Don't talk to me that way, Bill, you . . .

MR. DAVIES: — I want to say, Mr. Speaker, to Mr. Charlebois that I am not talking exclusively to him and at some other time I shall be glad to do so, but in the meantime, he can contain his choler and perhaps hope to enter the debate at some appropriate moment.

Mr. Speaker, I say to you and to the Members of this House that this Bill will not create one hour of employment. Because

April 2, 1971

if tough labor laws make employment, Saskatchewan should be the best off province in Canada. But everybody knows that the exact opposite is true because over the last seven years we have seen a melancholy migration of workers to other parts of Canada from Saskatchewan, 100,000 people and more. That is three times the population of Moose Jaw city which I have the privilege of representing in this House.

MR. MacDOUGALL: — . . . Moose Jaw?

MR. DAVIES: — I say this to the Member for Souris-Estevan that Moose Jaw fortunately will be there when he is long since gone. Mr. Speaker, will the massive compulsion that is contained in this Bill improve wages? Again, the answer must be that if wage parity between Saskatchewan and Manitoba and Alberta as compared to the rest of Canada as a whole has suffered as badly as we know it has suffered during the past seven years, it is altogether logical to believe that workers' earnings are bound to deteriorate even more sharply with the total compulsion that is contained in this Bill. There is no question about that.

Mr. Speaker, this Bill will do nothing, absolutely nothing to make work, to improve pay, to improve the parity of our Saskatchewan workers with the workers of Manitoba and Alberta. Mr. Speaker, how often have I sat in this House when the Premier was the Leader of the Opposition and he shouted to the skies, he literally shrieked about the loss of Saskatchewan population. He used to say - not only that the acid test was in terms of population - how well the people of Alberta were doing. How well the workers in Alberta were doing in terms of wages. Here we are seven years later. We lag behind Manitoba which we led slightly at that time. As a matter of fact, we are \$13 behind the workers of Alberta in average weekly wages. In 1964 our weekly wage was less than \$5 below the workers of Alberta. So that in terms of the criticisms that were uttered by the Premier in those days we are now far worse off. If anything should prevent the Liberal Party from receiving workers' support it is their utter failure to provide the kind of parity and jobs that the Premier said he would provide when his party was in power.

The Liberal Party has done absolutely nothing in any real terms at least, Mr. Minister of Labour, to improve hours of work, vacations with pay, safety in industry, or the general welfare of workmen in this province. In the first Liberal Government of this Province, Premier Walter Scott was a typographical worker . . .

MR. GUY: — What year was that?

MR. DAVIES: — If my friend from Athabasca does not know that the Province originated in 1905, I have some sympathy for him.

MR. GUY: — Oh, is that what you are talking about? I know that you are behind schedule but I didn't think you were that far back.

MR. DAVIES: — Well, I should always hope that I were ahead of you in any case.

Premier Scott in those days did advocate better labor legislation and had to advocate it when there wasn't much yet across the country. When I think about your predecessors who called themselves Liberals perhaps with some reason, but look at you now, calling yourselves Liberals, I wonder how you can justify that appellation.

MR. STEUART: — Middle of the roaders . . .

MR. DAVIES: — Middle of the roaders? Well, if it is in the middle of the road there must be a ditch in the middle of that road.

You see, Mr. Speaker, it's one thing for a government not to implement better labor standards and not to help workers by bettering legislation. That, after all, is what you might call simple neglect. I think that every Saskatchewan MLA stands indicted on that charge here this evening. But it is a deadly serious thing for a government to shackle the means by which a worker undertakes collective bargaining so that employees can gain improvements for themselves. This is another thing entirely. It is absolutely, literally impossible to avoid the conclusion, Mr. Speaker, that this Liberal Government by this Bill is instituting a type of corporate state in which it will control the means by which any improvements whatsoever for wage earners can be achieved.

I say, make no mistake about it. Bill 2, by placing the naming of the chairman of an arbitration board in the hands of the Government and not a truly independent authority, makes such a board immediately subject to a charge of bias and partiality. Not since the bad, old days of the 18th and 19th centuries have we seen the like of this Bill. After all, then a strike was illegal. Anyone who went on strike and participated in one in those days was subject to a very heavy penalty. But how much have things changed? Because by this Bill we return to the unhappy and dark places in history of the 18th and 19th centuries. Any worker on the job today can now be fined \$1,000 for every day, not just for participating in a strike in defiance of this Liberal Government, but for merely talking about strike action. For just speaking about strike action in defiance of the Government any workmen in this province can be subject to a fine of \$1,000 a day.

I notice as a sop in this Bill that the Minister of Labour and his colleagues are now going to make an employer subject to the same charges except, of course, for one great difference. If one takes a corporation with 2,500 shareholders and one manager and if there was a violation for one day, the cost would not be spread over all the shareholders, it would only be a fine on the corporate institution, not the one individual. I am sure the Minister of Labour must well realize this.

I have this evening perhaps gone into some fields that have offended some of the front ranks of the Government benches. I had not hoped to try and convince the Minister of Municipal Affairs (Mr. Guy) - that would be far too great a project for me - or anyone else I suspect on the other side of this House. I want to say that we have had introduced this evening a Bill which was initiated because of another dispute - the rail dispute - which may never take place. We were told that this Bill wouldn't be debated until Monday but we were forced into this debate today

April 2, 1971

and there is a great deal more that I have to say on this subject.

One of the things that I want to have dealt with this evening, Mr. Speaker, has to do with other jurisdictions in this country. I ask the Minister of Labour and the Deputy Premier (Mr. Steuart) and the Attorney General (Mr. Heald) and other MLA Liberals who are lawyers and presumably know something about the formation of legislation and how it is constructed, whether at any time they discussed the kind of perils that they appear to fear in the area of labor-management negotiations and relations with the Federal Minister of Labour, Mr. Mackasey, whether he was asked to come to this province and to discuss these problems. Because you know, as I read Mr. Mackasey, any comments that he had made during the past two years are dramatically opposed to everything in this Bill.

MR. MacDOUGALL: — He is a Socialist.

MR. DAVIES: — My friend from Souris-Estevan says that he thinks Mr. Mackasey is a Socialist. I don't know what that makes my friend if that makes Mr. Mackasey a Socialist. That must make him somewhat to the right of the Conservative Party. I really don't know.

I want to say that you people are in a cocoon in this province. You are in a cocoon of your own making. And what will happen to you sooner or later if you don't elaborate some sort of a positive philosophy on labor relations is that cocoon will never open. You will end somewhere, I suspect, underneath the ground where the Liberal Party at this moment in its philosophy on labour relations belongs.

Mr. Speaker, I do have some other comments that I should like to make and I beg leave to adjourn the debate.

SOME HON. MEMBERS: Hear, hear!

Debate adjourned.

The Assembly adjourned at 9:30 o'clock p.m.